

## 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  
Rudolph S. Chow, 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 December 09, 2014, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

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

Comptroller: "Second."

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

\* \* \* \* \*

## 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:

A&W Maintenance, Inc.	\$ 1,500,000.00
Daisy Concrete Inc. of Maryland	\$ 20,000,000.00
Economic International Construction, Co., Inc.	\$ 1,500,000.00
Freeland Hoist & Crane, Inc.	\$ 1,500,000.00
JCM Control Systems, Inc.	\$ 1,179,000.00
Letke Security Contractors, Inc.	\$ 684,000.00
Royster Construction, Inc.	\$ 171,000.00
Trijay Systems, Inc.	\$ 8,000,000.00
Tri-State Grouting	\$ 8,000,000.00
Video Pipe Services, Inc.	\$ 60,579,000.00

2. Prequalification of Architects and Engineers

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

ADS Environmental Services	Engineer
ARM EnerTech Associates, LLC	Engineer
A.S. Architects, Inc.	Architect
BrightFields, Inc.	Engineer
EBA Engineering, Inc.	Engineer Land Survey

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

Glyndon Engineering & Technology Co.	Engineer
Marshall Craft Associates	Architect
Savin Engineering, P.C.	Engineer
Schrader Group Architecture, LLC	Architect Engineer

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

**MINUTES**

Health Department - Correction to Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a correction to the name of the grantor for the Teen Pregnancy Prevention Initiative award approved by the Board on October 9, 2013.

**AMOUNT OF MONEY AND SOURCE:**

\$15,000.00 - 6000-626614-3080-292303-406001

**BACKGROUND/EXPLANATION:**

On October 9, 2013, the Board approved acceptance of the grant award from the David and Barbara B. Hirschhorn Foundation, Inc. in the amount of \$15,000.00. The period of the award is July 1, 2013 through June 30, 2014. This grant provides funds for the Teen Pregnancy Prevention Initiative.

The name of the grantor was incorrectly stated on the Department's Board memo as the David and Barbara B. Hirschhorn Foundation, Inc. However, the grant award letter submitted with the Board memo showed the correct grantor as the Henry and Ruth Blaustein Foundation, Inc.

The Department apologizes for the error.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the correction to the name of the grantor for the Teen Pregnancy Prevention Initiative award approved by the Board on October 9, 2013.

## MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2013 through June 30, 2014.

1. **KENNEDY KRIEGER INSTITUTE, INC.** **\$ 40,030.00**

Account: 4000-428214-3080-294309-603051

The Kennedy Krieger Institute Center for Autism and Related Disorders will provide screening assessment, training, and staff case consultation by a trained psychologist with expertise in the early identification of autism spectrum disorders.

2. **HEARING AND SPEECH AGENCY OF METROPOLITAN BALTIMORE, INC.** **\$ 74,140.00**

Accounts: 4000-498914-3080-603002-603051 \$ 44,140.00  
 4000-428214-3080-294311-603051 \$ 30,000.00

The Hearing and Speech Agency of Metropolitan Baltimore, Inc. will provide a speech-language pathologist to staff the Baltimore Infants and Toddlers Eligibility Center, provide therapy and evaluation services on an as-needed basis, assessment documentation, and meeting attendance as requested by the Director of the Baltimore Infants and Toddlers Program.

**MWBOO GRANTED A WAIVER.**

The agreements are late because they were just completed.

3. **INDEPENDENT MARYLANDERS ACHIEVING GROWTH THROUGH EMPOWERMENT, INC. (IMAGE)/ MARYLAND ACCESS POINT PROGRAM** **\$ 17,689.88**

Account: 5000-563014-3044-295900-603051

## MINUTES

Health Dept. - cont'd

4. **INDEPENDENT MARYLANDERS ACHIEVING GROWTH \$ 13,000.00**  
**THROUGH EMPOWERMENT, INC. (IMAGE)/**  
**MONEY FOLLOWS THE PERSON PROGRAM**

Account: 5000-533814-3044-273300-404001

The Department receives funding from the Maryland Department of Aging for the development of an Aging and Disability Resource Center (ADRC) through the Area Agency on Aging (AAA), Maryland Access Point (MAP) Program and the Money Follows the Person Program. The Department utilizes the funds from these two programs to engage IMAGE to perform services for nursing home residents that want to explore the option to return to the community. The provider will provide Options Counseling and Medicaid application assistance to all individuals between the ages of 18-49 who are referred by the Department of Health and Mental Hygiene or its designees.

The agreements are late because the Department was waiting on finalization of the budget and signatures from the provider.

5. **JOHNS HOPKINS UNIVERSITY, BLOOMBERG \$24,600.00**  
**SCHOOL OF PUBLIC HEALTH (JHU)**

Account: 4000-4222814-3080-294200-603051

The JHU will provide a Preventive Medicine Fellow to work with and receive mentoring from the Deputy Commissioner, Division of Health Promotion & Disease Prevention and/or the Assistant Commissioner, Division of Maternal and Child Health.

**MINUTES**

Health Dept. - cont'd

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

**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 aforementioned agreements. The President **ABSTAINED** on item no. 5.

**MINUTES**

Health Department - Final FY 13 Notification of Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the Final FY 13 Notification of Grant Award (NGA) from the State of Maryland Department of Aging (MDoA) for the Title III's and VII. The period of the grant was October 1, 2012 through September 30, 2013.

**AMOUNT OF MONEY AND SOURCE:**

\$ 1,077,752.00	-	4000-433513-3024-268400-404001	Title III B/Access to Senior Services
1,268,184.00	-	4000-432913-3024-295900-404001	Title III C-1/Congregate Meals
669,794.00	-	4000-434313-3254-316200-404001	Title III C-2/Home Delivered Meals
39,549.00	-	4000-436213-3255-271200-404001	Title III D/Health Promotion & Education
457,981.00	-	4000-436113-3255-271200-404001	Title III E/National Family Caregivers
55,023.00	-	4000-433913-3023-295900-404001	Title VII Ombudsman/Elder Abuse
316,721.00	-	4000-433513-3024-268400-404001	Carry-Over Title III B Access to Senior Servs.
184,409.00	-	4000-432913-3024-295900-404001	Carry-Over Title III C-1 Congregate Meals

**\$ 4,069,413.00**

**BACKGROUND/EXPLANATION:**

The initial NGA FY 13 Title III's and VII were approved on February 27, 2013 in the amount of \$2,875,142.00.

This final NGA for FY 13 will allow the Department of Health to provide coordinated and accessible services for seniors in Baltimore City.



**MINUTES**

Health Dept.- cont'd

This final award in the amount of \$1,194,271.00 will make the award amount \$4,069,413.00.

This grant award is being presented at this time because it was recently received from the grantor.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved the Final FY 13 Notification of Grant Award from the State of Maryland Department of Aging for the Title III's and VII.

**MINUTES**Circuit Court for Baltimore City - TRANSFER OF LIFE-TO-DATE  
SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Ms. Ronna K. Jablow.

The transfer of sick leave days is necessary in order for the designated employee to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their LIFE-TO-DATE sick leave balances as follows:

<u>NAMES</u>	<u>DAYS</u>
Jan Bowser	3
Darlene English	5
Sharon George	3
Brenda Graham	5
Charles Madden	5
Dianne A. Morris	1
Marion Turner	<u>3</u>
<b>TOTAL</b>	<b>25</b>

**APPROVED FOR FUNDS BY FINANCE**

**THE LABOR COMMISSIONER RECOMMENDED APPROVAL.**

UPON MOTION duly made and seconded, the Board approved the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Ms. Ronna K. Jablow.

## 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 page:

4924

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>

Department of Transportation

1. EWO #001, \$53,990.70 - TR 10314, Parcel D, Inner Harbor  
Improvements Phase III  


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 \$ 412,617.10 - Joseph B. Fay - -  
 Company
  
2. EWO #023, \$17,139.06 - TR 10005, Uplands Redevelopment:  
Mass Grading & Infrastructure  


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 \$18,279,447.78 \$ 1,854,276.81 Monumental Paving 273 -  
 & Excavating Inc.
  
3. EWO #017, (\$875,921.56) - TR 00075, Rehabilitation of  
Fayette Street from President to Broadway  


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 \$ 8,345,998.26 \$ 248,865.25 M. Luis Construction -  
 Co., Inc.

Bureau of Water and Wastewater

4. EWO #014, \$129,000.00 - SWC 7758, Drainage Repairs and  
Improvements at Various Locations  


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 \$ 1,066,490.00 \$ 562,877.07 Allied Contractors, 0 99  
 Inc.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
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Bureau of Water & Wastewater

5. **\$129,000.00** 9958-909715-9526 9958-906101-9520-900020-2  
 Other Funds Construction Reserve  
 Unallocated

The transfer will cover the cost for work provided by Allied Contractors due to unsolicited modification made to a storm drain by Northeast Remsco while completing work under SC 800.

**MINUTES**

Bureau of Water & Wastewater - Ratification of Extra Work  
Order for SC 849 and Payment  
Authorization

**ACTION REQUESTED OF B/E:**

The Board is requested to ratify a 60-day time extension and authorize payment to Kinsley Construction, Inc. for extra work performed under SC 849, Locust Point Wastewater Pumping Station Force Main Replacement. The ratification of the time extension will extend the construction completion date from July 08, 2012 to September 05, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$24,603.48 - 9956-904753-9551-900020-706063

**BACKGROUND/EXPLANATION:**

The scope of work for SC 849 required the removal of three existing railroad crossings at the Locust Point Marine Terminal. The Maryland Port Authority notified the Department of Public Works, Construction Management Division that this work could not be executed, as originally designed.

The revised design delayed construction and required additional time to complete the revised design. After negotiations, Kinsley Construction, Inc. and the Construction Management Division determined that a 60-day, non-compensable time extension would allow sufficient time for the scope change.

A request for the time extension was originally processed in May of 2012. Due to delays in the administrative process, this request reached the Change Order Review Committee (CORC) on August 8, 2012. Because the contract had expired, CORC declined to review the request, and recommended that it be referred directly to the Board of Estimates.

**MINUTES**Bureau of Water & Wastewater - cont'd

The documents were not returned to the Bureau of Water & Wastewater, the requesting agency. As part of the project closeout process, the Construction Management Division identified that there was a remaining cost for extra work that had not been processed because the time extension had not been approved. These costs are now contained in this request.

The additional cost is to compensate Kinsley Construction, Inc. for escalations in the cost of liquid asphalt as allowed by the contract specifications, and to replace the designed 'Float' sensors with 'Ultrasonic' sensors, as required by engineering.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board ratified the 60-day time extension and authorized the payment to Kinsley Construction, Inc. for extra work performed under SC 849, Locust Point Wastewater Pumping Station Force Main Replacement.

**MINUTES**

Baltimore Office of Promotion - Memoranda of Understanding  
and the Arts (BOPA)

The Board is requested to approve the following memoranda of understanding (MOU).

The MOU provides a framework for BOPA to successfully administer the program and the Public Art Commission (PAC) to enhance the capital construction project for the following agencies:

1. **CITY OF BALTIMORE DEVELOPMENT CORPORATION**
2. **DEPARTMENT OF GENERAL SERVICES**
3. **DEPARTMENT OF PLANNING**
4. **DEPARTMENT OF PUBLIC WORKS**
5. **DEPARTMENT OF RECREATION & PARKS**
6. **PARKING AUTHORITY OF BALTIMORE**

No funds will be exchanged at this time, but pending funding availability and project designation, at least 1% of all eligible capital improvement construction costs may go towards public art. Any funds available for construction costs not precluded by restrictions determined by the source of funds are subject to percent for art legislation.

The Baltimore City Council adopted an Ordinance on July 16, 2007 for the purpose of establishing a Public Art Commission and requiring the allocation of at least 1% of eligible funds to be used for public art. This was a modernization of the original percent-for-art ordinance passed in 1964.

The new ordinance designates the Baltimore Office of Promotion and the Arts (BOPA) as the administrator of this program.

**APPROVED FOR FUNDS BY FINANCE**

MINUTES

BOPA - cont'd

UPON MOTION duly made and seconded, the Board approved the  
aforementioned memoranda of understanding.



## MINUTES

Wage Commission - Living Wage Recommendation for FY 2015

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

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

Methodology for calculation:

\$23,492.00 divided by 2,080 (a 40 hour week x 52) = \$11.29

**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 recommendation of the revised Living Wage Rate for the City of Baltimore service contracts for the coming fiscal year.

## Kim A. Trueheart

December 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 of the item described below from this week's Board of Estimates agenda and my request for information under the Maryland Public Information Act, State Government Article §§10-611 to 628.

The following details are provided to initiate this action as required by the Board of Estimates and I fully understand that the details in paragraphs 1-4 are NOT required by the Maryland Public Information Act:

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 14, Wage Commission – Living Wage Recommendation for FY 2015, if approved:
    - i. Please provide for inspection the document that shows the following:
      1. The number service contracts recommended by the City Purchasing Agent which the Living Wage applies;
        - a. For fiscal years 2011 and 2012.
        - b. For fiscal year 2013 the current number of contracts in place, year to date.
3. How the protestant will be harmed by the proposed Board of Estimates' action: The Living Wage Rate must be applied to every service contract awarded by the City. This should NOT be optional and when universally implemented demonstrates this administration's commitment to "Grow Baltimore" and create living wage jobs for our residents. Application of this new wage rate on service contracts will act as a multiplier that not only creates jobs for our un/underemployed, but puts desperately needed funds in neighborhoods that are continuing to suffer from the ravages of our slow recovering economic recession.
4. The remedy I seek and respectfully request is that this recommendation NOT be approved unless it is applicable to EVERY service contract issues by the City, without exception.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on December 11, 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**Wage Commission - Prevailing Wage Rate Recommendation 2014**ACTION REQUESTED OF B/E:**

The Board is requested to approve the recommended Prevailing Wage Rates in accordance with Article 5, Subtitle 25, Baltimore City Code, to be paid to laborers, mechanics and apprentices on all Prevailing Wage projects awarded by the Mayor and City Council of Baltimore. It is recommended that the rates become effective for contracts that are advertised on or after December 31, 2013.

**BACKGROUND/EXPLANATION:**

The submitted recommended Prevailing Wage rates represent an average increase of 0.01% for classes 1, 2, 3 and 5 (\$39.41 is the dollar amount increase).

Class 1	Building Construction	0.01%
Class 2	Highways	0.04%
Class 3	Utility	0.00%
Class 5	Purchases, etc.	0.00%
		<b>0.01 Average Increase</b>

The Wage Commission completed its annual study of the City's Prevailing Wage rates.

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

Classification 4 is not included in this calculation since this residential category applies to federally funded HUD projects and has no impact on the City's general funds. For this reason the Wage Commission adopted the US DOL wage rates for this category.

## MINUTES

Wage Commission - 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 recommended Prevailing Wage Rates in accordance with Article 5, Subtitle 25, Baltimore City Code, to be paid to laborers, mechanics and apprentices on all Prevailing Wage projects awarded by the Mayor and City Council of Baltimore.

## Kim A. Trueheart

December 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 of the item described below from this week's Board of Estimates agenda and my request for information under the Maryland Public Information Act, State Government Article §§10-611 to 628.

The following details are provided to initiate this action as required by the Board of Estimates and I fully understand that the details in paragraphs 1-4 are NOT required by the Maryland Public Information Act:

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 15, Wage Commission – Prevailing Wage Rate Recommendation 2014, if approved:
    - i. Please provide for inspection the following:
      1. The annual study of the City's Prevailing Wage rates;
      2. The notification method use by the Wage Commission to request evidence from contracting associations, unions related trade groups and the general public on work both public and private, in order to establish rates to be recommended to the Board of Estimates.
3. How the protestant will be harmed by the proposed Board of Estimates' action: The Prevailing Wage Rate must reflect market thresholds to ensure the City remains competitive with commercial employers which will facilitate the highest quality of skilled workers employed on City contracts other tax-payers will NOT benefit to the greatest extent possible and expected when tax-payer funds are expended.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on December 11, 2012.

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 General Services - Developer's Agreement No. 1314

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of developer's agreement no. 1314 with 6609 Reisterstown, LLC. developer.

**AMOUNT OF MONEY AND SOURCE:**

\$ 21,400.00

**BACKGROUND/EXPLANATION:**

The developer would like to install new water service to its proposed construction located in the vicinity of 6609 Reisterstown Road. This developer's agreement will allow the organization to do its own installation, in accordance with Baltimore City standards.

A Performance Bond in the amount of \$21,400.00 has been issued to 6609 Reisterstown, LLC which assumes 100% of the financial responsibility.

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the developer's agreement no. 1314 with 6609 Reisterstown, LLC.

## MINUTES

Department 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. 124 S. Ann Street	Crab House	One set of steps
	Properties, LLC	8'6" x 3'6"
126 S. Ann Street	" "	" "
128 S. Ann Street	" "	" "
134 S. Ann Street	" "	" "
136 S. Ann Street	" "	" "
138 S. Ann Street	" "	" "
Flat Charge: \$ 211.20		
2. 130 S. Ann Street	Crab House	One set of steps
	Properties, LLC	8'6" x 3'6", one balcony 11'8" x 1'6"
132 S. Ann Street	" "	one set of steps 8'6" x 3'6", one balcony 11'8" x 1'6"
Annual Charge: \$ 281.20		
3. 3529 E. Baltimore Street	Junior Thompson	Two single face electric signs 5' x 3' each
Annual Charge: \$ 140.60		
4. 415 N. Charles Street	Accreditation Board for Engineering & Technology, Inc.	One single face electric sign 7.4 sq. ft., one flat sign 35 sqft.
Annual Charge: \$ 238.60		

## MINUTES

Department of General Services - cont'd

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
5. 4901 Eastern Ave.	Maria Orfanos	Outdoor seating 20' x 5'
Annual Charge: \$ 617.50		
6. 4901 Eastern Ave.	Mary Orfanos	Retain wrap around awning 76' x 4½', canopy w/staunches 14½' x 13½', single face electric sign 25½' x 2', ten spot reflectors
Annual Charge: \$ 1,438.70		
7. 2801 Greenmount Ave.	Waverly Commons, LLC	One set of steps 14'8" x 5'
Annual Charge: \$ 70.30		
8. 3132 W. North Ave.	Hamayoon Ayubi	One flat sign 12' x 2.5'
Annual Charge: \$ 17.60		

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

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



**MINUTES**Parking Authority of Baltimore City (PABC) - Parking Facility  
Rate Increases**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the parking facility rate increase at the Redwood Garage that is managed by the Parking Authority of Baltimore City.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

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

The PABC performed a survey of parking rates in the areas surrounding the Redwood Garage. The rate survey confirmed that the fees charged to parkers at this facility are generally lower than fees charged at other parking facilities within the area. To bring the rates charged at the Redwood Garage in line with its surrounding facilities, the PABC staff developed the rate change recommendations. The transient rate and monthly rates were last changed in November 2012 and May 2012, respectively. These proposed rate changes were approved by the PABC Board of Directors.

<b>Location</b>	<b>Proposed Transient Rate Changes</b>		<b>Proposed Monthly Rate Changes</b>		
	Current	Proposed	Current	Proposed	
<b>Redwood Garage</b>					
	Up to 3 hours	\$11.00	<b>\$12.00</b>	Regular Rate \$150.00	<b>\$155.00</b>
	From 4-12 hours	\$13.00	<b>\$14.00</b>		

## MINUTES

PABC - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the parking facility rate increase at the Redwood Garage that is managed by the Parking Authority of Baltimore City.

**MINUTES**

Parking Authority for - Second Amendment to Parking Facility  
Baltimore City (PABC) Operations and Management Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Second Amendment to Parking Facility Operations and Management Agreement with Chesapeake Parking Associates, a general partnership between Central Parking System of Maryland, Inc. and Banks Contracting Co., Inc. for the Lexington Street Garage. The second amendment extends the agreement through December 31, 2014.

**AMOUNT OF MONEY AND SOURCE:**

\$183,513.00 - 2075-000000-2321-407500-603016 Operating Expenses  
36,000.00 - 2075-000000-2321-407500-603026 Mgmt. & Incentive  
**\$219,513.00**

**BACKGROUND/EXPLANATION:**

On August 31, 2011, the Board approved the initial agreement for a 17 month term, and on November 14, 2012, the Board approved a one year extension. The compensation to Chesapeake Parking Associates was based on a monthly base management fee and a calculation for the incentive fee, with reimbursement for approved operating expenses at the parking facility. This second amendment requires additional funding to pay for anticipated operating expenses and to compensate Chesapeake Parking Associates during the extended term upon the original compensation structure.

This second amendment is a 13-month extension of the original agreement and will allow the Parking Authority to finalize the process of awarding a longer term agreement for the operation and management of a group of facilities that includes the Lexington Street Garage, Baltimore Street Garage, and Water Street Garage. The contracts for the Baltimore and Water Street garages will terminate on December 31, 2014.

The Parking Authority has been working toward awarding longer term agreements for groups of facilities to management firms, and has recently awarded two groups of facilities with approval from the Board.

**MINUTES**PABC - cont'd

Chesapeake Parking Associates has provided quality management services, and the PABC believes that maintaining Chesapeake Parking Associates as the operator of the Garage for the period of this extension will be beneficial to the City.

**MBE/WBE PARTICIPATION:****MWBOO SET GOALS OF 17% FOR MBE AND 9% FOR WBE.**

<b>MBE:</b> Tote-It, Inc.	\$ 3,210.00	
MBE Participation in 2011-2012	<u>11,380.00</u>	
	<b>\$14,590.00</b>	13%
<b>WBE:</b> Sue Ann's Office Supply, Inc.	\$ 1,585.00	
Sign Solutions, Inc d/b/a Sign-A-Rama	1,320.00	
Fitch Dustdown Co., Inc.	1,560.00	
WBE Participation in 2011-2012	<u>5,139.00</u>	
	<b>\$ 9,604.00</b>	9%

Per the contracting agency, the contractor has shown good faith efforts. The MBE goal was not met due to constraints placed by budget cuts.

**MWBOO FOUND THE VENDOR IN COMPLIANCE.****APPROVED FOR FUNDS BY FINANCE****AUDITS REVIEWED AND HAD NO OBJECTION**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Second Amendment to Parking Facility Operations and Management Agreement with Chesapeake Parking Associates, a general partnership between Central Parking System of Maryland, Inc. and Banks Contracting Co., Inc. for the Lexington Street Garage. The Comptroller **ABSTAINED**.

MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

4940 - 4942

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 Board further **DEFERRED** item nos. 1 and 2 for one week.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development - (DHCD)</u>		
1. \$ 219,359.46	9988-904651-9593	
CDBG XXXIII	2800 E. Lanvale St.	
182,514.00	9988-906904-9587	
CDBG XXXIII	Afford. Housing	
	Program - Reserve	
295,000.00	9990-906940-9593	
CDBG XXXI	Oliver Redevel.	
100,442.49	9987-907730-9593	
CDBG XXXII	Uplands Redevel.	
349,035.07	9988-908730-9593	
CDBG XXXIII	Uplands Redevel.	
278,695.00	9983-904106-9593	
CDBG XXVII	Park Heights	
	Sports Complex	
<b>\$1,425,046.02</b>	-----	9991-945002-9587
		Unallocated Reserve
		HCD - CDBG XXXV
		Reserve

This transfer will move appropriations to the Reserve account for future needs from projects that will no longer need these CDBG funds.

2. <b>\$2,413,105.00</b>	9990-902953-9593	
CDBG XXXV	Preston St. Acq. &	
	Demo.	
\$1,242,364.00	-----	9990-917050-9593
CDBG XXXV		Citywide Stabilization
1,170,741.00	-----	9991-945002-9587
CDBG XXXV		Unallocated Reserve
		DHCD
<b>\$2,413,105.00</b>		

This transfer will move appropriations to the Citywide Stabilization account for current and immediate needs and the balance to the DHCD's Reserve account for future needs.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>DHCD - cont'd</u>		
3. \$ 997,687.00	9990-903914-9587	
CDBG XXXV	Claremont - Reserve	
488,313.00	9990-907970-9593	
CDBG XXXV	Barclay Redevel.	
<u>\$1,486,000.00</u>		
 \$1,300,000.00	-----	9990-922100-9593
		Citywide Demolition
		CDBG XXXV
 <u>186,000.00</u>	-----	9991-945002-9587
		Unallocated Reserve
		HCD - CDBG XXXV
		Reserve
 <b>\$1,486,000.00</b>		

This transfer will move appropriations to the Citywide Demolition account for current and immediate needs and the balance to the DHCD's Reserve account for future needs.

4. \$ 50,000.00	9910-912006-9588	9910-906042-9588
General Funds	Neighborhood	Vacant to Values
	Planning Program	Marketing

This transfer will move appropriations to the Vacant to Values Marketing Program to further publicize the City's efforts to bring new residents to the neighborhoods throughout the City.

MINUTES

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>		
5. \$ 5,000.00	9938-913001-9475	9938-901759-9474
General Fund	Unallotted -	Park & Recreation
	Reserve	Facilities Renova-
		tion FY09 - Active

This transfer will cover the costs associated with Change Order No. 15 for Morrell Park Recreation Center, Contract No. RP 09816.

Bureau of Water and Wastewater

6. \$12,500,000.00	9960-9558-948002	
Water Utility	Constr. Res.	
Funds	Meter Replacement	
12,500,000.00	" "	
<u>Counties</u>		
<b>\$25,000,000.00</b>		
\$20,600,000.00	-----	9960-904640-9557-3
		Engineering
<u>4,400,000.00</u>	-----	9960-904640-9557-9
		Administration
<b>\$25,000,000.00</b>		

The funds are required to cover the cost of services for the implementation/construction of WC 1248, Water Utility Billing System-Construction.

**A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.**

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



## Kim A. Trueheart

December 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 Public Works.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:
  - a. Page 25, Item #6, Bureau of Water and Wastewater - Transfers of Funds – WC 1248, if approved:
    - i. This transfer in the amount of \$25,000,000.00 fails to disclose the estimate of the number of jobs anticipated;
      1. Please provide access to the document that provides an estimate of the number of jobs anticipated as a result of this contract award.
    - ii. Indicates “The funds are required to cover the cost of services for the implementation/construction of WC 1248, Water Utility Billing System-Construction.”,
      1. This statement fails to disclose whether this transfer will fund acquisition of the billing system and/or the hardware infrastructure for the system.
      2. Please provide access to the document that provides an estimate of the number of jobs anticipated as a result of this contract award.
3. How the protestant will be harmed by the proposed Board of Estimates’ action: As a citizen I have witnessed what appears to be a significant dearth in leadership, management and cogent decision making within the Department of Public Works, which potentially cost me and my fellow citizens excessive amounts of money in cost over-runs and wasteful spending, without benefit of local jobs and minority/women contracts.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on December 11, 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                    - Sales Contract  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the sales contract with the United States Department of Housing and Urban Development, for the City to purchase the leasehold interest in the property located at 830 Edmondson Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$1.00 - 9910-908044-9588-900000-704040

**BACKGROUND/EXPLANATION:**

The City owns 40% of the block face of properties on the 800 block of Edmondson Avenue. 80% of the block face has vacant building notices. Acquisition of this vacant building will further plans for the site assemblage of the block. This site is part of a broader future redevelopment plan for the Upton neighborhood.

Pursuant to the provisions of Article 13, Section 2-7 of the Baltimore City Code (2000 Edition) and subject to prior approval of the Board of Estimates, the DHCD may acquire, for and on behalf of the Mayor and City Council of Baltimore, any single-family or multiple-family dwelling unit or other structure or lot within the City, for development and redevelopment. The Commissioner of Housing has made the required determination with regard to this property. The property will be redeveloped.

**MBE/WBE PARTICIPATION:**

N/A

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the contract with the United States Department of Housing and Urban Development, for the City to purchase the leasehold interest in the property located at 830 Edmondson Avenue.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement with the East Baltimore Development Incorporated (EBDI). The period of the grant agreement is effective upon Board approval for 24 months.

**AMOUNT OF MONEY AND SOURCE:**

\$2,500,000.00 - 9910-903419-9588-900000-704045

**BACKGROUND/EXPLANATION:**

The EBDI is managing the redevelopment of an 88 acre site in East Baltimore that includes new biotech space, commercial and retail space, and over 2,100 units of mixed-income housing.

The State of Maryland has played a critical role in realizing this vision through its approval of State Revitalization Funds which support acquisition of properties by the DHCD, site improvements, and private acquisition of property by the EBDI. State Revitalization Funds are granted to the City, which in turn makes monies available to the EBDI. All funds must be expended within 24 months from the date of approval.

The 2011 General Assembly approved \$2,500,000.00 to support demolition in the project area. The funds are being spent to demolish the site where a new community school is under construction as well as surrounding blocks.

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with the East Baltimore Development Incorporated.

**MINUTES**

Department of Housing and - Grant Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement with the Living Classrooms Foundation, Inc. The period of the grant agreement is effective upon Board approval for 24 months.

**AMOUNT OF MONEY AND SOURCE:**

\$170,000.00 - 9910-905618-9588-900000-704048

**BACKGROUND/EXPLANATION:**

In September 2007, \$1,000,000.00 was made available to assist charter schools that are not located in an existing school building with improvements to their facilities. Nine schools were awarded grants including the Living Classrooms Foundation, Inc., which operates the Crossroads School.

The school is currently located on the Living Classrooms Foundation's, Inc. campus, but has outgrown its current space. Plans are underway to construct a new school that will include six additional classrooms, a literacy/media center, lockers and offices for the Crossroads' Principal and Vice Principal.

The Crossroads School is a public, tuition-free charter middle school operated by the Living Classrooms Foundation, Inc. on its East Harbor Campus through a contract with the Baltimore City Public School System. The school, which opened its doors in September 2002, draws students from five East Baltimore elementary schools and currently serves 150 students in 6<sup>th</sup> through 8<sup>th</sup> grades.

The Living Classroom Foundation, Inc. will utilize the funds to provide schematic design, design development, and construction drawings for the new school building.

## MINUTES

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

The Living Classrooms Foundation, Inc. has signed a Commitment to Comply with Article 5, Subtitle 28 of the Baltimore City Code of the Minority and Women's Business Enterprise Program of the City of Baltimore.

**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.

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$170,000.00</b>	9910-904921-9587	9910-905618-9588
Charter School	29 <sup>th</sup> Comm. Dev.	29 <sup>th</sup> Comm. Dev.
for Living	Bonds - Reserve	Bonds Living
Classrooms		Classrooms -
		Charter School -
		Bldg. Maintenance

This is a transfer of appropriations for \$170,000.00 to the Living Classrooms Foundation of Baltimore, Inc. to provide funds for architectural drawings for the new Crossroads School building.

## MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with the Living Classrooms Foundation, Inc. The transfer of funds was approved subject to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. The Mayor **ABSTAINED**. The President **ABSTAINED**.



## Kim A. Trueheart

December 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 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 28, 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. Baltimore City has over 35 charter schools and over the past two years the only one to receive funding approved by the actions of this Board of Estimates has been Living Classrooms Foundation, Inc. This clearly depicts their favored and disparate treatment by our elected representatives.
    - iv. 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.
    - v. 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 extended unusual latitude in delivering its services to the City of Baltimore. This latitude 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

Email: [ktrueheart@whatfits.net](mailto:ktrueheart@whatfits.net)

5519 Belleville Ave  
Baltimore, MD 21207

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. Additionally, I 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 December 11, 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 the People's Homesteading Group, Inc., developer, for the sale of the City-owned properties located at 434 and 439 E. 22<sup>nd</sup> Street.

**AMOUNT OF MONEY AND SOURCE:**

\$ 5,000.00 - 434 E. 22<sup>nd</sup> Street  
 5,000.00 - 439 E. 22<sup>nd</sup> Street  
\$10,000.00 - Purchase Price

**BACKGROUND/EXPLANATION:**

People's Homesteading Group, Inc. will purchase the vacant row houses known as 434 and 439 E. 22<sup>nd</sup> Street from the City for rehabilitation and resale as affordable homeownership. The properties are located within the Barclay Community. The purchase price and improvements to the site will be funded through a loan from Capital Bank, N.A. and Community Development Bond Grant funds.

The authority to sell these properties is within the Barclay Urban Renewal Plan, originally approved by Ordinance Number 927 on December 13, 1978, and all amendments thereto.

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

434 and 439 E. 22<sup>nd</sup> Street are being sold for \$5,000.00 each. The Waiver Valuation process determined the price for each property to be \$14,000.00. The properties are being sold to People's Homesteading Group, Inc. for less than the Waiver Valuation price for the following reasons:

**MINUTES**

DHCD - cont'd

1. the renovations will be for the specific benefit of the immediate community,
2. this transaction 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, and
4. the properties are being sold for less than the waiver valuation price because of their condition, which will require extensive and immediate remediation.

**MBE/WBE PARTICIPATION:**

The developer will purchase the properties 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 the People's Homesteading Group, Inc. for the sale of the City-owned properties located at 434 and 439 E. 22<sup>nd</sup> Street.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a land disposition agreement (LDA) with Orkney 501, LLC, developer, for the sale of the City-owned properties, located at 501 Orkney Road and 431 Hutchins Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$161,000.00 - 501 Orkney Road  
81,000.00 - 431 Hutchins Avenue  
**\$242,000.00** - Purchase Price

**BACKGROUND/EXPLANATION:**

A good faith deposit in the amount of \$4,000.00 has been paid by the developer.

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

The City has agreed to convey the properties known as 501 Orkney Road and 431 Hutchins Avenue to Orkney 501, LLC. As a condition of the conveyance, Orkney 501, LLC has agreed to the terms of the LDA.

The City may dispose of the properties by virtue of the following legal authorizes: Article 28, Subtitle 8 of the Baltimore City Code (2011 Edition) ("the City Code"); Article II, Section 15 of the Baltimore City Charter, 2011 Edition; and Article 13 §2-7 (h) of the City Code.

**MINUTES**

DHCD - cont'd

**STATEMENT OF PURPOSE AND RATIONALE/APPRaisal EXCEPTION:**

501 Orkney Road was sold for \$161,000.00 and 431 Hutchins Avenue was sold for \$81,000.00 to Orkney 501, LLC by auction. Pursuant to the appraisal policy under "Exceptions to Requiring an Appraisal". No appraisal is required for the sale of properties under an approved Board of Estimates' Policy, which allows for an alternative method in determining value such a Broker Price Opinion will not require an appraisal. The sale of City-owned property, by auction, was approved by the Board on November 3, 2010.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Orkney 501, LLC for the sale of the City-owned properties, located at 501 Orkney Road and 431 Hutchins Avenue.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a land disposition agreement with Mr. Nathan C. Irby, developer, for the sale of the City-owned property located at 1510 N. Broadway.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000.00 - Purchase Price

**BACKGROUND/EXPLANATION:**

The City may dispose of the vacant lot by virtue of Article II, Section 15 of the Baltimore City Charter and Article 28, Subtitle 8 of the Baltimore City Code (2010 Edition). The project will consist of the developer maintaining the lot as an open space with the option of constructing a one-story addition to his adjacent property, in the future.

The sale of this property will help to remove a vacant lot, which otherwise would have become a dumping ground in the neighborhood.

The property located at 1510 N. Broadway was priced pursuant to the appraisal policy of Baltimore City, at \$1,000.00. It will be sold at the assessed value determined by the Maryland State Department of Assessments and Taxation.

**MBE/WBE PARTICIPATION:**

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

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Mr. Nathan C. Irby, for the sale of the City-owned property located at 1510 N. Broadway.



**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 the NDK Properties, LLC, developer, for the sale of the City-owned vacant buildings located at 1423, 1431, and 1506 Madison Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$ 10,400.00 - 1423 Madison Avenue  
10,400.00 - 1431 Madison Avenue  
10,400.00 - 1506 Madison Avenue  
**\$ 31,200.00** - Purchase Price

**BACKGROUND/EXPLANATION:**

NDK Properties, LLC will purchase the three vacant row houses known as 1423, 1431, and 1506 Madison Avenue for rehabilitation as multi-unit rentals. The properties are located within the Madison Park community. The purchase price and improvements to the site will be financed through private funding.

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

The statement of purpose and rationale is not applicable because the properties will be sold at market value.

The properties located at 1423 and 1431 Madison Avenue were journalized and approved for sale on December 22, 2010. The authority to sell the property located at 1506 Madison Avenue, is through Article 13, §2-7 (h) (2) (ii) (C).

**MBE/WBE PARTICIPATION:**

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

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with NDK Properties, LLC for the sale of the City-owned vacant buildings located at 1423, 1431, and 1506 Madison Avenue.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with Ms. Naomi Obutu, for the sale of the City-owned properties located at 1000, 1015, and 1029 E. Biddle Street.

**AMOUNT OF MONEY AND SOURCE:**

\$3,000.00 - 1000 E. Biddle Street  
3,000.00 - 1015 E. Biddle Street  
3,000.00 - 1029 E. Biddle Street  
**\$9,000.00** - payable at the time of settlement

The City will convey all of its rights, title, and interest in the properties.

**BACKGROUND/EXPLANATION:**

The purchase price and improvements to the site will be financed through private funding.

The City-owned vacant buildings will be rehabilitated and maintained as single family rental properties; rented at market rate. The property located at 1000 E. Biddle Street is within the Oliver Neighborhood, while 1015 and 1029 E. Biddle Street are in the Johnston Square Neighborhood.

The authority to sell the property located at 1015 E. Biddle Street comes from the Johnston Square Urban Renewal Plan, approved by the Mayor and City Council of Baltimore by Ordinance No. 456, dated December 19, 2002.

The authority to sell the properties located at 1000 and 1029 E. Biddle Street is given under Baltimore City Code, Article 13, Section 2-7(h).

**MINUTES**

DHCD - cont'd

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

The properties at 1000, 1015, and 1029 E. Biddle Street are being sold for \$3,000.00 each; making the total price of \$9,000.00. The waiver valuation process determined the price for the property located at 1000 E. Biddle Street to be \$6,000.00, and the properties located at 1015 and 1029 E. Biddle Street to be \$3,900.00 each; making the total price \$13,800.00. The properties are being sold for less because of the following reasons:

1. the renovation will be to the specific benefit to the immediate community,
2. will eliminate blight from the block and eliminate blight from the neighborhood,
3. the sale and rehabilitation will return a vacant building to the tax rolls, and
4. the properties are being sold for less than the waiver determined value because of their condition, which will require extensive and immediate remediation.

**MBE/WBE PARTICIPATION:**

The developer will purchase these properties for a price that is less than the \$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. Naomi Obutu for the sale of the City-owned properties located at 1000, 1015, and 1029 E. Biddle Street.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with Grace Realty Partners, LLC, for the sale of the City-owned vacant building located at 1414 East Biddle Street, in the Oliver Neighborhood.

**AMOUNT OF MONEY AND SOURCE:**

\$4,000.00 - Purchase Price

**BACKGROUND/EXPLANATION:**

The property will be purchased and renovated with private funds.

The project will consist of the City-owned vacant building being completely rehabilitated for residential use as a single family dwelling, for sale to a homeowner at market rate.

The property was journalized and approved for sale on June 13, 2012.

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

The property was priced at \$7,250.00, pursuant to the Waiver Valuation Process. It was assessed by SDAT for \$3,000.00. The property will be sold for \$4,000.00.

The property is being sold below the price determined in accordance with the Appraisal Policy of Baltimore City for the following reasons:

1. the specific benefit to the immediate community of revitalization through residential occupancy and home ownership,

**MINUTES**

DHCD - cont'd

2. elimination of blight and neighborhood stabilization, and
3. economic development; returning the property to productive use and to the active tax rolls of the City of Baltimore.

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Grace Realty Partners, LLC for the sale of the City-owned vacant building located at 1414 East Biddle Street, in the Oliver Neighborhood.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with Messrs. Terrance L. Brown and Brandon R. Humphries, (purchaser) for the sale of two City-owned vacant buildings located at 808 and 810 E. North Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$4,000.00 - 808 E. North Ave  
4,000.00 - 810 E. North Ave.  
 \$8,000.00 - Purchase Price

**BACKGROUND/EXPLANATION:**

The property will be purchased and completely renovated with private funds.

The project will consist of the two City-owned vacant buildings being completely rehabilitated for residential use as rental units. The purchaser intends to rehabilitate both properties and provide on-the-job training to participants from Jane's House of Inspiration, a local non-profit organization, adjacent to the properties.

The properties were journalized and approved for sale on September 22, 2011.

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

Pursuant to Baltimore City's Appraisal Policy a Waiver Valuation was done and the properties were priced at \$9,740.00 each but will be sold for \$4,000.00 each. The properties are being sold below the Waiver Valuation price for the following reasons:

1. the specific benefit to the immediate community of revitalization through residential occupancy,

**MINUTES**

DHCD - cont'd

2. elimination of blight and neighborhood stabilization, and
3. economic development; returning the property to productive use in the City of Baltimore.

**MBE/WBE PARTICIPATION:**

The properties are valued at less than \$49,999.99, therefore, MBE/WBE participation is not applicable.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Messrs. Terrance L. Brown and Brandon R. Humphries, for the sale of two City-owned vacant buildings located at 808 and 810 E. North Avenue.



**MINUTES**

Department of Housing and - HOME Investment Partnerships Program  
Community Development Loan

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a HOME Investment Partnerships Program Loan in the amount not to exceed \$1,200,000.00 (HOME Loan) to Hampstead Poppleton Partners III, LP.

The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development 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:**

<u>Sources</u>		<u>Uses</u>	
HOME Loan	\$1,200,000.00	Acquisition	\$ 452,000.00
LIHTC Equity	6,357,699.00	Construction/Rehab	5,438,002.00
Purchase Money Mortgage	232,000.00	Construction Fees	862,351.00
Developer Equity	443,977.00	Financing Fees	298,759.00
Solar Tax Credits	65,700.00	Syndication Fees	51,190.00
		Guarantee/Reserves	239,359.00
		Developer Fees	957,715.00
<b>Total</b>	<b>\$8,299,376.00</b>	<b>Total</b>	<b>\$8,299,376.00</b>

HOME Account: 9910-904382-9610

The proceeds of the HOME loan will be used to support a portion of the hard construction costs of 32 residential units of rental housing known as Poppleton Phase III Apartments, located at 858-876 and 863-865 West Fayette Street.

**MINUTES**

DHCD - cont'd

**BACKGROUND/EXPLANATION:**

Phase III of Poppleton Place Apartments (Phase III) will be the capstone to the developer's comprehensive redevelopment strategy within the Poppleton neighborhood. Phase I, which consisted of the rehabilitation of 123 units is completed and fully leased. Phase II, which consists of 111 units was completed in April 2012 and is fully leased.

Phase III will provide 32 new rental units (the Project), all of which will be made available to families with incomes at or below 60% of the area median income in accordance with the HOME Act (the HOME Restricted Units). Located at 858-876 and 863-865 West Fayette Street, the Project will involve the construction of a new three-story building to contain seven townhome style units and 23 flat units and will be built on the former sites of eight Housing Authority of Baltimore City (HABC) units and five privately owned units in two buildings on the north side of West Fayette Street. Additionally, a townhouse structure containing two units across the street from the 30 unit building will be constructed on the site of two vacant buildings that are currently owned by the Hampstead Group, Inc. The proposed 30 unit building will be three stories with attached townhome style units along the street wall so as to fit in with and enhance character of the neighborhood. The two-unit building will be a two-story townhome layout with two bedrooms and a three-bedroom unit within the single structure. Upon completion, Phase III will contain 14 one-bedroom units, 15 two-bedroom units and three 3-bedroom units.

The Borrower has agreed to provide seven 1-bedroom units (not less than 15% of the units) that will be targeted and restricted to Non-Elderly Disabled (NED) residents and three units, one two-bedroom unit and two three-bedroom units as UFAS Units. A UFAS Unit means a unit that contains accessible features and is certified by an architect designated by HABC as compliant with the Uniform Federal Accessibility Standards adopted by HUD. These ten units will have Project Based Housing Choice Vouchers for persons earning 30% or less of the Area Median Income (AMI).

**MINUTES**

DHCD - cont'd

The City and HABC will require all ten of the units to be restricted for exclusive use for at least 40 years in accordance with and meeting the requirements of the Bailey Consent Decree. Non-Elderly Disabled refers to (i) a family whose sole member, head of household, or head of household's spouse is a person with a disability who is under age 62, (ii) who is eligible for a one-bedroom public housing unit or for a two-bedroom public housing unit because a second bedroom is needed for disability-related reasons; and (iii) which is on the HABC waiting list for public or Section 8 subsidized housing.

The HOME Loan will be used solely to finance a portion of the hard construction costs of the Project.

An appraisal was prepared on May 29, 2013, by Novogradac & Company, LLP. The "As If Complete and Stabilized Market Value" was determined to be \$6,790,000.00. The appraised value is below the total cost of the project. This is common in transactions involving LIHTC and affordable housing. The LIHTC provides equity, which achieves its return through a federal tax credit rather than through the market value of the property. Without the value of the LIHTC financing, projects with restricted rents cannot be financed. Since the reduced rents decrease the appraised values, the combined debt is well under the appraised value, leaving only the equity exposes, which is relying on tax incentives rather than the property. The DHCD is comfortable recommending the HOME loan under these circumstances.

**Participating Parties:**

A. Developer/Owner

Hampstead Poppleton Partners III, LP (the Borrower) will be the developer of record and will guarantee construction completion. The Hampstead Development Group, Inc. (Hampstead) will act as the managing member of the Borrower. To assist with the financing The Hampstead has partnered with Wells Fargo Community Lending and Investment, or its affiliate or designee (WFCLI), will be the tax credit investor and with Hampstead, will form the Borrower.

## MINUTES

DHCD - cont'd

B. General Contractor/Architect

Nastos Construction, Inc. will act as the general contractor and will post 100% payment and Performance Bond. The Arcadia Group will be the architect of record for the project. Harris-Kupfer Architects, a local supervisory architect firm will provide construction administration services throughout the construction period.

C. Participating Lenders

Wells Fargo Bank (Wells Fargo) - 1<sup>st</sup> lien construction loan:

Wells Fargo will bridge a portion of the LIHTC equity contributions in the lesser of \$5,049,881.00 or the amount of the second capital contribution WFCLI. Secured by a first lien during the construction period, the interest rate will be the 30-day LIBOR Market Index Rate plus approximately 275 points. The maturity date of the debt will be 24 months from closing or at the time of the funding of the second LIHTC capital Contribution, subject to any rights of extension. Wells Fargo will not have any permanent debt on the project after the construction loan period.

There will be no must pay service on the Project going forward. All remaining cash flow after the payment of operating expenses will go to the repayment of deferred developer fee, the payments on the loans to the City and the payment of incentive management fee to the investor.

Baltimore City HOME Program - 2nd lien construction and 1<sup>st</sup> lien permanent loan:

The City is making a construction/permanent loan from amounts available under the HOME Program in the principal amount of \$1,200,000.00 (HOME Loan). During the construction loan period, which will be for a term not to exceed 24 months from the date of closing the Home Loan Construction Loan Period, interest will accrue at the rate of 2% per annum on sums advanced. The permanent loan period

## MINUTES

DHCD - cont'd

will be 20 years commencing at the end of the HOME Loan Construction Loan Period, (HOME Loan Permanent Loan Period) and the interest rate charged will be 2%. The day after the final day of the Permanent Loan Period is the HOME Loan Maturity Date. No payments on the HOME Loan will be required during the construction, but during the HOME Loan Permanent Loan Period, annual payments of principal and interest will be payable from 75% of the available cash flow generated by the Project. To the extent such cash flow is not available, required payments due and owing will be deferred. The outstanding principal balance, plus any deferred and accrued payments will be due and payable on the HOME Loan Maturity Date. The HOME Loan will be a long-term, subordinate, non-recourse debt.

Baltimore City Purchase Money Mortgage Loan - 3<sup>rd</sup> Lien construction and 2<sup>nd</sup> lien permanent loan:

The City is making a purchase money mortgage loan in a principal amount of approximately \$232,000.00 (HABC Purchase Money Loan). During the construction loan period, which will be a period not to exceed 24 months from the date of closing (HABC construction loan period), interest will accrue at the rate of 2% per annum. During the permanent loan period which will be a 15-year period commencing at the end of the HABC Construction Loan Period the interest rate will be 4%. The day after the final day of the HABC Permanent Loan Period is the HABC Maturity Date. No payments on the HABC Purchase Money Loan will be required during construction, but following completion of construction, annual payments of principal and interest will be due from the Borrower from the cash flow generated by the Project after payment of the HOME Loan. To the extent such cash flow is not available, required payments due and owing will be deferred. The outstanding principal balance, plus any deferred and accrued payments will be due and payable on the maturity date. The HABC Purchase Money Loan will be a long-term, subordinate, non-recourse debt.

**MINUTES**DHCD - cont'd**MBE/WBE PARTICIPATION:**

Article 5, Subtitle 28 of the Baltimore City Code for Minority and Women's Business Opportunity is fully applicable and no request for a waiver or exception has been made.

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$1,200,000.00</b>	9910-924013-9609	9910-904382-9610
Federal Home FY 2013	Home FY 2013 - Reserve	Poppleton Phase III Apartments

This transfer will provide Federal HOME funds to Hampstead Poppleton Partners III, LP to support a portion of the construction costs of 32 residential units of rental housing known as Poppleton Phase III Apartments.

UPON MOTION duly made and seconded, the Board approved the HOME Investment Partnerships Program Loan to Hampstead Poppleton Partners III, LP. The Board further authorized the Commissioner of the Department of Housing and Community Development 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.

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

The Board is requested to approve a refund of real property taxes for Ms. Claudine C. Collins.

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

<u>Claimant/s</u>	<u>Property</u>	<u>Taxable Year</u>	<u>Amount</u>
<b>CLAUDINE C. COLLINS</b>	5115 Plymouth Road	2012/2013	\$ 2,469.32
		2011/2012	2,399.09
		2010/2011	2,299.14
			<u>\$ 7,167.55</u>

Ms. Collins filed her application on October 24, 2013.

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

UPON MOTION duly made and seconded, the Board approved the refund of real property taxes for Ms. Claudine C. Collins.

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

The Board is requested to approve a refund of real property taxes for Mr. Harvest Stevens.

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

<u>Claimant/s</u>	<u>Property</u>	<u>Taxable Year</u>	<u>Amount</u>
<b>HARVEST STEVENS</b>	414 Water St. Unit 1608	2012/2013	\$ 4,396.49
		2011/2012	3,826.93
		2010/2011	3,237.47
			<u><b>\$11,460.89</b></u>

Mr. Stevens filed his application on October 29, 2013.

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

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



## MINUTES

Law Department - Settlement Agreements and Releases

The Board is requested to approve the settlement agreement and release for the following claims:

1. Anthony Keyes v. Officer Montemarano, \$50,000.00  
et al.

Funds are available in account no. 1001-000000-2041-105500-603070.

2. Clay v. Brown, et al. \$63,000.00

Funds are available in account no. 1001-000000-2041-195500-603070.

The settlements have been reviewed and approved by the Settlement Committee of the Law Department.

UPON MOTION duly made and seconded, the Board approved the settlement agreement and release for the above-listed claims.

**MINUTES**Mayor's Office of Human Services - Grant Agreement and  
Amendments to Grant  
Agreements

The Board is requested to approve and authorize execution of a grant agreement and amendments to grant agreements.

GRANT AGREEMENT

1. **PROJECT PLASE, INC.** **\$172,622.50**

Account: 4000-496213-3572-591426-603051

Project PLASE, Inc. will provide transitional housing and supportive services for 12 homeless men and women who are HIV+ or who have AIDS, and may also have mental health and substance abuse histories, as well as other physical health issues. The supportive services include medical assessments by a staff nurse, case management, peer support from former residents, and socialization activities which include a writing group, art group, and GED tutoring. Additional supportive services include enriched life skills groups, addictions assessments, counseling, contracts, relapse prevention, psycho-social services, mental health support, and outreach counselors for continued support after permanent housing is obtained. The period of the agreement is October 1, 2013 through September 30, 2014.

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

**MWBOO GRANTED A WAIVER.**

AMENDMENTS NO. 1 TO GRANT AGREEMENTS

2. **JOSEPH RICHEY HOUSE, INC.** **\$ 500.00**

Account: 4000-490914-3573-333672-603051

**MINUTES**MOHS - cont'd

On August 14, 2013, the Board approved the original agreement with Joseph Richey House, Inc. in the amount of \$64,061.00. This amendment no. 1 to the agreement, in the amount of \$500.00, will correct a mistake the Department found in the award files that did not match the application of Joseph Richey House, Inc. This amendment no. 1 will make the total award \$64,561.00. All other terms and conditions of the original agreement remain unchanged.

**MBE/WBE PARTICIPATION:**

N/A

3. **AT JACOB'S WELL, INC. \$ 4,603.00**

Account: 4000-496313-3573-591207-603051

On May 8, 2013, the Board approved the original agreement, in the amount of \$243,797.00, with At Jacob's Well, Inc. This amendment no. 1 to the agreement, in the amount of \$4,603.00, will increase the award to cover additional administrative costs for the program which serves 20 homeless clients, making the total award amount \$248,400.00. All other terms and conditions of the original agreement remain unchanged.

**MBE/WBE PARTICIPATION:**

N/A

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of grant agreement and amendments to grant agreements.

**MINUTES**

Office of the Mayor - Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement with The Family League of Baltimore City, Inc. The period of the agreement is July 1, 2013 through June 30, 2014.

**AMOUNT OF MONEY AND SOURCE:**

\$933,155.00 - 1001-000000-3850-630500-607001

**BACKGROUND/EXPLANATION:**

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

This agreement will support prenatal home visiting programs for pregnant women and women with young children at various locations in Baltimore City. It will also support the implementation of a prenatal health literacy program designed to educate women about pregnancy, build health literacy, increase self-efficacy, and provide social support.

The first installation will be in the amount of \$233,288.75 after approval of this agreement and \$233,288.75 will be paid for the next three quarters of the term of the agreement.

The organization's sub-grantees are affiliated with the B'More for Healthy Babies Initiative of the Baltimore City Health Department and will implement the Healthy Families America Program, an evidence-based home visiting model. The intended

**MINUTES**

Office of the Mayor - cont'd

results under this agreement are (1) a reduction in poor birth outcomes and premature birth and (2) a reduction in the number of infant deaths due to unsafe sleep practices.

The grant agreement is late because additional time was needed to negotiate and finalize subcontractor budgets.

**MBE/WBE PARTICIPATION:**

N/A

**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 grant agreement with The Family League of Baltimore City, Inc. 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:

4978 - 4983

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.

The Comptroller **ABSTAINED** on item nos. 9 (Harbor Truck  
Sales and Service, Inc. t/a Baltimore Freightliner only) & 13.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

- |   |                                   |                        |
|---|-----------------------------------|------------------------|
| 1. TR 12319, Citywide<br>ADA and Sidewalk &<br>Improvements | M. Luis Construction<br>Co., Inc. | \$866,000.00           |
| <b>DBE:</b> Rowen Concrete                                  |                                   | \$36,000.00      4.16% |

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$199,180.00 GF(HUR)	9950-903550-9509 Construction Reserve Neighborhood Street Reconstruction	
796,720.00 <u>Federal</u>	9950-944002-9507 Reserve for Closeouts	
<b>\$995,900.00</b>		
 \$866,000.00	 -----	9950-906660-9508-6 Structure & Improvements
86,600.00	-----	9950-906660-9508-5 Inspection
43,300.00 <u>\$995,900.00</u>	-----	9950-906660-9508-2 Contingencies Citywide ADA and Sidewalk Improvements

This transfer will fund the costs associated with the award of the project, TR 12319, Citywide ADA and Sidewalk & Improvements to M. Luis Construction Co., Inc. in the amount of \$866,000.00.

- |   |                                   |              |
|---|-----------------------------------|--------------|
| 3. TR 13012, Baltimore<br>Blue Neighborhoods<br>and Alley Project | M. Luis Construction<br>Co., Inc. | \$677,000.00 |
|---|-----------------------------------|--------------|

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation - cont'd

<b>MBE:</b> Carter Paving & Excavating Co., Inc.	\$80,000.00	11.82%
National Construction, Inc.	15,000.00	2.22%
	<u>\$95,000.00</u>	<u>14.04%</u>

<b>WBE:</b> S&L Trucking, LLC	\$35,000.00	5.17%
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**MWBOO FOUND VENDOR IN COMPLIANCE.**

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 54,000.00	9950-904101-9509	
MVR	Construction Reserve	
375,000.00	" "	
Others		
<u>\$429,000.00</u>		
\$429,000.00	-----	9950-907743-9514-6
		Structure & Improvements
		Baltimore Blue
		Neighborhoods and Alley
		Citywide

This transfer of funds will partially fund the cost associated with the award of TR 13012, Baltimore Blue Neighborhoods and Alley Project to M. Luis Construction Co., Inc. in the amount of \$429,000.00.

Bureau of Water & Wastewater

5. SC 875, Rehabilitation of Southwest Diversion Pressure/Gravity Sewer-Phase III	Spiniello Companies	\$16,433,000.00
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MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater - cont'd

<b>MBE:</b> Manuel Luis Construction	\$247,675.00	1.51%
JJ Adams Fuel Oil Co., LLC	300,000.00	1.83%
WCS Hughes, Inc.	<u>274,000.00</u>	1.67%
	<b>\$821,675.00</b>	
 <b>WBE:</b> William T. King, Inc.	 \$ 67,120.00	 0.41%
R & R Contracting Utilities, Inc.	<u>262,000.00</u>	1.59%
	<b>\$329,120.00</b>	

MWBOO FOUND VENDOR IN COMPLIANCE.

6. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$12,926,001.00	9956-905609-9549	
Baltimore Co.	Construction Reserve	
8,765,559.00	Sewer System Rehab-	
Wastewater	High Level	
<u>Revenue Bonds</u>		
<b>\$21,691,560.00</b>		
 \$ 1,643,300.00	 -----	 9956-905641-9551-2
		Extra Work
1,643,300.00	-----	9956-905641-9551-3
		Design
985,980.00	-----	9956-905641-9551-5
		Inspection
16,433,000.00	-----	9956-905641-9551-6
		Construction
<u>985,980.00</u>	<u>-----</u>	<u>9956-905641-9551-9</u>
<b>\$21,691,560.00</b>		Administrative

The funds are needed to award SC 875, Rehabilitation/Replacement of Southwestern Diversion Pressure Sewers-Phase III.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Recreation & Parks

7. RP 13809R, Federal Hill Playground DSM Properties, LLC \$ 373,000.00

**MWBOO SET MBE GOALS AT 2% AND WBE AT 0%.**

**MBE:** Priority Construction Corporation \$11,200.00 3.00%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

8. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$270,000.00	9938-901011-9475	
State	Reserve	
	Baltimore Playlot	
	Programs	
115,000.00	9938-908808-9475	
State	Reserve	
<u>\$385,000.00</u>	Community Park and	
	Playgrounds FY11	
\$270,000.00	-----	9938-918011-9474
		Active
		Baltimore Playlot
		Program
115,000.00	-----	9938-907808-9474
<u>\$385,000.00</u>		Active
		Community Park and
		Playgrounds FY11

The transfer will provide funds to cover the costs associated with the award of contract RP 13809R, Federal Hill Playground to DSM Properties, LLC.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

9. B50003119, Tow Trucks:		<b>\$195,264.00</b>
Carrier Bed Type and	<u>Item #1</u>	
Self Loader Wrecker	Chapman Auto Group	87,992.00
Body Type		
	<u>Item #2</u>	
	Harbor Truck Sales and	107,272.00
	Service, Inc. t/a	
	Baltimore Freightliner	

(Dept. of General Services)

**MWBOO GRANTED A WAIVER.**

10. B50003177, Parts and	Brekford Corporation	\$ 50,928.00
Installation Service		
to Up-fit Environmental		
Police Vehicles		

(Dept. of Public Works, Director's Office)

**MWBOO SET MBE GOALS AT 3% AND WBE AT 0%.**

The bidder requested a waiver from the MBE goal. Infeasible to segment.

**MWBOO FOUND VENDOR IN COMPLIANCE.**

11. B50003208, Crawler	Jesco, Inc.	\$145,963.51
Loader		

(Dept. of General Services, Fleet Mgmt.)

**MWBOO GRANTED A WAIVER.**

## MINUTES

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

12. B50003220, Open and Closed Top Transfer Trailers		<b>\$431,430.00</b>
	<u>Item #1</u>	
	Spector Manufacturing, Inc.	110,742.00
	<u>Item #2</u>	
	Warren Equipment, Inc.	320,688.00

(Dept. of General Services, Fleet Mgmt.)

**MWBOO GRANTED A WAIVER.**

13. B50003206, Fuel Tanker Truck	Harbor Truck Sales and Service, Inc. t/a Baltimore Freightliner	\$185,133.00
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(Dept. of General Services, Fleet Mgmt.)

**MWBOO GRANTED A WAIVER.**

14. B50003230, Alley Sweepers	Maryland Industrial Trucks, Inc.	\$551,526.00
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(DPW, Solid Waste & Dept. of General Services, Fleet Mgmt.)

**MWBOO GRANTED A WAIVER.**

**MINUTES**Police Department - Correction to Account Numbers**ACTION REQUESTED OF B/E:**

The Board is requested to approve the correction of account numbers to the previous agreements with Messrs. Bennie Blair, Bennie I. Crump, Jr. and Charles Mitchell.

**AMOUNT OF MONEY AND SOURCE:**

No additional funds are required.

Previously Approved NumberCorrect Account number

Mr. Blair:

4000-473514-2021-212600-601009

4000-473514-2023-212600-601009

Previously Approved NumbersCorrect Account number

Messrs. Crump and Mitchell:

4000-472213-2021-212600-601009

4000-473514-2023-212600-601009

1001-000000-2012-212600-601009

1001-000000-2021-212600-601009

**BACKGROUND/EXPLANTION:**

On September 25, 2013, the Board approved the personnel contracts for Messrs. Blair, Crump, and Mitchell. The account numbers were incorrect. The Board is requested to approve the correction to the account numbers. All other terms and conditions of the agreements will remain unchanged.

**APPROVED FOR FUNDS BY FINANCE**

## MINUTES

Police Department - cont'd

UPON MOTION duly made and seconded, the Board approved the correction of account numbers to the previous agreements with Messrs. Bennie Blair, Bennie I. Crump, Jr., and Charles Mitchell.

**MINUTES**

Police Department - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Turnaround, Inc. The agreement is for the period July 1, 2013 through June 30, 2014.

**AMOUNT OF MONEY AND SOURCE:**

\$16,890.00 - 5000-598014-2252-688000-607001

**BACKGROUND/EXPLANATION:**

On August 28, 2013, the Board approved an award from the Governor's Office of Crime Control and Prevention for the "Sex Offense Victim Advocacy" grant. This grant will fund a Victim Advocate who will provide crisis response, support, and advocacy to victims of sexual assault. The advocate will be employed by Turnaround, Inc.

This agreement is late due to the administrative process.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**MINUTES**

Police Department - Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of a grant from the Governor's Office of Crime Control and Prevention. The grant is for the period July 1, 2013 through June 30, 2014.

**AMOUNT OF MONEY AND SOURCE:**

\$38,326.00 - 5000-598514-2013-212900-600000

**BACKGROUND/EXPLANATION:**

The grant is for Baltimore's "Domestic Violence Ex-Parte/Protection Order Entry and Service Initiative."

Baltimore's "Domestic Violence Ex-Parte/Protective Order Entry and Service Initiative" program is designed to increase the efficiency and effectiveness of ex-parte/protective order data entry service and to reduce the high occurrence of domestic violence in Baltimore City. This is achieved through the services of contractual administrative assistants who provide data entry and coordination of the overall operation of the program, while Police Officers work on an overtime basis to increase the number of orders served.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of a grant from the Governor's Office of Crime Control and Prevention.



**MINUTES**

Baltimore Development - Local Government Resolution Corporation (BDC)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a local government resolution in support of applications to the State's Strategic Demolition and Smart Growth Impact Fund (SGIF) and Community Legacy Project (CLP) for the following projects:

**A. Application to the Fund SGIF:**

- a. \$600,000.00 for demolition of 14 buildings in Oldtown (outside the historic district);
- b. \$541,872.00 for demolition in Rosemont (the Acme building); and,
- c. \$600,000.00 for decorative traffic lighting in Belair Edison.

**B. Applications to the Project CLP:**

- a. \$200,000.00 for façade improvements in Baltimore Main Street (BMS), Retail Business District License (RBDL) areas, and targeted commercial districts;
- b. \$200,000.00 for roll down grate removal and public arts within Pennsylvania Avenue, Main Street and Hollins Market commercial district; and,
- c. \$ 50,000.00 for the Hamilton Fire House solar tube project.

UPON MOTION duly made and seconded, the Board approved and authorized execution of a local government resolution in support of applications to the State's Strategic Demolition and Smart Growth Impact Fund and Community Legacy Project for the above-listed projects.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a third amendment to the lease agreement with Nurad Technologies, Inc. (Nurad), tenant, for the rental of the property known as 3310 Carlins Park Drive. The period of the agreement is effective upon Board approval through June 30, 2016.

**AMOUNT OF MONEY AND SOURCE:**

\$18,499.06 - Monthly Rent

**BACKGROUND/EXPLANATION:**

In August 1997, the Board approved a sublease of 3310 Carlin Park Drive, a City-owned 57,000 SF building and 7.3 acres of land at Park Circle, between Londontown Corporation, lessee, and Nurad Technologies, Inc., sublessee, for a 22-month period, ending June 1999. The City entered into a five-year lease agreement with Nurad Technologies, Inc. commencing July 1999.

In June 2009, the Board approved the first amendment to the lease agreement to modify the renewal options, which allowed for Nurad Technologies, Inc. to remain in the property until 2015. A second amendment to the lease was approved in March 2012, which expired on June 30, 2013, with a single three-year renewal option.

Nurad Technologies, Inc. notified the BDC of its intent to exercise its renewal option and requested amendment no. three to the lease agreement, which includes a termination clause. Nurad Technologies, Inc. agreed to a termination payment equal to four-months of base rent in the amount of \$73,996.24. The termination requires a 120-day written notice and cannot be exercised prior to June 2014.

**MINUTES**

BDC - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the third amendment to the lease agreement with Nurad Technologies, Inc. for the rental of the property known as 3310 Carlins Park Drive.

**MINUTES**Space Utilization Committee - Amendment to Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an amendment to lease agreement with the Court Approved Special Advocates of Baltimore, Inc. (CASA), lessee, for the rental of a portion of the property known as 4 S. Frederick Street, consisting of approximately an additional 283 sq. ft., being on the first floor. The period of the agreement is December 1, 2013 through February 28, 2014.

**AMOUNT OF MONEY AND SOURCE:**Monthly Rent

December 1, 2013	\$1,182.68
January 1, 2014	\$1,182.68
February 1, 2014	\$1,182.68

**BACKGROUND/EXPLANATION:**

The original lease agreement entered into by the City, lessor, and the lessee was dated February 16, 2011 for the rental of the leased premises. The lessor and the lessee have agreed to modify the original lease to reflect the addition of approximately 283 sq. ft. to the lease premises, and to change the amount of rent. All other conditions, provisions and terms of the lease agreement dated February 16, 2011 will remain in full force and effect.

The lessor will be responsible for utilities such as electric power, heat, sewer and water, snow and ice removal, structural repairs, janitorial and trash removal. The lessor will also be responsible for maintaining the exterior of the building including the foundations, roof, walls, gutters, downspouts, heating, and ventilating systems, and all water.

The lessee will be responsible for maintaining liability insurance. Any improvements to the premises will be at the sole cost and expense of the lessee.

**MINUTES**Space Utilization Committee - cont'd

The Space Utilization Committee approved this amendment to lease agreement on November 26, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to lease agreement with the Court Approved Special Advocates of Baltimore, Inc. for the rental of a portion of the property known as 4 S. Frederick Street, consisting of approximately an additional 283 sq. ft., being on the first floor.

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

The Board is requested to approve and authorize execution of a lease agreement with Metro Delta Head Start, tenant, for the rental of the property known as 2001 Park Avenue, consisting of 12,700 sq. ft. The period of the agreement is October 1, 2013 through September 30, 2018 with an option to renew for two additional five (5) year terms.

**AMOUNT OF MONEY AND SOURCE:**

\$1.00 - The rent for the renewal term will be a negotiated rent.

**BACKGROUND/EXPLANATION:**

The tenant will use the leased premises for the purpose of operating a Child Care Center.

The tenant will be responsible for taxes, capital improvements including structural defects, maintenance of the exterior of the building, including foundations, roof, walls, gutters, downspouts, ventilating & heating systems, all water, electrical supply lines, test for Lead Paint by Certified Lead Inspector, utilities, snow removal, trash removal from interior and exterior, and janitorial services. The tenant accepts the leased premises "as is". In addition, the tenant is responsible for all equipment, routine maintenance i.e. changing light bulbs, fixing clogged toilets, urinals and/or drains. The tenant will replace damaged or broken appliances and fixtures, broken windows, ceiling tiles, and replace/clean the carpet. The tenant is also responsible for security, the safety of visitors, keeping the exterior free of trash and debris, and liability insurance.

The tenant has the right to sublet a portion of the premises to the Reservoir Hill Improvement Council, Inc.

The landlord is responsible for fire insurance.

The Space Utilization Committee approved this lease at its meeting on November 26, 2013.

**MINUTES**Space Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Metro Delta Head Start, tenant, for the rental of the property known as 2001 Park Avenue, consisting of 12,700 sq. ft.

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

The Board is requested to approve and authorize execution of a lease agreement with the State of Maryland, to use of the Department of Public Safety and Correctional Services, Division of Pretrial Detention and Services, lessee, for the rental of the property located at 1003, 1010, and 1021 Warden Street, consisting of approximately 36,852 sq. ft. of paved lot. The period of the agreement is February 1, 2014 through January 31, 2024 with an option to renew for one additional ten (10) year term.

**AMOUNT OF MONEY AND SOURCE:**

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Rent</u>
Year 1	\$1.00	N/A
Year 2	\$1.00	N/A
Year 3	\$1.00	N/A
Year 4	\$1.00	N/A
Year 5	\$1.00	N/A
Year 6	\$24,720.00	\$2,060.00
Year 7	\$24,720.00	\$2,060.00
Year 8	\$24,720.00	\$2,060.00
Year 9	\$24,720.00	\$2,060.00
Year 10	\$24,720.00	\$2,060.00

**BACKGROUND/EXPLANATION:**

The lessee will use the demised premises for automobile parking in order to accommodate its employees, guests, and invitees. The annual rent will be \$1.00 if the State completes the paving of the lot within the first five (5) years, after commencement of this agreement. The completion of the improvements will be subject to annual funding appropriated by the Maryland General Assembly and the Maryland State Board of Public Works. The fair market rent and expense payments for services due by lessee to lessor will commence in year six of this agreement.



## MINUTES

Space Utilization Committee - cont'd

The lessee accepts the demised premises "as is" and will be responsible for maintaining the demised premises in good condition and repair at its sole cost and expense, and will comply with all related laws, ordinances, rules and regulations of governmental authorities. The lessee will keep any sidewalks which abut the demised premises reasonably clear of trash, snow, and ice. To the extent of available appropriations by the Maryland General Assembly, the lessee agrees the demised premises will be properly graded to drain, and paved with a suitable hard surfacing. Any adjustments to storm drain inlets or utility manholes or conduits, and utilities will be performed according to applicable law and construction codes. All landscape improvements are subject to approval by lessor.

Except for routine parking and directional signage, it will not erect, nor will it allow to be erected, any signing, billboard, or other form of advertising on the demised premises, without prior written approval of lessor. Improvements made to the demised premises will be made at the lessee's own expense. Lessee will provide lighting in accordance with lessor's standards and specifications. Lessee will repave the parking lot, to include striping of spaces. Lessee, at its sole cost will provide personnel to monitor and control parking on the parking lot.

The Space Utilization Committee approved this lease at its meeting on November 26, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution lease agreement with the State of Maryland, to use of the Department of Public Safety and Correctional

**MINUTES**Space Utilization Committee - cont'd

Services, Division of Pretrial Detention and Services for the rental of the property located at 1003, 1010, and 1021 Warden Street, consisting of approximately 36,852 sq. ft. of paved lot.

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

The Board is requested to approve and authorize execution of a lease agreement with Carroll Museums, Inc., tenant, for the rental of the property known as the Carroll Mansion and located at 800 E. Lombard Street. The period of the agreement is November 1, 2013 through October 31, 2023 with an option to renew for two additional five (5) year terms.

**AMOUNT OF MONEY AND SOURCE:**

\$1.00 - Annual rent, if demanded.

**BACKGROUND/EXPLANATION:**

The tenant will operate and manage the leased premises as a museum, open to the public.

The landlord will correct and bear the expenses of any building structural defects and will maintain the interior and exterior of the building, including foundation, roof, walls, gutters, downspouts, ventilating and heating systems, and all water, electrical and plumbing supply lines except damages caused by the sole negligence of the tenant, tenant's employees, guests, invitees, and contractors. The landlord will also perform capital improvement replacements to the HVAC system of which tenant will contribute \$102,500.00. The landlord will also be responsible for utilities including services such as electric power, heat, air conditioning, sewer, water or any other utility charges that may be related to the building for Year 1 - 100%, Year 2 - 100%, and Year 3 - 50%. Thereafter, the utilities will be the responsibility of the tenant. The landlord is responsible for fire insurance and keeping the sidewalk adjacent to the leased premises and entrances thereto reasonably clear of ice, snow, and debris.

## MINUTES

Space Utilization Committee - cont'd

The tenant will perform such routine maintenance and repairs to all mechanical and structural systems including but not limited to HVAC, plumbing, lighting fixtures, bulbs, bathroom functionality, clogged drains, toilets and sinks, interior walls, doors and molding, painting, carpeting, windows and landscaping, as well as, be responsible for trash removal, janitorial services, pest control, security, telephones, computers, painting, and liability insurance.

At the end of each calendar year the tenant will be responsible to report the maintenance expenses of the leased premises.

The Space Utilization Committee approved this lease at its meeting on November 26, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Carroll Museums, Inc. for the rental of the property known as the Carroll Mansion and located at 800 E. Lombard Street.

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

The Board is requested to approve and authorize execution of a lease agreement with Carroll Museums, Inc., tenant, for the rental of the property known as the Phoenix Shot Tower and located at 701 E. Fayette Street. The period of the agreement is November 1, 2013 through October 31, 2023 with an option to renew for two additional five (5) year terms.

**AMOUNT OF MONEY AND SOURCE:**

\$1.00 - Annual rent, if demanded.

**BACKGROUND/EXPLANATION:**

The tenant will operate and manage the leased premises as a museum, open to the public.

The landlord, through the Department of Recreation and Parks, will be responsible for fire insurance and will keep the sidewalk adjacent to the leased premises and the entrance thereto reasonably clear of ice, snow, and debris.

The tenant will take the leased premises in an "as is" condition, correct and bear the expenses of any building structural defects. The tenant will also maintain the interior and exterior of the building, including the foundation, roof, walls, gutters, downspouts, ventilating and heating systems, and all water, electrical and plumbing supply lines, except damages caused by the sole negligence of the landlord, landlord's employees, guests, invitees, and contractors. The tenant will also be responsible for 100% of the utilities, including services such as electric power, heat, air conditioning, sewer, water or any other utility charges that may be related to the building. The tenant will perform such routine maintenance and repairs as necessary, as well as, be responsible for trash removal, janitorial services, pest control, security, telephones, computers, painting, and liability insurance.

**MINUTES**Space Utilization Committee - cont'd

At the end of each calendar year the tenant will be responsible to report the maintenance expenses of the leased premises.

The Space Utilization Committee approved this lease at its meeting on November 26, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Carroll Museums, Inc. for the rental of the property known as the Phoenix Shot Tower and located at 701 E. Fayette Street.

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

The Board is requested to approve and authorize execution of a license agreement with Glen Neighborhood Improvement Association, Inc., licensee, for the right to enter upon and use a portion of the property known as 3500 W. Northern Parkway. The period of the agreement is effective upon Board approval, with an option to renew for one additional five (5) year term.

**AMOUNT OF MONEY AND SOURCE:**

The licensee agrees to pay a one-time license fee of one dollar (\$1.00), payable in advance and due upon the effective date.

**BACKGROUND/EXPLANATION:**

The licensee is allowed to enter upon and use a portion of the premises for the right to construct, erect, and maintain a neighborhood gateway sign at the northwest corner of the premises.

The licensee agrees to perform at its own expense in respect to the premises the following: any and all construction will comply with the laws, rules and regulations of any federal, state or municipal authority and licensee will also be responsible for all maintenance and upkeep issues relating to the licensed premises, keeping adjacent sidewalks reasonably clear of trash and debris. The licensee agrees to apply for, and comply with any City or State Permits or zoning requirements necessary for the erection of the sign.

In the event the license agreement is terminated, licensee will restore the licensed premises to its original condition or a lesser condition that is satisfactory to the licensor.

The Space Utilization Committee approved this license agreement at its meeting on November 26, 2013.

**MINUTES**Space Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the license agreement with Glen Neighborhood Improvement Association, Inc. for the right to enter upon and use a portion of the property known as 3500 W. Northern Parkway.



**MINUTES**Department of Real Estate - Lease Agreement Renewal**ACTION REQUESTED OF B/E:**

The Board is requested to approve renewal of a lease with Kolper Properties, Inc., tenant, for the rental of lots known as 3409, 3411 Ash Street and ES Ash Street NEC Clipper Road (Block 3525B, Lots 2/3, 4, and 5), being approximately 12,917 sq. ft. The period of the agreement is December 1, 2013 through November 30, 2014.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$1,442.00	\$120.17

**BACKGROUND/EXPLANATION:**

On December 19, 2012, the Board approved the lease agreement for one year with the right to renew for one additional one-year term. Kolper Properties, Inc., has exercised their renewal option. All other rentals, conditions and provisions of the lease agreement dated December 19, 2012 will remain in full force and effect.

UPON MOTION duly made and seconded, the Board approved the renewal of the lease with Kolper Properties, Inc. for the rental of the lots known as 3409, 3411 Ash Street and ES Ash Street NEC Clipper Road (Block 3525B, Lots 2/3, 4, and 5), being approximately 12,917 sq. ft.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- |  |             |             |
|--|-------------|-------------|
| 1. ATLANTIC SIGNAL, LLC  | \$46,400.00 | Sole Source |
| Solicitation No. 08000 - Tactical Communication System -<br>Police Department - Req. No. R647791 |             |             |

The custom system is designed to be incorporated into the Police Department's currently used PPT masks and is solely available through the manufacturer, Atlantic Signal, LLC.

- |   |             |         |
|---|-------------|---------|
| 2. CORRECT RX PHARMACY SERVICES, INC.   | \$47,700.00 | Low Bid |
| Solicitation No. B50003168 - Various Medications - Health Department - Req. No. R641555 |             |         |

- |  |             |         |
|--|-------------|---------|
| 3. CORRECT RX PHARMACY SERVICES, INC.  | \$40,000.00 | Low Bid |
| Solicitation No. B50003174 - Ortho Products - Health Department - Req. No. R641622 |             |         |

- |   |             |         |
|---|-------------|---------|
| 4. SMOKE ALERT LLC  | \$49,998.51 | Low Bid |
| Solicitation No. 07000 - Sealed Smoke Alarms - Fire Department - Req. No. R650334 |             |         |

The Fire Department provides smoke alarms to City households.

- |   |              |         |
|---|--------------|---------|
| 5. LIFE TECHNOLOGIES CORPORATION  | \$181,000.00 | Renewal |
| Contract No. 08000 - DNA Investigator Kits - Police Department - P.O. No. P522067 |              |         |

On December 5, 2012, the Board approved the initial award in the amount of \$181,000.00. The award contained three 1-year renewal options. This renewal in the amount of \$181,000.00 is for the period January 1, 2014 through December 31, 2014, with two 1-year renewal options remaining.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

6. <u>QIAGEN, INC.</u>	\$ 60,000.00	Renewal
Contract No. 08000 - DNA Lab Consumables - Police Department - P.O. No. P522068		

On December 5, 2012, the Board approved the initial award in the amount of \$60,000.00. The award contained three 1-year renewal options. This renewal in the amount of \$60,000.00 is for the period January 1, 2014 through December 31, 2014, with two 1-year renewal options remaining.

7. FIRST CALL

EXCEL STAFFING AND PERSONNEL SERVICES, INC.	\$2,500,000.00	
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SECOND CALL

ARBOR E & T, LLC		
d/b/a CARE RESOURCES	0.00	
	<u>\$2,500,000.00</u>	Increase

Contract No. B50002453 - Providing Temporary Nursing Services - Health Department, Bureau of School Health - P.O. Nos. P522287 & P522286

On December 5, 2012, the Board approved the initial award in the amount of \$1,500,000.00. The award contained three 1-year renewal options. On July 17, 2013, the Board approved an increase in the amount of \$1,000,000.00. This increase in the amount of \$2,500,000.00 is required for the 2014 calendar year and makes the total contract amount \$5,000,000.00. The contract expires on December 31, 2015 with one 3-year renewal option remaining.

**MWBOO SET GOALS OF 15% MBE AND 8% WBE.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases - cont'd

Excel Staffing and Personnel Services, Inc.

<b>MBE:</b> Trustworthy Staffing Solutions	\$ 71,231.00	11%
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<b>WBE:</b> Dependable Services Group, LLC	\$109,631.00	17%
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**MWBOO FOUND VENDOR IN COMPLIANCE.**

MWBOO found the first call vendor Excel Staffing and Personnel Services, Inc. compliant on June 4, 2013. MWBOO did not review Arbor E&T, LLC's participation as no increase is requested for the second call vendor at this time.

## 8. A.J. STATIONERS, INC.

BRETTFORD MANUFACTURING, INC.

CAPITAL OFFICE SYSTEMS, INC.

DOURON, INCORPORATED

ERGONOMIC CONCEPTS, LLC

INDIANA FURNITURE INDUSTRIES,  
INC.RUDOLPH'S OFFICE SUPPLY,  
INC.

QUAKER FURNITURE, INC. d/b/a

STUDIO Q FURNITURE

THE MARVEL GROUP, INC.

TRENDWAY CORPORATION

WRIGHT LINE LLC

F.A. O'TOOLE OFFICE SYSTEMS,  
INC.

\$1,000,000.00

Renewal

BRCPC Solicitation No. 2008-01 - Office Furniture and  
Equipment - Agencies: City-Wide - P.O. Nos. Various

On February 27, 2008, the Board approved the initial award in the amount of \$4,000,000.00. The award contained four 1-year renewal options. The first renewal was approved on December 21, 2011.

## 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

This second renewal in the amount of \$1,000,000.00 is for the period January 1, 2013 through December 31, 2014, with two 1-year renewal options remaining. This renewal is for the above listed bidders for the line items on the submitted discount sheets.

**MWBO SET MBE GOALS OF 5% AND WBE 0%.**

**MWBO FOUND VENDORS IN COMPLIANCE.**

Vendor Dollar Amt. Performed

<u>A. J. Stationers, Inc.</u>	\$1,448.96
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**MBE:** N/A

**WBE:** N/A

**MWBO FOUND VENDOR IN COMPLIANCE.**

<u>Bretford Manufacturing, Inc.</u>	\$ 0.00
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**MBE:** N/A

**WBE:** N/A

**MWBO FOUND VENDOR IN COMPLIANCE.**

<u>Capital Office Systems, Inc.</u>	\$ 0.00
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**MBE:** N/A

**WBE:** N/A

**MWBO 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>
<u>Bureau of Purchases</u> - cont'd		<u>Vendor Dollar Amt. Performed</u>

<u>Douron, Inc.</u>		\$660,192.00
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**MBE:** Walter's Relocation, Inc. 0%

**WBE:** N/A

Vendor has 60 days to come into compliance or risk termination of its contract.

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

<u>Ergonomic Concepts</u>		\$ 0.00
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**MBE:** N/A 0%

**WBE:** N/A

**MWBOO FOUND VENDOR IN COMPLIANCE.**

<u>Indiana Furniture</u>		\$ 64,843.71
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**MBE:** Sebree & Associates, Inc. 0%

**WBE:** N/A

Sebree & Associates, Inc. certification expired 7/20/2011. The prime contractor must substitute Sebree & Associates, Inc. with a certified firm within ten days.

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

<u>Rudolph's Office &amp; Computer Supply, Inc.</u>		\$129,594.17
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**MBE:** Walter Relocation, Inc. 0%

Perfect Office Installation, LLC\* 10.47% \$ 13,566.66

**WBE:** N/A

\*Addition of MBE was approved on May 14, 2013.

**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 - cont'd

Vendor Dollar Amt. Performed

Studio Q Furniture

\$ 0.00

**MBE:** N/A

**WBE:** N/A

**MWBOO FOUND VENDOR IN COMPLIANCE.**

Marvel Group, Inc.

\$ 0.00

**MBE:** N/A

**WBE:** N/A

**MWBOO FOUND VENDOR IN COMPLIANCE.**

Trendway Corporation

\$ 0.00

**MBE:** N/A

**WBE:** N/A

**MWBOO FOUND VENDOR IN COMPLIANCE.**

Wright Line, LLC

\$ 0.00

**MBE:** N/A

**WBE:** N/A

**MWBOO FOUND VENDOR IN COMPLIANCE.**

F.A. O'Toole Office Systems, Inc.

\$ 55,274.33

**MBE:** Allen & Son Moving &  
Storage, Inc. \$2,740.00 - 5%

**WBE:** N/A

**MWBOO FOUND VENDOR IN COMPLIANCE.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Awarded Manufacturers

9. VWR INTERNATIONAL, LLC

Bel-Art Products, Fisher  
Chemical, ISC Bioexpress,  
Kimberly Clark, Ricca  
Chemical, Saint Gobain  
Performance Plastics

PARA SCIENTIFIC CO.

Dupont Personal Protection,  
Kimble Chase Kimble, Wheaton  
Science Products

FISHER SCIENTIFIC, LLC

Acros Organics, Alconox, BD  
Medical, Eppendorf North  
America Biotools, Fisherbrand,  
Milliproe, Moldex, Molecular  
BioProducts, Thermo Scientific

COMADE, INC.

Promega Corporation

\$ 72,000.00

Renewal

Contract No. B50001657 - Laboratory Consumables and Drug  
Reagents - Police Department - P.O. Nos. P515738, P515739,  
P515740 and P516897

On December 22, 2010, the Board approved the initial award in the amount of \$72,000.00. The award contained three 1-year renewal options. On February 8, 2012, the Board approved a ratification and term purchase order in the amount of \$72,000.00. On December 5, 2012, the Board approved a renewal in the amount of \$72,000.00. This renewal in the amount of \$72,000.00 is for the period January 1, 2014 through December 31, 2014, with one 1-year renewal option remaining.

**MWBOO GRANTED A WAIVER.**



## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases - cont'd

- |   |        |           |
|---|--------|-----------|
| 10. <u>BIO-RAD LABORATORIES, INC.</u><br>Contract No. 08000 - HIV Test Kits - Health Department - P.O.<br>No. P520784 | \$ N/A | Agreement |
|---|--------|-----------|

The Board is requested to approve and authorize execution of an agreement with Bio-Rad Laboratories, Inc. The period of the agreement is June 20, 2013 through June 19, 2014.

The agreement is late. On June 19, 2013, the Board approved the renewal for HIV Test Kits; however, the agreement was not submitted for approval at that time.

- |   |              |   |
|---|--------------|---|
| 11. <u>COURTSMART DIGITAL SYSTEMS, INC.</u>   | \$233,514.00 | Ratification/<br>Sole Source and<br>Agreement |
| <u>Solicitation No. 08000 - Maintenance &amp; Support Service -<br/>Baltimore City Circuit Court - Req. No. R638364</u> |              |   |

The Board is requested to approve and authorize execution of an agreement with CourtSmart Digital Systems, Inc. The period of the agreement is August 1, 2013 through July 31, 2014.

The CourtSmart Digital Recording System is currently in use at the Mitchell Courthouse, Courthouse East and the Department of Juvenile Services buildings. Although the contract expired on July 31, 2013, the vendor continued to supply services to meet the City's needs. CourtSmart Digital Recording System is the sole proprietor of the digital recording system and software and no other vendor can provide the maintenance required for proper functioning of the system.

## 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

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.

12. ITRON	\$54,659.84	Ratification and
INC.	<u>20,309.58</u>	Award Agreement
	<b><u>\$74,969.42</u></b>	

Contract No. 08000 - Technical Support/Maintenance for the Hardware and Software Updates - Department of Public Works, Bureau of Water and Wastewater - Req. No. R605752

The Board is requested to approve and authorize execution of an agreement with Itron Inc. The period of the agreement is July 1, 2012 through June 30, 2015, with two 1-year renewal options.

The vendor is the developer and exclusive provider of the proprietary software and related support services required for MV-RS Meter Reading System software and associated handheld computers. The requested action was delayed due to negotiations required to finalize the terms of the contract.

The vendor provided required services during the period beginning July 1, 2012. The contract is expected to terminate upon final user acceptance of software under Contract B50002877. In the event acceptance is delayed beyond June 30, 2015, the City may renew the contract at its sole discretion.

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

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases - cont'd

- |  |              |                               |
|--|--------------|-------------------------------|
| 13. CS STARS,<br>LLC   | \$511,650.00 | Selected Source/<br>Agreement |
| Solicitation No. 06000 - Claims Administration System Updates and Support - Department of Finance - Req. No. R645185 |              |                               |

The Board is requested to approve and authorize execution of the agreement with CS Stars, LLC. The period of the agreement is December 1, 2013 through November 30, 2016, with two, 3-year renewal options.

Since 1996, the Office of Risk Management has used software from the vendor for a Claims Administration System including technical support and system administration services. The system houses data related to workers' compensation, automobile liability, general liability and property claims for an extended time period after the claim has been resolved which needs to be carried forward to any new system, as well as timely integration with the City's Third Party Claims Administrator.

A committee composed of members Finance, Law, Mayor's Office of Information Technology, Bureau of Purchases, and the Office of Risk Management determined, after evaluating several other solutions and doing extensive market research, that the new CS Stars, LLC web-based product provided the only reasonable solution. The City has a highly decentralized system, processes, and procedures that are not conducive to other available systems that are based on a centralized system and which would require extensive modifications and even changes in City systems, processes, and procedures. The CS Stars system provides a consolidated claims database system with input from several agencies and will minimize the issues and cost of migrating years of historical data. The pricing has been deemed fair and reasonable.

**A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC.**

**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

November 26, 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 file protests against the following, identified proposed contract awards or increases as contained in Your Honorable Board's 11/27/2013 public meeting agenda:

Item No. 7, contained on page 70, which is a proposed \$467,532.00 price increase to City contract solicitation No. B50001886-Vehicle Leasing.

Item No. 9, contained on page 71, which is a proposed contract renewal for City contract solicitation No. B50001787-from the State of Oregon No. 107-1815-09-E-Recruitment Management Systems-for the Dept. of Human Resources.

Item No. 11, contained on page 72, which is a proposed \$255,000.00 contract increase for Baltimore City Solicitation No. B50001847-Audit Financial Statement for the City of Baltimore-finance Department. This contract has been ultra viresly and unlawfully expanded to over one and a half time its original total contract bid price, and has not correspondingly shared these very hefty price increases with qualified City M-WBE firms. Indeed, under present Maryland municipal contract law as construed by the Maryland Court of Appeals, this proposed \$255,000.00 contract modification is totally ultra vires and void ab initio. see Linz v. Schuck, 106 Md. 220, 234, 67 A.286(1987). (a

contract amendment or modification is “an abandonment of the original contract and a creation of a new contract.)

Item No. 18, contained on pages 75-76, which is a proposed non-bid, \$511,650.00 sole source contract agreement for City contract solicitation No. 06000 Claims Administration Systems Updates and Support, for the Department of Finance. Importantly, the proposed non-bid, non-competitive contract clearly does not qualify for an exemption or exception to the City’s “mandatory” competitive bidding charter requirement as expressly authorized by Article VI, Section 11(e)(i), of the City charter, as amended, because the referenced software and claim services are not in any way “unique”, and clearly cannot be said to be of such a nature that they can only be provided by one contractor. see Hylton v. City of Baltimore, 268 Md. 266(1973). (City of Baltimore is only legally authorized to completely dispense with its mandatory formal contract competitive bidding process where the item or product purchased is of such “unique nature,” that it would be futile to engage in any competitive bidding since there is only one (1) contractor that could reasonably meet and comply with the City’s bid specifications. Indeed, under the clear and unambiguous holding of Hylton, “the circumstances presented [must] not only [show] the clear ‘impracticability’, but the virtual ‘impossibility’ of competitive bidding; and the policy behind the competitive bidding statute-avoidance of corruption and economy to the taxpayers of Baltimore had been met without competitive bids. see Id. at 280.

Accordingly, it is very clear and undisputed that neither the City’s Purchasing Bureau nor the department of Finance has come close to meeting and satisfying the standard and test for dispensing with the City charter required formal competitive bidding process as expressly contemplated by Article VI, Section 11(e)(i), of the City charter, as amended.

Our MBE subcontractor members, clients and constituents would be greatly harmed if Your Honorable Board approves the above referenced City contracts as recommended. Your Honorable Board’s kind and favorable approval of these bid protests is greatly appreciated

Respectfully Submitted,

*Arnold M. Jolivet*

Arnold M. Jolivet  
Managing Director

## MINUTES

Bureau of Purchases - cont'd

President: "The first item on the non-routine agenda can be found on page 86, Informal awards, renewals, increases to contracts and extensions, item 13 solicitation number 06000, Claims Administration system Updates and Support. Will the parties please come forward?"

President: "I will entertain a motion."

City Solicitor: "In the absence of the protestant, Move approval of the denial of the protest and approval of the Bureau of Purchases' recommendation."

Comptroller: "Second."

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

President: "All opposed nay."

\* \* \* \* \*

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts, extensions agreement, ratifications, and award agreements. The Comptroller **ABSTAINED** on item no. 8, F.A. O'Toole Office Systems, Inc. only.

**MINUTES**

Bureau of Water and Wastewater - Amendment No. 5 to Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an amendment to agreement no. 5 with Johnson, Mirmiran and Thompson, Inc. (JMT), for Project No. 1033, Engineering Support Services.

**AMOUNT OF MONEY AND SOURCE:**

\$311,652.26 - 9956-904531-9551-900020-703032,	Wastewater Utility Funds
<u>300,000.00</u> - 9960-906531-9557-900020-703032,	Water Utility Funds
<b>\$611,652.26</b>	

**BACKGROUND/EXPLANATION:**

On June 20, 2007, the JMT was awarded a contract to provide engineering support services under Project 1033, Engineering Technical Support Services for Utility GIS and Consent Decree projects, for three years ending on June 19, 2010.

A change order was issued on August 20, 2008 for \$295,824.34. The amendment no. 1 was approved on July 14, 2010 for \$994,794.34; amendment no. 2 was approved on June 8, 2011 for \$1,100,782.29; amendment no. 3 was approved on June 6, 2012 for \$1,000,167.41; and amendment no. 4 was approved on June 19, 2013 extending the term of the agreement through June 19, 2014.

In order to continue to provide the services until Project No. 1192 is in place, the Bureau of Water and Wastewater is requesting an additional \$611,652.26 to cover costs from December 2013 through June 2014. The Project No. 1192 is in the consultant selection process and is anticipated to be on board in May 2014. The amendment no. 5 will increase the upset limit for Project 1033 to \$7,015,036.70.

The Consultant was approved by the Architectural and Engineering Awards Commission on August 30, 2008.

**MINUTES**

Bureau of Water and Wastewater - cont'd

**MBE/WBE PARTICIPATION:**

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

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

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$400,000.00</b>	9956-906144-9549	9956-904531-9551-3
Wastewater	Constr. Reserve	Engineering
Utility Funds	Mapping Program	
<b>\$400,000.00</b>	9960-907099-9558	9960-906531-9557-3
Water Utility	Constr. Reserve	Engineering
Funds	Mapping Program	

The funds are needed to cover the cost of Project No. 1033, Amendment No. 5, Engineering Support Services Utility GIS and the current account deficit.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to agreement no. 5 with Johnson, Mirmiran and Thompson, Inc., for Project No. 1033, Engineering Support Services. 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**Bureau of Water and Wastewater (BW&WW) - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Johnson, Mirmiran & Thompson, Inc. (JM&T) for W.C. 1243, Study of Improvements to Cromwell Pumping Station. The period of the agreement is effective upon Board approval for two years.

**AMOUNT OF MONEY AND SOURCE:**

\$ 99,869.28 - Baltimore City  
200,128.57 - Baltimore County  
**\$299,997.85** - 9960-912715-9557-900020-703032

**BACKGROUND/EXPLANATION:**

The JM&T will conduct a study of the Cromwell Pumping Station which is an important component of the City's water supply system. The station takes suction from the first zone and pumps to the eastern third zone in Baltimore County.

The Cromwell Pumping Station has a nominal capacity of 24 million gallons per day (MGD) and a standby capacity of 15 MGD. The project will include a study report which provides recommendations to the City for improvements to the Cromwell Water Pumping Station. The Cromwell Water Pumping Station was built in the 1960's and has undergone a couple of upgrades over the past 50 years. The consultant was approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission.

**MWBOO SET GOALS OF 26% MBE AND 10% WBE.**

<b>MBE:</b> Shah & Associates, Inc.	\$ 58,007.02	19.34%
Delon Hampton & Associates, Chartered	<u>24,265.12</u>	<u>8.09%</u>
<b>Total</b>	<b>\$ 82,272.14</b>	<b>27.43%</b>
 <b>WBE:</b> SP Arch, Inc.	\$ 16,375.61	5.46%
The Robert B. Balter Co.	<u>13,687.35</u>	<u>4.56%</u>
<b>Total</b>	<b>\$ 30,062.96</b>	<b>10.02%</b>

MINUTES

BW&WW - cont'd

MWBOO FOUND VENDOR IN COMPLIANCE.

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$266,840.00	9960-904923-9558	
County Approp.	Constr. Res. Cromwell	
	PS Rehabilitation	
133,160.00	" "	
<u>Water Rev. Bonds</u>		
<b>\$400,000.00</b>		
\$299,997.85	-----	9960-912715-9557-
		900020-3
		Engineer
<u>100,002.15</u>	-----	9960-912715-9557-
<b>\$400,000.00</b>		900020-9
		Administration

The funds are required to cover the cost of the Study of WC 1243, Improvements to Cromwell PS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Johnson, Mirmiran & Thompson, Inc. 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**

Bureau of Water and - Amendment No. 2 to Agreement  
Wastewater (BW&WW)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of amendment no. 2 to with Johnson, Mirmiran & Thompson, Inc. for Project W.C. 1170, Design Engineering Project Management Services.

**AMOUNT OF MONEY AND SOURCE:**

\$ 20,000.00	-	9960-904743-9557-900020-703032
10,000.00	-	9960-907716-9557-900020-703032
50,000.00	-	9960-904730-9557-900020-703032
<u>20,000.00</u>	-	<u>9960-905622-9557-900020-703032</u>
<b>\$100,000.00</b>		

**BACKGROUND/EXPLANATION:**

On April 4, 2012, the Board approved the original agreement with Johnson, Mirmiran & Thompson, Inc. to provide Design Engineering Project Management Services for the period of one year. Amendment No. 1 extended the expiration date to April 4, 2014.

The consultant services are required in order to provide in-house staff in support of the Water Facilities Engineering Sections and to assist the Bureau of Water and Wastewater and the Water and Wastewater Engineering Division in two major program components; General Project Management activities and Project Management Activities and Review of Consultants Study and Design Efforts.

The General Program Management activities support the Bureau in the preparation of the capital improvements program, preparing EPA and State construction grant/loan applications and required documentation, preparation of annual reports and documentation for the sale of Revenue Bonds, assistance with Asset Management, Strategic Planning efforts, preparation of the Water and Sewer Master Plan and overall monitoring, tracking, coordination, and communication activities.

**MINUTES**BW&WW - cont'd

The Project Management and Review activities support the Water and Wastewater Engineering Division in the review of studies, designs, drawings specifications, cost estimates, schedules, post award services, change orders, and attendance at progress meetings.

Therefore, the BW&WW is requesting an increase in the amount of \$100,000.00. All other terms in conditions of the original agreement remain unchanged.

**MBE/WBE PARTICIPATION:**

<b>MBE:</b>	EBA Engineering, Inc.	\$243,020.47	27.00%
	C.L. Warfield and Associates	\$ 18,001.19	2.00%
<b>WBE:</b>	Ross Technical Services, Inc.	\$ 63,059.09	7.00%

**MBE/WBE PARTICPATION:**

The consultant will continue to comply with all terms and conditions of the Minority and Women Business Programs, in accordance with Baltimore City Code, Article 5, Subtitle 28 established in the original agreement.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 2 to with Johnson, Mirmiran & Thompson, Inc.

**MINUTES**

Bureau of Water and - Agreement  
Wastewater (BW&WW)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Johnson, Mirmiran & Thompson, Inc. to provide Post Award Services for SC 915. The period of the agreement is effective upon Board approval for two-years.

**AMOUNT OF MONEY AND SOURCE:**

\$103,794.80 - 9956-905545-9551-900020-703032

**BACKGROUND/EXPLANATION:**

Johnson, Mirmiran & Thompson, Inc. has designed SC 915 Improvements to PST No. 11 at the Back River Wastewater Treatment Plant. The BW&WW wishes to retain Johnson, Mirmiran & Thompson, Inc. for Post Award services. The services will include coordination, submittal reviews, maintaining a status log, monitoring testing requirements and results, conducting site visits, responding to requests for information, evaluating change orders, attending progress meetings, finalizing record drawings and preparation of operation and maintenance manuals. The Consultant will also provide conditional and final inspections.

The Consultant was approved by the Office of Boards and Commissions and Architectural and Engineering Award Commission.

<b>MBE:</b> Min Engineering, Inc.	\$28,182.78	27.15%
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<b>WBE:</b> Carroll Engineering, Inc.	\$10,451.19	10.07%
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**MWBOO FOUND VENDOR IN COMPLIANCE.**

**APPROVED FOR FUNDS BY FINANCE**

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

**MINUTES**

BW&WW - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Johnson, Mirmiran & Thompson, Inc.

**MINUTES**Bureau of Water and Wastewater (BW&WW) - Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Rummel, Klepper & Kahl, LLP., for SC 875 PAS Rehabilitation/Replacement of Southwest Diversion Pressure/Gravity Sewer Phase III. The period of the agreement is effective upon Board approval for three years.

**AMOUNT OF MONEY AND SOURCE:**

\$205,563.96 - Wastewater Rev. Bonds  
 303,131.82 - Baltimore County  
\$508,695.78 - 9956-905641-9551-900020-703032

**BACKGROUND/EXPLANATION:**

On January 28, 2009, the Board approved the original agreement. Task C8 of the agreement provided that, at the option of the City, the Consultant may be retained for Post Award Services. The Department now wishes to exercise that option so that the Consultant can provide certain engineering services such as coordination, submittal reviews, maintaining status logs, conducting site visits, specialized inspection services, responding to requests for information (RFIs), reviewing and evaluating change orders, attending progress meetings and finalizing record drawings.

The Consultant will also provide conditional and final inspections. The Consultant was approved by the Office of Boards and Commissions and Architectural & Engineering Award Commission.

<b>MBE:</b> EBA Engineering, Inc.	\$105,780.91	20.79%
RJM Engineering, Inc.	32,518.62	6.39%
<b>Total</b>	<b>\$138,299.53</b>	<b>27.18%</b>
<b>WBE:</b> Phoenix Contracting Services, Inc.	\$ 31,833.82	6.26%
Carroll Engineering, Inc.	19,441.24	3.82%
<b>Total</b>	<b>\$ 51,275.06</b>	<b>10.08%</b>

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**MINUTES**

BW&WW - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Rummel, Klepper & Kahl, LLP.



**MINUTES**

Bureau of Water & Wastewater - Agreement for Project 1182W,  
On-Call Environmental  
Engineering Services

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Whitman Requardt & Associates, LLP, for Project 1182W, On-Call Environmental Engineering Services. The period of the agreement is effective upon Board approval for two years, with an option to extend to one year.

**AMOUNT OF MONEY AND SOURCE:**

\$749,941.60 - upset limit

**BACKGROUND/EXPLANATION:**

The Consultant will provide environmental engineering services which include studies, design, post award services and related services for the repair, maintenance and new construction of facilities managed by the Environmental Services Division of Baltimore City.

The cost of services rendered will be negotiated on each task assigned. The payroll rates and multiplier for each task will be reviewed by the Department of Audits and the Minority and Women's Business Opportunity Office for compliance with the original agreement. The consultant was approved by the Office of Board and Commission and Architectural Engineer and Awards Commission.

**MBE/WBE PARTICIPATION:**

**MWBOO SET GOALS OF 15% MBE AND 10% WBE.**

<b>MBE:</b> Shah & Associates, Inc.	\$ 74,999.60	10.00%
EBA Engineering, Inc.	<u>74,712.50</u>	<u>10.00%</u>
	<b>\$149,712.10</b>	<b>20.00%</b>

## MINUTES

BW&WW - cont'd

<b>WBE:</b> Albrecht Engineering, Inc.	\$ 22,451.63	3.00%
Phoenix Engineering, Inc.	37,500.02	5.00%
The Robert B. Balter Co.	22,501.00	3.00%
SP Arch, Inc.	22,500.18	3.00%
	<u>\$104,952.83</u>	<u>14.00%</u>

**MWBOO FOUND VENDOR IN COMPLIANCE.**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Whitman Requardt & Associates, LLP.

**MINUTES**Department of Planning - 2014 Loan Authorization Program**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the 2014 Loan Authorization Program, which includes \$65,000,000.00 for appropriation in fiscal year 2016 and \$65,000,000.00 for appropriation in fiscal year 2017.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The 2014 Loan Authorization Program will enable the City to issue \$130,000,000.00 in General Obligation Bonds, \$65,000,000.00 for fiscal year 2016 and \$65,000,000.00 for fiscal year 2017.

General Obligation Bonds are borrowed funds that must be reviewed and approved by the Planning Commission, Board of Finance, Board of Estimates, City Delegation to the Maryland General Assembly, the City Council and the voters of Baltimore.

This loan package will go to referendum in November 2014 and must be approved by a majority of the voters before funds can be appropriated and expended. This fund source is secured by the full faith and credit of the City and, therefore, comprises a portion of the City's annual debt.

The Planning Commission recommended approval of the 2014 Loan Authorization Program on November 7, 2013. The Board of Finance recommended approval on November 25, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized the 2014 Loan Authorization Program.

**MINUTES**Board of Finance - 2014 Loan Authorization Program

The Board is requested to approve the endorsement of the Board of Finance.

The review schedule for the 2014 Loan Authorizations includes an endorsement by the City of Baltimore Board of Finance. The Board of Finance, at a scheduled meeting on November 25, 2013, endorsed the 2014 Loan Authorizations totaling \$130 million. Following the presentation, the Board of Finance endorsed the Loan Authorization program as summarized below:

**Board of Finance Recommended 2014 Loan Authorizations**

• Parks and Public Facilities	\$47 million
• Community and Economic Development	\$47 million
• Schools	\$34 million
• National Aquarium	\$0.8 million
• Baltimore Museum of Art	\$0.4 million
• Walters Art Museum	\$0.4 million
• Port Discovery	\$0.4 million
Total (CIP - FY16 and FY 17)	\$130 million

**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 endorsement of the Board of Finance. The Mayor **ABSTAINED**.

## Kim A. Trueheart

December 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 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 97, Department of Planning – 2014 Loan Authorization Program, if approved:
    - i. Please provide access to the documents which detail how these General Obligation Bonds will be executed to support recent Mayoral initiatives to “Grow Baltimore”:
      1. Board of Finance Recommended 2014 Loan Authorizations fails to make any recommendations to fund “Neighborhoods”, which has been promoted as one of the “highest” priorities for this mayor.
3. How the protestant will be harmed by the proposed Board of Estimates’ action: The loan authorization MUST clearly and directly map to the rhetoric espoused by this mayoral administration. The lack of synergy between the rhetoric and planning activities shows a potentially detrimental disconnect that will continue to leave our neighborhoods underserved, marginalized, underdeveloped and blighted.
4. The continued mismanagement of major projects by City agencies is disgracefully wasteful. A complete top to bottom business process reengineering initiative must precede the approval of any new funding directed to our inextricably broken agencies.
5. The remedy I seek and respectfully request is that this action be delayed until this agency provides greater public transparency into proposed projects and connects each to the new rhetoric from this administration.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on December 11, 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 Recreation and Parks - Deed of Preservation  
Easement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a deed of preservation easement between the City, the Maryland Zoological Society (MZS), and the Maryland Historical Trust (MHT). The period of the easement is perpetual in duration and is subject to any and all presently existing valid encumbrances, easements, and right-of-ways upon the property.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The MHT will promote the preservation and maintenance of the property known as the Mansion House and its historic, cultural, scenic, and aesthetic character. The easement, which is intended exclusively for conservation purposes, is required in accordance with Chapter 483 of the Laws of Maryland 2010 and Chapter 396 of the Laws of Maryland 2011.

The MZS is the recipient of a \$5,000,000.00 grant and a \$2,500,000.00 grant from the Maryland Board of Public Works (BPW) for the purpose of financing, in part, the design, construction and equipping of various infrastructure improvements, as well as any applicable architects' and engineers' fees, evidenced by a Capital Project Grant Agreement between the BPW, the City, and the MZS dated December 15, 2010.

In accordance with State law, the MHT has determined that a perpetual historic easement is necessary in order to ensure the preservation and maintenance of the Mansion House on the property. In order for the MZS to access funds given by the Capital Bond Bill Program, the deed of preservation easement must be filed. The State has been the primary provider of Capital funding to the Zoo over the last 21 years; this funding is critical to the MSZ's ability to create a world class Zoo.

**MINUTES**

Dept. of Recreation & Parks - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the deed of preservation easement between the City, the Maryland Zoological Society, and the Maryland Historical Trust.

**MINUTES**

Department of Recreation and Parks - Deed of Preservation  
Easement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a deed of preservation easement between the City, the Maryland Zoological Society (MZS), and the Maryland Historical Trust (MHT). The period of the easement is perpetual in duration and is subject to any and all presently existing valid encumbrances, easements, and right-of-ways upon the property.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The MHT will promote the preservation and maintenance of the property known as the Elephant House and its historic, cultural, scenic, and aesthetic character. The easement, which is intended exclusively for conservation purposes, is required in accordance with Chapter 483 of the Laws of Maryland 2010 and Chapter 396 of the Laws of Maryland 2011.

The MZS is the recipient of a \$5,000,000.00 grant and a \$2,500,000.00 grant from the Maryland Board of Public Works (BPW) for the purpose of financing, in part, the design, construction and equipping of various infrastructure improvements as well as any applicable architects' and engineers' fees, evidenced by a Capital Project Grant Agreement between the BPW, the City, and the MZS dated December 15, 2010.

In accordance with State law, the MHT has determined that a perpetual historic easement is necessary in order to ensure the preservation and maintenance of the Elephant House on the property. In order for the MZS to access funds given by the Capital Bond Bill Program, the deed of preservation easement must be filed. The State has been the primary provider of Capital funding to the Zoo over the last 21 years; this funding is critical to the MSZ's ability to create a world class Zoo.



**MINUTES**

Dept. of Recreation & Parks - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the deed of preservation easement between the City, the Maryland Zoological Society, and the Maryland Historical Trust.

**MINUTES**

Department of Recreation & Parks - Donation Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a donation agreement with the Locust Point Civic Association, Inc. The period of the agreement is effective upon Board approval for three months.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Locust Point Civic Association, Inc. will donate in-kind services valued at up to \$60,000.00 for the renovation of the restrooms at the Locust Point Recreation Center.

The Locust Point Civic Association, Inc. is a non-profit 501(c)(3) organized under the laws of Maryland to work cooperatively and collaboratively with the City to promote and protect the interests of the residents of Locust Point. The Locust Point Civic Association, Inc. desires to donate to the City in-kind services of up to \$60,000.00 for the renovation of the restrooms at Locust Point Recreation Center, to meet ADA standards, and has selected their own contractor to construct the improvements. The Parks Division of the Department will provide oversight and guidance throughout the project.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the donation agreement with the Locust Point Civic Association, Inc.

**MINUTES**

Department of Recreation - Memorandum of Understanding  
and Parks (R&P)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with the Maryland Senior Olympics Commission, Ltd. (MSOC). The agreement is for one year effective June 27, 2013 through June 26, 2014, unless terminated sooner.

**AMOUNT OF MONEY AND SOURCE:**

\$26,000.00 - 2096-796623-7960-862300-603026

**BACKGROUND/EXPLANATION:**

The MSOC is a non-profit organization which was formed to organize, promote, and conduct competitive sports events for athletes 50 years of age and older, and to promote healthy and active aging. The Department and the MSOC desire to work cooperatively to achieve mutual goals of providing sports opportunities for older adults and coordinating efforts to serve the best of the public and facilitate implementation of various programs. The MSOC will manage the overall planning and implementation of the 2013 Maryland Senior Olympics events while complying with Departmental policies and procedures. The Department will provide staff support, meeting space, and event promotion. The Department respectfully requests the Board's approval of this contract to cover costs associated with programs that have already taken place. The MOU is late because of an administrative delay.

**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 memorandum of understanding with the Maryland Senior Olympics Commission, Ltd.

**MINUTES**

Department of Recreation - Second Amendments to Agreements  
and Parks (R&P)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the second amendments to two agreements with the Parks and People Foundation (PPF): 1.) City Funding Agreement and 2.) Program Open Space Funding Agreement. The second amendments extend each agreement through December 31, 2014.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On March 31, 2010, the Board approved the execution of: 1.) a \$750,000.00 funding agreement and 2.) a \$1,500,000.00 Program Open Space (POS) funding agreement for the PPF to redevelop the former Superintendent's Mansion and grounds at Druid Hill Park into an urban ecology center.

The agreements were amended on June 6, 2012 and August 20, 2013. The current amendment will extend the term of each agreement to December 31, 2014 and will allow permitted costs to include engineering, design, and architectural fees relating to the project. All other provisions of the agreements will remain in full force and effect.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the second amendments to two agreements with the Parks and People Foundation. The Mayor **ABSTAINED**.

MINUTES

Department of Recreation and Parks - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task no. 015, to Rummel, Klepper & Kahl, LLP, under Project 1167, On-Call Engineering Design Services.

**AMOUNT OF MONEY AND SOURCE:**

\$113,521.00 - 9938-928004-9474-900000-703032

**BACKGROUND/EXPLANATION:**

This task will include the final design services for two pedestrian bridges over Stony Run.

**MBE/WBE PARTICIPATION:**

The consultant has achieved the following percentages:

MBE: 28.32%  
WBE: 5.10%

MWBOO FOUND VENDOR IN COMPLIANCE.

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

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$120,000.00	9938-925004-9475	9938-928004-9474
State	Stony Run Trail Reserve	Stony Run Trail Active

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1167, Task No 15, to Rummel, Klepper & Kahl, LLP.

**MINUTES**

Dept. of Recreation & Parks - cont'd

UPON MOTION duly made and seconded, the Board approved the assignment of Task no. 015, to Rummel, Klepper & Kahl, LLP, under Project 1167, On-Call Engineering Design Services.

**MINUTES**Department of Planning - Report on Previously  
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds subject to receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. Today, the Board is requested to **NOTE 16** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on November 13 and 20, 2013.

UPON MOTION duly made and seconded, the Board NOTED the 16 favorable reports on the previously approved transfers of funds.

**MINUTES**

Mayor's Office of Information - Expenditure of Funds  
Technology (MOIT)

The Board is requested to approve an expenditure of funds to pay the vendors:

**1. TELECOMMUNICATIONS SYSTEMS (TCS) \$36,518.40**

Accounts:	1001-000000-1474-167700-605008	\$10,217.60
	1001-000000-1472-165800-603026	\$13,150.40
	1001-000000-1411-160400-603026	\$13,150.40

In FY 13, TCS provided IT staffing support to Baltimore City agencies. All funds for these services were paid out to TCS with the exception of \$36,518.40 from the November 2012 invoice. The November invoice has been revised, reviewed, and is ready for payment.

**2. PRIORITY DISPATCH \$ 1,404.00**

Account: 1001-000000-1512-167800-605008

Priority Dispatch provided services that allow citizens to send text messages to 911. These services transferred to MOIT when 911 moved from under the Baltimore City Police Department in FY 13. MOIT has secured a Purchase Order (PO) for these services; however, payment for October 2012 was left off of the PO. The vendor is due \$1,404.00.

These expenditures of funds are late because of delays in receipt of the invoices and administrative review.

**APPROVED FOR FUNDS BY FINANCE.**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay Telecommunications Systems and Priority Dispatch.



**MINUTES**

Mayor's Office Employment - Employee Expense Report  
Development (MOED)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an employee expense report to pay Ms. Shaborah Wright for the month of July 2013.

**AMOUNT OF MONEY AND SOURCE:**

\$45.20 - 4000-805013-6312-458505-603002

**BACKGROUND/EXPLANATION:**

Ms. Wright is a Career Development Facilitator and is required to travel on a regular basis. The expense report is submitted to the Board because it was for payment beyond the 40 day time requirement as per the AM 240-11, Employee Expense Report.

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.

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the employee expense report to pay Ms. Shaborah Wright for the month of July 2013.

**MINUTES**

Department of Transportation - Easement Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an easement agreement with the United States Coast Guard.

**AMOUNT OF MONEY AND SOURCE:**

\$1.00, if demanded.

**BACKGROUND/EXPLANATION:**

The City would like to acquire an easement on the property owned by The United States of America located at the U.S. Coast Guard Yard in Baltimore City, known as Hawkins Point Road, Block 7001, Lot 1.

This easement is needed for the construction and future maintenance of a waterline in conjunction with the Reconstruction of Hawkins Point Road Bridge over CSX and Roadways Improvements, Project No. TR-00073.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the easement agreement with the United States Coast Guard.

**MINUTES**

Department of Transportation - Right-of-Entry Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a right-of-entry agreement with At Charles Baltimore LLC, for access to the property known as 100 S. Charles Street.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The City needs to perform construction activities associated with the Department's construction titled, Demolition of Pratt Street Pedestrian Bridges: Charles and Gay Streets, Contract No. TR 12007. On May 15, 2013, the Board awarded the contract. This request is associated with the pedestrian bridge across Area 5b and across the Pratt Street Pedestrian Bridge.

As the City owned pedestrian bridge is attached to the building structure owned by At Charles Baltimore, LLC, it will be required to remove bridge structure supports from the building and secure and repair the opening where the bridge connected to the building as part of Baltimore City Department of Transportation project, TR 12007 Pratt Street Pedestrian Bridge Demolition.

UPON MOTION duly made and seconded, the Board approved and authorized execution right-of-entry agreement with At Charles Baltimore LLC, for access to the property known as 100 S. Charles Street.

**MINUTES**

Department of Transportation - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of task no. 015, to Whitman, Requardt & Associates, under Project 1161, On-Call Construction Project Management Services.

**AMOUNT OF MONEY AND SOURCE:**

\$40,000.00 - 9950-902323-9527-900010-705032  
35,819.01 - 9950-904402-9508-900010-705032  
**\$75,819.01**

**BACKGROUND/EXPLANATION:**

This authorization provides for a Project Manager to perform constructability review services.

**MBE/WBE PARTICIPATION:**

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

**MBE:** 27%  
**WBE:** 9%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

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

**MINUTES**Department of Transportation - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$40,000.00	9950-903323-9528	9950-902323-9527-3
MVR	Constr. Res. - Key Hwy./Inner Harbor Inter- section	Design & Study Key Highway

This transfer will cover the costs associated with Task No. 15 under Project No. 1167, On-Call Construction Project Management Services, with Whitman, Requardt & Associates.

UPON MOTION duly made and seconded, the Board approved the assignment of task no. 015, to Whitman, Requardt & Associates, under Project 1161, On-Call Construction Project Management Services. 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**

Department of Transportation - Relinquishment and Termination  
of Easement Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a relinquishment and termination of easement agreement with At Charles Baltimore, LLC.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

This request is associated with the pedestrian bridge over Pratt Street west of Charles Street and terminates At Charles Baltimore LLC's rights to use the bridge.

This agreement is associated with the Department's construction contract titled, Demolition of Pratt Street Pedestrian Bridge: Charles and Gay Streets, Contract No. TR 12007. This contract was awarded by the Board on May 15, 2013.

The original development and construction of the City-owned pedestrian bridge also involved the execution of a deed agreement with the adjoining property owner. This agreement included stipulations governing the rights to the City and private property owner, including the reservation of an easement to construct and maintain the bridge. The relinquishment and termination of easement agreement will extinguish the rights and easements associated with the existence of the pedestrian bridge, while holding all provisions of the original deed agreement in full force and effect.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the relinquishment and termination of easement agreement with At Charles Baltimore, LLC.

**MINUTES**

Department of Transportation - Relinquishment and Confirmation  
of Easement Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a relinquishment and confirmation of easement agreement with HUB Properties Trust (HUB) in connection with the pedestrian bridges: 1) the Lombard Street Bridge, and 2) the Pratt Street Bridge.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The City and HUB desire to confirm the perpetual easement in connection with the Lombard Street Bridge and to extinguish the perpetual easement for the Pratt Street Bridge which is being demolished. The agreement includes the stipulations governing the rights of the City and the private property owner which includes the maintenance of the said Lombard Street Bridge by the City.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the relinquishment and confirmation of easement agreement with HUB Properties Trust in connection with the Lombard Street and the Pratt Street Pedestrian Bridges.

**MINUTES**

Department of Finance - Termination of PILOT Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the early termination of the Payment in Lieu of Taxes Agreement (PILOT) with St. Paul Plaza Main Garage Limited Partnership for the St. Paul Plaza Garage.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The PILOT is due to expire on July 01, 2016 with a payment due of \$4,951,653.08. The value through July 1, 2013 of the July 2016 payment is \$4,272,454.96 and the present value of this future payment is \$3,909,901.52. It is respectfully requested that the Board approve the early payment of the deferred taxes so that the City can receive the \$3,909,901.52 payment and convey the garage to St. Paul Plaza Main Garage Limited Partnership.

In 1985 and 1986, a new public garage known as the St. Paul Plaza Garage was built as part of a larger project that included an office building, private garage for the office building and retail. The project is located at the northwest corner of St. Paul Place and Lexington Street. The public garage was built at the request of the City and the City provided bond financing for the public garage and took title to the public garage improvements upon completion of the garage in 1986. The bonds were required to be paid in May 2016. In conjunction with the financing of the project, since the City owns the garage until the bonds are paid, a PILOT agreement was entered between the City and St. Paul Plaza Main Garage Limited Partnership, the operator of the garage.

The project is currently being refinanced and as part of the refinancing the bonds are being paid off and the PILOT is being terminated early. Under the terms of the PILOT agreement, the St. Paul Plaza Main Garage Limited Partnership paid the base taxes on the land on which the project was constructed, and the State taxes on both the land and garage facility.



## MINUTES

Department of Finance - cont'd

The City taxes on the garage facility were deferred (Deferred Taxes) until the end of the term of the bonds, unless the garage income in any year exceeded the garage expenses and garage debt service. There was not sufficient garage income to pay the Deferred Taxes, and the Deferred Taxes have accrued and are being paid at this time. Since the Deferred Taxes are being paid early, the Department of Finance has agreed to accept a payment from the St. Paul Plaza Main Garage Limited Partnership of the present value of what is due on July 01, 2016. At the time of the payment of the bonds and the Deferred PILOT, which will occur at the time of the refinancing transaction, the public garage will be conveyed to the St. Paul Plaza Main Garage Limited Partnership and they will begin paying full taxes.

UPON MOTION duly made and seconded, the Board approved the early termination of the Payment in Lieu of Taxes Agreement with St. Paul Plaza Main Garage Limited Partnership for the St. Paul Plaza Garage.

**MINUTES**Fire and Police Employees' - Independent Auditor's Report  
Retirement System (F&P)

The Board is requested to **NOTE** receipt of the following from CliftonLarsonAllen LLP:

1. The Independent Auditor's Report.
2. The Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards, with regard to the FY 2013 Audit of the F&P.
3. The 2013 Baltimore City F&P Comprehensive Summary Annual Financial Report (CAFR).

UPON MOTION duly made and seconded, the Board NOTED receipt of the above-mentioned reports from CliftonLarsonAllen LLP.

**MINUTES**

Bureau of the Budget and - Supplemental State Capital  
Management Research      Appropriations

**ACTION REQUESTED OF B/E:**

The Board is requested to approve two supplemental State Capital Appropriations to the Department of Housing and Community Development.

**AMOUNT OF MONEY AND SOURCE:**

<u>FROM:</u>	<u>TO:</u>
1. <b>\$250,000.00</b> State Education Trust Fund Video Lottery Terminal (VLT) Revenue	9910-905962-9587 Northwest Neighborhood Improvement
2. <b>\$750,000.00</b> State Education Trust Fund Video Lottery Terminal (VLT) Revenue	9910-903963-9587 Park Heights Redevelopment Area

**BACKGROUND/EXPLANATION:**

The State of Maryland provides capital funds to the City from the State Education Trust Fund - Video Lottery Terminal Revenue, as part of its commitment to the Northwest Neighborhood Improvements and Park Heights Redevelopment areas.

In Fiscal 2013, the City received \$1,000,000.00 in surplus VLT revenue. In order to utilize these funds within the neighborhoods for which the funds are designated, supplemental appropriations are necessary. The funding for each appropriation will be used for activities that include but are not limited to acquisition, relocation, and demolition within the designated areas.

UPON MOTION duly made and seconded, the Board approved the two supplemental State Capital Appropriations to the Department of Housing and Community Development.

**MINUTES****TRAVEL REQUESTS**

	<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Mayor's Office</u>				
1.	Nicholas Blendy Andrew Smullian*	Maryland Association of Counties Winter Conf. Cambridge, MD Dec. 11 - 13, 2013 (Reg. Fee \$250.00) (Reg. Fee \$225.00)*	General	\$1,432.30

The hotel and registration will be paid by a City-issued credit card assigned to Ms. Kathe Hammond. The amount that will be disbursed to each attendee is \$176.65.

Employees' Retirement Systems

2.	Thomas Corey Dorothy Bryant Deborah Moore- Carter	Opal's Financial Group Educational Conf. Phoenix, AZ Jan. 6 - 9, 2014	Special Funds - ERS	\$5,859.69
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No General funds are required. The Special Funds from the ERS will be used to cover all expenses.

The subsistence rate for this location is \$199.00 per day. The hotel cost is \$289.00, not including a \$5.00 housekeeping fee per night, plus taxes in the amount of \$39.01 per night.

The Employees' Retirement Systems is requesting an additional \$130.00 per day to cover the balance of each representative's hotel accommodations, and an additional \$40.00 per day for a total of \$120.00 for food and incidental expenses for each representative. There is no registration fee.

UPON MOTION duly made and seconded, the Board approved the travel requests. The Mayor **ABSTAINED** on item no. 1. The Comptroller **ABSTAINED** on item no. 2.

**MINUTES**Department of Finance - BPW Capital Grant Agreements

The Board is requested to approve and authorize execution of the Capital Grant Agreements with the State of Maryland acting through the Board of Public Works.

- |    |  |                       |
|----|--|-----------------------|
| 1. | <b>EAST BALTIMORE BIOTECHNOLOGY PARK</b> | <b>\$5,000,000.00</b> |
| 2. | <b>EAST BALTIMORE BIOTECHNOLOGY PARK</b> | <b>\$1,350,000.00</b> |

Account: 9910-906409-9588-900000-704040

The State of Maryland has provided Capital Funds to the City as part of its long standing commitment to the revitalization of East Baltimore.

The 2013 Maryland General Assembly approved State Capital Funds to the City in the amounts of \$5,000,000.00 and \$1,350,000.00 as part of its long standing commitment to the revitalization of East Baltimore. The \$1,350,000.00 is a one-time State Capital supplemental appropriation included in the Governor's FY 2014 budget. Both of the grants are for planning, design and construction site improvements in the East Baltimore Biotechnology Park area.

The State of Maryland requires that the City execute a grant agreement before funds can be made available. Once the grant agreement is executed by the City and approved by the State's Board of Public Works, the City will execute a separate grant agreement with East Baltimore Development, Inc. (EBDI) regarding specific uses and conditions for the State Funds.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Capital Grant Agreements with the State of Maryland acting through the Board of Public Works.

**MINUTES**

Department of Housing and           - Local Government Resolution  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a Local Government Resolution in support of the application from the Bolton Hill Nursery, Inc. (BHN) to the Neighborhood BusinessWorks Program (NBWP) under the State of Maryland Department of Housing and Community Development. A local resolution of support is required for organizations to participate in the program.

**AMOUNT OF FUNDS AND SOURCE:**

\$250,000.00 - NBWP/MD DHCD

No City funds are requested.

**BACKGROUND/EXPLANATION:**

With the assistance of the Neighborhood BusinessWorks Loan Program, the Bolton Hill Nursery, Inc. will transition the Bolton Hill Nursery and Day Care Center from its currently leased space at 1316 Park Avenue to a purchased property at 204 West Lanvale Street. The nursery school has been located at Park Avenue since 1987 and due to a growing waiting list of applicants, the BHN began looking for a new location several years ago.

The project will enable the business to expand its day care services for children, ages two to four years of age. This business relocation and expansion project will renovate the historic Rolando-Thom House and create eleven new accredited teacher positions and allow for on-site playground areas for the children. The new facility will expand the licensed childcare options for parents living and working in Baltimore City. The total project cost is estimated at \$1,325,000.00.

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved the Local Government Resolution in support of the application from the Bolton Hill Nursery, Inc. to the Neighborhood BusinessWorks Program under the State of Maryland Department of Housing and Community Development.

**MINUTES****PROPOSALS AND SPECIFICATIONS**

- |    |                                       |   |
|----|---------------------------------------|---|
| 1. | <u>Bureau of Water and Wastewater</u> | - SC 934, Cleaning of the Outfall Interceptor and Relief Sewers, Phase II<br><b>BIDS TO BE RECV'D: 1/15/2014</b><br><b><u>BIDS TO BE OPENED: 1/15/2014</u></b>                |
| 2. | <u>Bureau of Water and Wastewater</u> | - WC 1296, Urgent Need Metering Infrastructure Repair and Replacement, Various locations<br><b>BIDS TO BE RECV'D: 1/15/2014</b><br><b><u>BIDS TO BE OPENED: 1/15/2014</u></b> |

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

President: "If there is no further business, the Board is in recess until twelve o'clock noon for the receiving and opening of bids."

\* \* \* \* \*



**MINUTES**

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

**BIDS, PROPOSALS AND CONTRACT AWARDS**

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

Bureau of Water & Wastewater - SC 905, Improvements to  
Sanitary Sewers in the Northern  
Region Upper Gwynn's Run  
**BIDS TO BE RECV'D: 12/11/13**  
**BIDS TO BE OPENED: 12/11/13**

## 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 Water & Wastewater

SC 905, Improvements to  
Sanitary Sewers in the  
Northern Region Upper Gwynn's  
Run

AM-Liner East, Inc.  
Insituform Technologies, LLC  
SAK Construction, LLC  
Spiniello Infrastructure Worldwide  
Metro Industries  
Inland Water Pollution Control, Inc.

Department of Transportation

TR 07309, Rehabilitation of  
Roadways Around East Baltimore  
Life Science Park, Phase 1C

Monumental Paving & Excavating, Inc.  
Allied Contractors, Inc.  
Machado Construction  
P. Flanigan & Sons, Inc.  
Rustler Construction, Inc.  
Manuel Luis Construction Co., Inc.  
Civil Construction LLC

## MINUTES

Bureau of Purchases

B50003260, Snow Removal  
Services V

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American Heritage Excavating  
Manuel Landscaping, Inc.

Bureau of Purchases

B50003258, Polymeric  
Flocculant for Patapsco  
Wastewater Treatment Plant

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Polydyne, Inc.  
Delta Chemical Corp. - NO BID  
Kemira Water Solutions, Inc. - NO BID

Bureau of Purchases

B50003236, Maintenance and  
Repair Services- Plumbing and  
Heating

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R.F. Warder, Inc.  
Denver-Elek, Inc  
J.F. Fischer, Inc.  
Adrian L. Merton, Inc.

Bureau of Purchases

B50003192, RFP for Workers'  
Compensation Claims  
Administration s (Technical  
Opening)

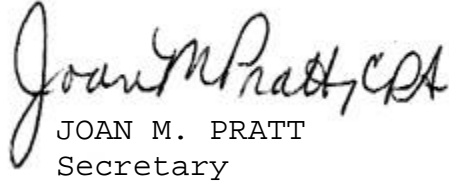
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Hammerman & Gainer, Inc.  
Tristar Risk Enterprise Mgt.  
Johns Eastern Company, Inc.  
Corvel Corporation  
Key Risk Management Services, LLC

MINUTES

\* \* \* \* \*

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

  
JOAN M. PRATT  
Secretary