

MINUTES**REGULAR MEETING**

Stephanie Rawlings-Blake, President
 Sheila Dixon, Mayor
 Joan M. Pratt, Comptroller and Secretary
 George A. Nilson, City Solicitor
 David E. Scott, Director of Public Works
 Donald Huskey, Deputy City Solicitor
 Ben Meli, Deputy Director of Public Works
 Bernice H. Taylor, Deputy Comptroller and Clerk

The meeting was called to order by the President.

BOARDS AND COMMISSIONS1. Prequalification of Contractors

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

Benfield Electric Co., Inc.	\$ 8,000,000.00
CB Flooring, LLC	\$ 49,788,000.00
C & T Painting Co., Inc.	\$ 1,386,000.00
Calmi Electrical Company	\$ 6,948,000.00
Chevy Chase Contractors, Inc.	\$ 8,000,000.00
Core Mechanical, Inc.	\$ 4,257,000.00
Division 2, LLC	\$ 1,500,000.00
Facchina Construction Company, Inc.	\$ 279,340,000.00
Geo Contractors, Inc.	\$ 8,000,000.00
H.A. Winchester Enterprises, Inc.	\$ 216,000.00
Hempt Bros, Inc.	\$ 105,720,000.00
Kinsley Construction, Inc.	\$ 225,000,000.00
N.R. Eyler, Inc.	\$ 36,000.00
P & J Contracting Company, Inc.	\$ 42,750,000.00
Sauers Installation, Inc.	\$ 1,500,000.00
Sustainable Services Corporation	\$ 1,500,000.00
W.F. Wilson & Sons, Inc.	\$ 1,500,000.00

MINUTES**BOARDS AND COMMISSIONS**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:

AECOM USA, Inc.	Architect Engineer
EDAW, Inc.	Architect Landscape Architect Engineer
Peter Fillat Architects	Architect
Glyndon Engineering & Technology Co.	Engineer
RJM Engineering, Inc.	Engineer
Straughan Environmental Services, Inc.	Engineer
URS	Architect Landscape Architect Engineer Land Survey Property Line Survey

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

MINUTESDepartment of General Services - Minor Privilege Permit Applications

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

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 700 Washington Place	The Washington Park, Co.	One 2 yd dumpster 6' x 3'
Annual Charge: \$252.00		
2. 217 S. High Street	Mary Ann Cricchio	Retain seven awnings, four gooseneck lamps, two single face electric signs, two mansard cornices, two areaways, one display case, and one balcony
Annual Charge: \$2,546.20		
3. 201 S. Highland Avenue	Michael A. Schaum	Brick veneer 240 sq. ft.
Annual Charge: \$ 70.30		
4. 125 West Saratoga Street	125 West Saratoga, LLC	One 5" conduit @ 125'
Annual Charge: \$875.00		

MINUTES

Minor Privilege Permit Applications - cont'd

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
5. 2 North Charles Street	Baltimore and Charles, LLC	One double face electric sign 54.06 sq. ft., and one double face electric sign 12.52 sq. ft.
Annual Charge: \$519.02		
6. 101 President Street	Brewmaster Hotel, LLC	Outdoor seating 16' x 2'
Annual Charge: \$337.50		
7. 3734 Fleet Street	3734 Fleet Street, LLC	Outdoor seating 20' x 4'
Annual Charge: \$337.50		
8. 3242 Foster Street	3242 Real Property, LLC	Outdoor seating 25' x 4'
Annual Charge: \$617.50		
9. 550 Light Street	Harbor Court Associates	Outdoor seating 12' x 4'
Annual Charge: \$337.50		

There are no objections, since no protests were received.

There being no objections, the Board, UPON MOTION duly made and seconded, approved the Minor Privilege Permit applications.

MINUTES

OPTIONS/CONDEMNATIONS/QUICK-TAKES:

<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development - Options</u>			
1. Frances Lee	915 N. Washington Street	F/S	\$47,000.00
Funds are available in account 9910-906416-9588-900000-704040, EDBI Project, Phase II.			
2. Jack and Harvey, Inc.	1145 W. Saratoga Street	G/R \$48.00	\$ 440.00
Funds will be transferred prior to settlement into account 9910-901780-9588-900000-704040, Poppleton Project.			
<u>DHCD - Quick-takes</u>			
3. Ruben and Dorothy Liss	437 E. 23 rd Street	G/R \$72.87	\$ 607.00
Funds will be transferred prior to quick-take into account 9912-904713-9591-900000-704040, Barclay Project.			
4. Unknown	1321 Wirton Street	G/R \$36.00	\$ 240.00
Funds will be transferred prior to quick-take into account 9910-904714-9588-900000-704040, Johnston Square Project.			

MINUTES

OPTIONS/CONDEMNATIONS/QUICK-TAKES:

<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Quick-takes</u>			
5. Orville H. Bullitt, Jr., Louisa Bullitt Ward, John C. Bullitt, and The Fidelity Bank of Philadelphia, Pennsylvania	1212 N. Caroline St.	G/R \$57.16	\$ 381.07

Funds will be transferred prior to quick-take into account
9910-906460-9588-900000-704040, Oliver Project.

The Board is requested to approve acquisition of the ground rent interests by condemnation and quick-take, or in the alternative may, SUBJECT to the prior approval of the Board, make application to the Maryland Department of Assessments and Taxation to redeem or extinguish the ground rent interest for these properties.

MINUTES

OPTIONS/CONDEMNATIONS/QUICK-TAKES:

<u>Owner/s</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Law Department - Court Settlement</u>			
6. Group One Financial Holdings, LLC	1520 E. Biddle Street	L/H	\$ 2,550.00

On April 30, 2008, the City filed a condemnation and quick-take action for the acquisition of the leasehold interest in 1520 E. Biddle Street in the amount of \$25,500.00. During the pre-trial conference, the owners agreed to settle the suit for \$28,050.00, the amount of the City's appraised value plus a 10% administrative increase. Therefore, the Board is requested to approve payment of the balance in the amount of \$2,550.00 in the registry of the Circuit Court for Baltimore City.

Funds are available in account 9910-906460-9588-900000-704040.

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

MINUTESPolice Department - Expenditures of Funds

The Board is requested to approve the following expenditures of funds:

<u>Vendor/s</u>	<u>Amount</u>
1. NEXTCAR RENT-A-CAR	\$11,138.73
2. ENTERPRISE RENT-A-CAR	\$11,927.62

Account: 1001-000000-2010-197600-603067

The Department leased vehicles from the above vendor and assigned them to various units for police operations. Vehicle accidents occurred while the vehicles were operated in an official capacity.

Under the current agreement, the City is obligated to compensate the vendor for all damages to the vehicles and any diminished value that resulted while the vehicles were under the Department's control.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the above expenditures of funds to pay the listed vendors.

MINUTES

Health Department - Agreements and Amendments to Agreement

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

AGREEMENTS

- | | | |
|----|--|---------|
| 1. | MERCY MEDICAL CENTER, INC. | \$ 0.00 |
| 2. | BALTIMORE VETERAN ADMINISTRATION
REHABILITATION AND EXTENDED CARE CENTER | \$ 0.00 |
| 3. | PROJECT GARRISON, INC./GARRISON MIDDLE
SCHOOL MEET ME HALFWAY | \$ 0.00 |
| 4. | UNIVERSITY OF MARYLAND, BALTIMORE COLLEGE
OF DENTAL SURGERY/MEDICAL RECORDS | \$ 0.00 |
| 5. | GOODWILL WORKS OF THE CHESAPEAKE,
INC./ADMINISTRATIVE OFFICE | \$ 0.00 |
| 6. | THE BALTIMORE VETERAN ADMINISTRATION
MEDICAL CENTER | \$ 0.00 |
| 7. | PROJECT GARRISON, INC./NORTHWEST
BALTIMORE TECHNOLOGY CENTERS | \$ 0.00 |
| 8. | PROJECT GARRISON, INC./ADMINISTRATIVE
OFFICE | \$ 0.00 |
| 9. | STATE OF MARYLAND DEPARTMENT OF LABOR,
LICENSING AND REGULATION | \$ 0.00 |

MINUTES

Health Department - cont'd

10. **UNIVERSITY OF MARYLAND MEDICAL SYSTEM
CORPORATION/UNIVERSITY OF MARYLAND
MEDICAL CENTER** **\$ 0.00**

The above-listed organizations will serve as host agencies for the Senior Community Service Employment Program. This program provides part-time work experience or volunteer service opportunities for persons, aged 55 years or older, with no upper age limitation. The placement of Senior Citizen Aides in non-profit or governmental agencies will allow those agencies to provide services that would otherwise not be available because of the lack of funds. The period of the agreement is July 1, 2009 through June 30, 2010.

11. **JOHNS HOPKINS UNIVERSITY** **\$ 25,000.00**

Account: 4000-422710-3080-294076-603051

The Johns Hopkins University, School of Medicine - Harriett Lane Adolescent Clinic will provide Title X reproductive health services to the uninsured and underinsured citizens of Baltimore City. The period of the agreement is July 1, 2009 through June 30, 2010.

MWBOO GRANTED A WAIVER.

MINUTES

Health Dept. - cont'd

12. **BALTIMORE HEALTH CARE ACCESS, INC.** **\$100,134.02**

Accounts: 1001-000000-3000-262200-603051	\$ 8,832.37
4000-423110-3150-307900-603051	\$ 91,301.65

The organization will provide a Surveillance Analyst for the Office of Public Health Preparedness and Response to manage the daily operation of bio-surveillance for the Baltimore City Health Department. The Surveillance Analyst will be responsible for collecting raw surveillance data from several sources including the Baltimore City Fire Department, hospital emergency departments, and local pharmaceutical retail facilities. The organization will also provide an Office Assistant to provide clerical support. The period of the agreement is July 1, 2009 through June 30, 2010.

MWBOO GRANTED A WAIVER.

13. **PACT: HELPING CHILDREN WITH SPECIAL NEEDS, INC.** **\$173,000.00**

Accounts: 4000-428210-3080-294379-600000

The organization will provide health-related early intervention/case management services related to the Maryland Medical Assistance program. PACT as a local health clinic will be reimbursed by the Department of Health and Mental Hygiene for providing health related early intervention/case management services. The period of the agreement is July 1, 2009 through June 30, 2010.

MWBOO GRANTED A WAIVER.

MINUTES

Health Dept. - cont'd

14. **KENNEDY KRIEGER INSTITUTE, INC.** \$ 129,375.00

Accounts: 4000-428210-3080-294390-600000

The organization will provide health-related early intervention/case management services related to the Maryland Medical Assistance program. The organization as a local health clinic will directly bill the Department of Health and Mental Hygiene and will be reimbursed for providing health related early intervention/case management. The period of the agreement is July 1, 2009 through June 30, 2010.

MWBOO GRANTED A WAIVER.

15. **LEARNING, INC.** \$ 7,000.00

Accounts: 6000-623207-3160-308400-604051

The organization will provide instructional time for Operation Safe Kids. The organization will provide the services of two teachers for the following subject areas: Algebra I and II; English I and II; and History for Operation Safe Kids/Summer YouthWorks Program. The period of the agreement is June 22, 2009 through August 30, 2009.

16. **BALTIMORE HEALTH CARE ACCESS, INC.** \$1,554,842.00

Account: 4000-421010-3080-294600-603051

The organization is responsible for oversight of the Medicaid Managed Care in Baltimore City as required by legislation from the Maryland Department of Health and Mental Hygiene (DHMH). Specific program activities are: collaboration in community-based outreach efforts to reach potential recipients; adherence to established policies and

MINUTES

Health Dept. - cont'd

procedures as per DHMH guidelines. The organization will also monitor and review procedures to ensure eligibility is determined within the ten-day mandated time line; monitor and track data regarding applications to the Eligibility Program; and interface with DHMH and the Baltimore City Department of Social Services. The period of the agreement is July 1, 2009 through June 30, 2010.

17. **MARNI N. SEYYID, LCSW-C, PhD(c)** **\$ 68,640.00**

Account: 1000-000000-3160-308000-603018

Ms. Seyyid, a consultant, will provide clinical support services to the Operation Safe Kids Program. She will be responsible for organizing and supervising a staff of employees, including professional social workers, paraprofessionals and others. She will participate in the development of program policies and procedures; develop and administer grants and prepare budgets. She will interpret the social service program for staff to integrate services with other organizations and institutions. She will participate in and provide leadership for various staff, departmental, community, and inter-agencies meetings and conferences. She will also coordinate activities with other agencies and act as a community liaison for agencies; provide treatment, assessment, evaluation, crisis intervention and other clinical services as necessary. The period of the agreement is July 1, 2009 through June 30, 2010.

MINUTES

Health Dept. - cont'd

18. **BALTIMORE MEDICAL SYSTEM, INC.** \$ 169,608.00

Account: 5000-519909-3040-589800-603051

The organization will set up a work plan for the first year of participation in the Health Disparities Initiative - Community Health Worker Program. The organization will also provide a Nurse Manager and a Community Health Worker Team Leader to train community outreach workers through participation in activities organized by the Health Department. The period of the agreement is April 1, 2009 through December 31, 2009.

The agreement is late because the grant award was approved on May 20, 2009 and the Department was waiting for an acceptable budget and scope of services.

MWBOO GRANTED A WAIVER.

SENIOR COMPANION PROGRAM AGREEMENTS

19. **SANDTOWN-WINCHESTER HOME, LLC** \$ 0.00

20. **FUTURE CARE HEALTH AND MANAGEMENT
OF CHARLES VILLAGE, INC.** \$ 0.00

The period of the agreement is July 1, 2009 through June 30, 2010.

MINUTES

Health Dept. - cont'd

21. **FUTURE CARE HEALTH AND MANAGEMENT
OF IRVINGTON, INC.** \$ 0.00

The period of the agreement is July 1, 2008 through June 30, 2009.

The organizations will serve as Volunteers Station for the Senior Companion Program. Through a grant from the National and Community Service, the Baltimore City Health Department sponsors the Senior Companion Program. The grant pays for the cost for the Senior Companions to volunteer to assist special needs clients who want to remain in their homes. While the Senior Companions are on duty, the grant will provide for their life insurance, transportation and other benefits.

RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP)

22. **THE CATHOLIC CHARITIES HOUSING, INC./
CATHOLIC CHARITIES SENIOR HOUSING/
BASILICA PLACE APARTMENTS** \$ 0.00

The above-listed organization will serve as a volunteer station for the RSVP. The RSVP has been funded since 1982 by the federal government. The Baltimore City Health Department is awarded a grant from the Corporation of National and Community Services to pay administrative staff to arrange volunteer work for persons 55 years of age and over. The period of the agreement is April 1, 2008 through March 31, 2010.

The agreement is late because it was recently returned.

MINUTES

Health Dept. - cont'd

AMENDMENTS TO AGREEMENTS

23. **BALTIMORE MEDICAL SYSTEM, INC.** **\$ 78,300.00**

Account: 4000-420209-3030-272400-603051

On February 4, 2009, the Board approved the original agreement in the amount of \$103,490.00 for refugee health assessments for the period July 1, 2008 through June 30, 2009. On April 29, 2009, the Board approved the first amendment in the amount of \$252,300.00.

This amendment in the amount of \$78,300.00 is necessary to reimburse Baltimore Medical System, Inc. for providing additional tuberculosis screenings.

The amendment no. II is late because it was just returned.

24. **ARBOR E & T, LLC** **\$ 196,200.00**

Account: 4000-427109-3080-294395-603051

On September 17, 2008, the Board approved the original agreement with Care Resources, Inc. for period July 1, 2008 through June 30, 2009 in the amount of \$503,872.00.

On December 17, 2008, the Board approved an assignment agreement. Care Resources, Inc. assigned to Arbor E & T, LLC all of its rights, title, obligations, conditions and interests in Contract No. 32732, Speech Therapist and Physical Therapist to staff the Baltimore Infant and Toddler's program.

MINUTESHealth Department - cont'd

This amendment to agreement is necessary because the Arbor E & T, LLC provided additional services during the agreement term. The Department is requesting that the organization be reimbursed for the additional services.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED (EXCEPT ITEMS NOS. 1-10 AND 19-21) AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreements and the amendments to agreement. Item No. 21 was WITHDRAWN.

MINUTES

Health Department - Grant Agreements

The Board is requested to approve and authorize execution of the grant agreements for the Lead Abatement Action Program.

1. **HOLABIRD INVESTMENTS, LLC** **\$ 6,780.00**

The property is located at 3707 Manchester Avenue.

2. **PORTUGAL PROPERTIES, LLC** **\$15,000.00**

The property is located at 935 Bennett Place.

Account: 4000-428008-3050-282900-603026

The City has received grant funds from the Department of Housing and Urban Development for certain lead hazard reduction activities, as outlined in the regulations for the Federal Lead Hazard Reduction Program.

The grantees have applied to the City for a grant to undertake the lead hazard reduction work on the above-listed properties.

The grantee or its certified contractor will perform the services and provide materials for the project on the properties and agrees that the project will be subject to occupancy and rental covenants and restrictions in the form required by the City for a three-year period from the time the lead hazard reduction work is completed.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreements for the Lead Abatement Action Program.

MINUTES

Health Department - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a grant award from the Corporation for National and Community Service. The period of the grant award is July 1, 2009 through June 30, 2010.

AMOUNT OF MONEY AND SOURCE:

\$303,809.00 - 4000-423510-3110-306500-600000

BACKGROUND/EXPLANATION:

The Senior Companion Program brings together volunteers age 60 and over with homebound adults in their community who have difficulty with the simple tasks of day-to-day living. They assist with shopping and light chores.

The funds will be used to assist the grantee in carrying out these services.

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 acceptance of the grant award from the Corporation for National and Community Service.

MINUTES

Department of Real Estate - Agreement of Sale

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement of sale with Mr. Wallvin Ackerman for the sale of the property known as SWS Potee Street 35-11 Ft. SE of Bristol Avenue (Block 7027J, Lot 013).

AMOUNT OF MONEY AND SOURCE:

\$1,750.00 - Purchase price

BACKGROUND/EXPLANATION:

The authority to sell the property located at SWS Potee Street 35-11 Ft. SE of Bristol Avenue (Block 7027J, Lot 013) was approved by City Council Ordinance No. 477 on December 6, 1973. The property was appraised at \$1,750.00. The property is a small parcel of land, consisting of 1,459 square feet of unimproved partially fenced land. Mr. Ackerman has been maintaining this parcel for many years, and he intends to include this parcel as an integral part of his current property.

(FILE NO. 57057)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement of sale with Mr. Wallvin Ackerman for the sale of the property known as SWS Potee Street 35-11 Ft. SE of Bristol Avenue (Block 7027J, Lot 013).

MINUTES

Space Utilization Committee - Transfer of Jurisdiction

ACTION REQUESTED OF B/E:

The Board is requested to approve the transfer of jurisdiction for the property located at 1606 ½ Harlem Avenue (Block 98, Lot 10A) from the inventory of the Department of Recreation and Parks to the inventory of the Department of Housing and Community Development (DHCD).

BACKGROUND/EXPLANATION:

The property, 1606 ½ Harlem Avenue, is a vacant parcel (0.85 acres) in the middle of the block bounded by Harlem Avenue, Gilmore Street, Lanvale Street and Mount Street, in the Community of Harlem Park. The parkland has been vacant and undeveloped for 20 years. The Department of Recreation and Parks recently completed a total renovation of Harlem Park Square, the most popular, centrally located open space in Harlem Park.

The DHCD has been working with a local business, Wylie Funeral Homes, on a plan to allow the business to expand and stay in the community. They are relocating to 1600 Harlem Avenue. In order to assemble a large parcel for redevelopment, the DHCD has requested transfer of Block 98, lot 10A. The project has community support and will not impact recreation opportunities in Harlem Park. The Department of Recreation and Parks supports community stabilization efforts of the DHCD and requests transfer of the parcel to the DHCD.

MINUTESSpace Utilization Committee - cont'd

The Space Utilization Committee approved this transfer of jurisdiction at its meeting on July 14, 2009.

(FILE NO. 56665)

UPON MOTION duly made and seconded, the Board approved the transfer of jurisdiction for the property located at 1606 ½ Harlem Avenue (Block 98, Lot 10A) from the inventory of the Department of Recreation and Parks to the inventory of the Department of Housing and Community Development.

MINUTES

Space Utilization Committee - Transfer of Jurisdiction

ACTION REQUESTED OF B/E:

The Board is requested to approve the transfer of jurisdiction for 2 lots known as Block 4867, lot 19 and Block 4925B, Lot 3 from the inventory of the Department of Real Estate to the Department of Recreation and Parks.

BACKGROUND/EXPLANATION:

The 2 lots known as Block 4867, lot 19 and Block 4925B, lot 3 are wooded parcels, and part of a public foot path that extends along Stony Run from Northern Parkway to the Southern Edge of Wyman Park. Transfer of the properties to the Department of Recreation and Parks will allow them to be included in the planning and management of other parkland (over 100 acres) along this stream.

The communities of Tuxedo Park and Wyndhurst support this transfer to protect open space in their community. They have entered into a partnership with the Department of Recreation and Parks to assist in maintenance of the trail and woods along Stony Run.

The Space Utilization Committee approved this transfer of jurisdiction at its meeting on July 14, 2009.

(FILE NO. 56665)

UPON MOTION duly made and seconded, the Board approved the transfer of jurisdiction for 2 lots known as Block 4867, lot 19 and Block 4925B, Lot 3 from the inventory of the Department of Real Estate to the Department of Recreation and Parks.

MINUTES

Department of Real Estate - License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a license agreement with Clear Wireless Broadband, LLC, Licensee for 2608 Washington Boulevard. The period of the license agreement is for five years commencing upon the completion of installation of transmission and equipment lines. The Licensee has an option to renew for three additional five-year terms..

AMOUNT OF MONEY AND SOURCE:

<u>Year</u>	<u>Annual</u>	<u>Monthly</u>
1 st Year	\$30,000.00	\$2,500.00
2 nd Year	\$31,200.00	\$2,600.00
3 rd Year	\$32,448.00	\$2,704.00
4 th Year	\$33,745.92	\$2,812.16
5 th Year	\$35,095.76	\$2,924.65

BACKGROUND/EXPLANATION:

The Licensee will place antennas on the tower and store equipment on the grounds for cellular telephone communication. The Licensee will be solely responsible for the cost of any remedial work to make the site suitable for their use. The City will be responsible for the maintenance of the site. The Licensee will be responsible for liability insurance, utilities, maintenance and repairs to their equipment and compliance with all FCC and FAA rules and regulations.

The Space Utilization Committee approved this license agreement on July 14, 2009.

(FILE NO. 55964)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the license agreement with Clear Wireless Broadband, LLC, Licensee for 2608 Washington Boulevard.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following page:

2708

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.

MINUTES**TRANSFERS OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Recreation and Parks</u>			
1.	\$100,000.00 MVR	9938-904787-9475 Reserve Street Tree, Program FY 10	9938-904787-9474 Active Street Tree Program FY' 10

This transfer will provide funds to cover the costs associated with the Fall Tree Planting for FY'10.

Department of Transportation

2.	\$ 44,253.78 MVR	9950-905218-9528 Constr. Res - Lexington St. Streetscape	9950-903218-9527-3 Design & Studies Lexington Street Streetscape (Park Avenue to Liberty Street)
----	-----------------------------------	---	---

This transfer will fund costs associated with the investigation, preparation of report and recommendation of design for the underground vaults within the limits of Lexington Street from Park Avenue to Liberty Street.

MINUTES

Baltimore City Heritage Area - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with the Friends of Mt. Vernon Place. The period of the agreement is effective upon Board approval for two years.

AMOUNT OF MONEY AND SOURCE:

\$8,000.00 - 9904-901152-9127

BACKGROUND/EXPLANATION:

The Baltimore City Heritage Area Small Cap grant fund provides matching grants up to \$25,000.00 for capital projects within the Baltimore City Heritage Area. The \$200,000.00 in total funds available is leveraged with \$868,170.00 in non-City investment in 13 cultural heritage projects. The grants are awarded in a competitive process.

The organization will use the grant funds for a restoration and redevelopment plan for Mt. Vernon.

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 Friends of Mt. Vernon Place. The Mayor **ABSTAINED**.

MINUTES

Mayor's Office of Criminal Justice - Grant AgreementsACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the following grant agreements. The period of the grant agreements is effective upon Board approval for one year.

CITIZENS ON PATROL COMMUNITY GRANTS PROGRAM

1. CITIZENS FOR WASHINGTON HILL	\$ 750.00
2. EDNOR GARDENS-LAKESIDE COMMUNITY	\$ 800.00
3. HIGHLANDTOWN COMMUNITY ASSOCIATION	\$ 850.00
4. PEOPLES HOMESTEADING GROUP, INC.	\$ 450.00
5. CEDARCROFT MAINTENANCE	\$ 275.00
6. SOUTHERN DISTRICT CRC	\$ 500.00
7. BETTER WAVERLY COMMUNITY ORGANIZATION	\$ 550.00
8. EASTERN DISTRICT CRC	\$ 800.00
9. HISPANIC BUSINESS ASSOCIATION	\$ 500.00
10. MOUNT ROYAL IMPROVEMENT ASSOCIATION	\$ 415.00
11. MAYFIELD IMPROVEMENT ASSOCIATION	\$ 600.00
12. PARKLANE NEIGHBORHOOD ASSOCIATION	\$ 550.00
13. MIDTOWN COMMUNITY BENEFITS DISTRICT	\$ 650.00

Account: 1001-000000-2250-511000-607001

MINUTES

Mayor's Office of Criminal Justice - cont'd

As part of Baltimore City's public safety strategy, the Mayor's Office on Criminal Justice and the Baltimore Police Department announced the Citizens on Patrol Community Grants Program. Through this program, active Citizen on Patrol (COP) Groups may apply for up to \$2,000.00 to purchase equipment, supplies and other items that will support the work of the COP. The COP groups are viewed as critical community partners in the City's efforts to make our neighborhoods safe. This application was reviewed by a committee that included staff from the Mayor's Office on Criminal Justice, the Mayor's Office on Neighborhoods, and the Office of the City Council President.

THE RE-ENTRY COMMUNITY GRANTS PROGRAM

14. JUBILEE NOW! MINISTRIES	\$ 800.00
15. MARIAN HOUSE, INC.	\$ 550.00
16. WASHINGTON VILLAGE/PIGTOWN NEIGHBORHOOD PLANNING COUNCIL, INC.	\$ 650.00
17. MUSLIM SOCIAL SERVICES AGENCY	\$1,000.00
18. GREATER HOMEWOOD COMMUNITY CORP	\$1,000.00
19. A STEP FORWARD, INC.	\$1,000.00
20. ALLIMA INSTITUTE, INC.	\$1,000.00
21. PEOPLE'S HOMESTEADING GROUP, INC.	\$ 600.00
22. OLIVER COMMUNITY CENTER	\$ 500.00

Account: 1001-000000-2250-511000-607001

MINUTESMayor's Office of Criminal Justice - cont'd

The Mayor's Office on Criminal Justice seeks to support community based re-entry programs that support those returning to the community from prison or jail. The Re-entry Community Grants Program gives organizations the opportunity to apply for funds to support re-entry at the community level. The grant program has a maximum funding amount of \$1,000.00 and the funds can be used to provide bus passes, fees for obtaining birth certificates or identification cards, suitable clothing for job interviews and job training initiatives. This application was reviewed by a committee that included staff from the Mayor's Office on Criminal Justice, the Mayor's Office on Neighborhoods, and the Office of the City Council President.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing grant agreements. The Mayor **ABSTAINED** on Item Nos. 1-22.

MINUTES

Office of the State's Attorney - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds to pay Baltimore Child Abuse Center.

AMOUNT OF MONEY AND SOURCE:

\$40,000.00 - 6000-602509-1150-137700-603026

BACKGROUND/EXPLANATION:

The Child Advocate Network (CAN) started as a grant to the Baltimore City State's Attorney Office. The grant expired and the Baltimore Child Abuse Center became a 501(c)(3) subchapter S corporation raising funds to support the operations of its programs. Founded in 1986, the Baltimore Child Abuse Center established a partnership between the Baltimore City State's Attorney's Office, the Baltimore City Police Department and the Baltimore City Department of Social Services to jointly investigate all cases of child sexual abuse in Baltimore City. The partnership was performed pursuant to Maryland State Law (Family Law section 5-706F). Since 1996, by written memorandum, all reported cases of child sexual abuse (over 1,100 each year) in Baltimore City have been investigated at the Center. The Center provides a centralized, child friendly place where children are brought for investigative interviews, medical examinations and treatment, crisis counseling and referral and placement in long term mental health treatment in an effort to break the cycle of abuse. All similar facilities in other Maryland jurisdictions are supported totally with local funding. The Office of the State's Attorney assists the Child Abuse Center financially in support of its programs.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay Baltimore Child Abuse Center.

MINUTES

Office of the State's Attorney (OSA) - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds to pay the Client Protection Fund (CPF).

AMOUNT OF MONEY AND SOURCE:

\$34,075.00 - 6000-602509-1150-137700-603026

BACKGROUND/EXPLANATION:

The CPF, originally established as The Client Security Trust fund in 1966 was established to maintain the integrity and protect the good name of the legal profession. The fund is generally setup to reimburse people whose attorney has wrongfully taken from them. The CPF is supported entirely by Maryland attorneys who are required by law to pay an annual assessment for the right to practice law.

The OSA intends to cover the expense of the Mandatory CPF fee for all prosecutors on staff as of July 1, 2009. As prosecutors, none of the attorneys in the OSA may practice law outside of this agency and therefore have no client that would fall within the protection of this fund. However, each of the prosecutors within this agency must be members in good standing of the Maryland Bar and must pay this assessment in order to practice law. The OSA intends to assume for each ASA, on an annual prorated base, the CPF assessment to offset the OSA's prohibition of all prosecutors to maintain an independent legal practice.

MINUTES

OSA - cont'd

The OSA does not intend to use taxpayers dollars from the general fund for this purpose. The OSA will use special funds derived from forfeiture procedures from the prosecution of illegal narcotic activity, to cover this expense.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay the Client Protection Fund.

MINUTES

Department of Housing and - Advance of Funds
Community Development

The Board is requested to approve a two-month advance of funds for the Head Start Program for the listed organizations.

This advance of funds will allow the continuation of the delegate agencies' Head Start Programs for the fiscal year 2010.

<u>Organization/Agency</u>	<u>Amount</u>
1. BALTIMORE METROPOLITAN ALUMNAE CHAPTER DELTA SIGMA THETA SORORITY, INC./METRO DELTA HEAD START PROGRAM	\$241,890.00
Account: 4000-486310-6050-516399-603051	
2. DAYSPRING PROGRAMS, INC./ DAYSPRING HEAD START PROGRAM	\$125,285.00
Account: 4000-486310-6050-515699-603051	
3. DAYSPRING PROGRAMS, INC./ HERRING RUN HEAD START PROGRAM	\$176,533.00
Account: 4000-486310-6050-516899-603051	
4. THE JOHNS HOPKINS HOSPITAL/ MARTIN LUTHER KING, JR. EARLY HEAD START PROGRAM	\$445,575.00
Accounts: 4000-486510-6050-452400-603051	\$ 32,748.00
4000-486510-6050-452499-603051	\$403,050.00
4000-486110-6050-452499-603051	\$ 9,777.00
5. FRIENDS OF THE FAMILY, INC./BALTIMORE CITY CHILD CARE RESOURCE CENTER	\$191,189.00
Account: 4000-486310-6050-516999-603051	

MINUTES

DHCD - cont'd

	<u>Organization/Agency</u>	<u>Amount</u>
6.	UNION BAPTIST CHURCH SCHOOL/HARVEY JOHNSON HEAD START PROGRAM	\$246,105.00
	Account: 4000-486310-6050-516099-603051	
7.	ST. VINCENT DE PAUL SOCIETY OF BALTIMORE/NORTHWEST HEAD START PROGRAM	\$262,727.00
	Account: 4000-486310-6050-516599-603051	
8.	ST. VINCENT DE PAUL SOCIETY OF BALTIMORE/SOUTHEAST HEAD START PROGRAM	\$309,501.00
	Account: 4000-486310-6050-516799-603051	
9.	ASSOCIATED CATHOLIC CHARITIES, INC./ST. JEROME'S HEAD START PROGRAM	\$302,722.00
	Account: 4000-486310-6050-516699-603051	
10.	ST. BERNARDINE'S ROMAN CATHOLIC CHURCH/ ST. BERNARDINE'S HEAD START PROGRAM	\$219,760.00
	Account: 4000-486310-6050-516499-603051	
11.	ST. FRANCIS XAVIER CHURCH/ST. FRANCIS XAVIER HEAD START PROGRAM	\$346,323.00
	Account: 4000-486310-6050-516299-603051	
12.	ST. PAUL COMMUNITY OUTREACH CENTER, INC./ ST. PAUL COMMUNITY HEAD START PROGRAM	\$234,763.00
	Account: 4000-486310-6050-515899-603051	

MINUTES

DHCD - cont'd

13. ST. VERONICA CHURCH/ST. VERONICA'S HEAD START PROGRAM \$337,998.00

Account: 4000-486310-6050-515999-603051

14. UNITY UNITED METHODIST CHURCH/UMOJA HEAD START PROGRAM \$215,154.00

Account: 4000-486310-6050-517099-603051

15. YMCA OF CENTRAL MARYLAND, INC./EMILY PRICE JONES HEAD START PROGRAM \$378,203.00

Account: 4000-486310-6050-516199-603051

16. BALTIMORE METROPOLITAN ALUMNAE CHAPTER OF DELTA SIGMA THETA SORORITY, INC./YUBI HEAD START PROGRAM \$117,947.00

Account: 4000-486310-6050-517199-603051

The above organizations provide Head Start services to children and their families who live in the target area and who meet the Department of Health and Human Services income guidelines.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the two-month advance of funds for the Head Start Program for the foregoing organizations. The President **ABSTAINED** on Item nos. 1 and 16.

MINUTES

Department of Housing and Community - Agreements
Development/Baltimore Homeless Services

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

1. **HEALTH CARE FOR THE HOMELESS, INC.** **\$ 97,160.00**

Account: 4000-493009-3010-267934-603051

The organization will provide medical services to homeless people in Baltimore City with unresolved medical illness who are in need of 24-hour access to shelter and medical services to recover from illness, surgery or trauma. The period of the agreement is July 1, 2008 through June 30, 2009.

The agreement is late because of a delay at the provider level. The provider was presented the contract for execution in late 2008, but failed to do so until June 2009.

2. **BALTIMORE MENTAL HEALTH SYSTEMS, INC.** **\$ 103,743.00**

Account: 4000-496309-3570-591204-603051

The organization will provide access to housing for a minimum of 10 clients. All residents will be verified as homeless and disabled due to chronic mental illness. The period of the agreement is April 1, 2009 through March 31, 2010.

MINUTES

DHCD/Homeless Services - cont'd

3. **BALTIMORE MENTAL HEALTH SYSTEMS, INC.** **\$1,450,365.00**

Account: 4000-496309-3570-591205-603051

The organization will provide monthly rental assistance payments for monthly rental subsidies, security deposits and/or payment for damages to a minimum of 142 clients. The period of the agreement is April 1, 2009 through March 31, 2010.

The agreements for item nos. 2 and 3 are late because of a delay at the administrative level.

4. **ASSOCIATED CATHOLIC CHARITIES, INC.** **\$ 255,613.00**
(ACC)

Account: 4000-496209-3570-591407-603051

The ACC will provide permanent housing and supportive services to approximately 10 single homeless men who are graduates of the Christopher Place Employment Agency and five homeless families where the head of the household is disabled. The period of the agreement is January 1, 2010 through December 31, 2010.

5. **ST. VINCENT DE PAUL, INC.** **\$ 37,220.00**
(SVDP)

Account: 4000-496209-3570-591437-603051

The SVDP will hire a Case Manager to provide outreach services to homeless men, women and families at the Beans and Bread Outreach Center, located at 400 South Bond Street. The SVDP will ensure that all clients are formerly homeless and very low income. The period of the agreement December 1, 2009 through November 30, 2010.

MINUTES

DHCD/Homeless Services - cont'd

6. **ST. VINCENT DE PAUL, INC.** **\$ 54,030.00**
(SVDP)

Account: 4000-496209-3570-591434-603051

The SVDP will provide intensive case management on a 24-hour basis to 15 homeless families who are residents at the Cottage Avenue Community transitional housing facility. The period of the agreement is March 1, 2009 through February 28, 2010.

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

7. **ST. VINCENT DE PAUL, INC.** **\$104,567.00**
(SVDP)

Account: 4000-496209-3570-591435-603051

The SVDP will provide supportive services to approximately 20 residents of the Frederick Ozanam House transitional facility located at 400 South Bond Street. The period of the agreement is December 1, 2009 through November 30, 2010.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Department of Housing and - Grant Agreements
Community Development

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

1. **BELAIR EDISON NEIGHBORHOODS, INC.** **\$100,000.00**

Accounts: 2089-208910-5930-436826-603051	\$ 67,000.00
2089-208910-5930-436872-603051	\$ 18,500.00
2089-208910-5930-436881-603052	\$ 4,400.00
2089-208910-5930-436883-603051	\$ 10,100.00

The Belair Edison Neighborhoods, Inc. will continue to provide homeownership counseling services to low and moderate-income persons. In addition, the organization will work to facilitate economic development in the Belair Edison commercial business district. Under the terms of this grant agreement, the funds will be used to subsidize the organization's operating expenses. The period of the agreement is July 1, 2009 through June 30, 2010.

FOR THE FY 2010, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$15,500.00, AS FOLLOWS:

MBE: \$7,500.00

WBE: \$3,500.00

2. **BANNER NEIGHBORHOODS COMMUNITY CORPORATION, INC.** **\$ 76,100.00**

Account: 2089-208910-5930-436630-603051

The organization will provide summer employment, educational, recreational and cultural enrichment activities for youth in Southeast Baltimore. The period of the agreement is July 1, 2009 through June 30, 2010.

MINUTES

DHCD - cont'd

FOR THE FY 2010, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$16,500.00, AS FOLLOWS:

MBE: \$7,000.00

WBE: \$4,000.00

3. **JUBILEE BALTIMORE, INC.** **\$ 46,000.00**

Accounts: 2089-000000-5930-436453-603051	\$ 31,000.00
2089-000000-5930-436480-603051	\$ 15,000.00

Jubilee Baltimore, Inc. will acquire 1500 Greenmount Avenue for future housing opportunities and will conduct pre-development activities for the future development of 1500 Greenmount Avenue, School No. 32 building and other scattered-site properties. Under the terms of this grant agreement, the funds will be used to subsidize the organization's operating expenses. The period of the agreement is January 1, 2009 through December 31, 2009.

On May 14, 2008, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2008 Annual Action Plan for the following formula programs:

1. Community Development Block Grant (CDBG)
2. HOME Investment Partnership Act (HOME)
3. American Dream Downpayment Initiative (HOME)
4. Housing Opportunity for People with AIDS (HOPWA)
5. Emergency Shelter Grant Program (ESG)

MINUTES

DHCD - cont'd

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2008 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

FOR THE FY 2009, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$14,783.00, AS FOLLOWS:

MBE: \$3,991.00

WBE: \$1,478.00

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Department of Housing and - Local Government Resolutions
Community Development

The Board is requested to approve and authorize execution of the following local government resolutions.

The following organizations are applying to the State of Maryland's Community Legacy (CLP) Program. A local government resolution of support is required by the State for all applications to this program for funding.

<u>Organization</u>	<u>Amount</u>
1. TRF DEVELOPMENT PARTNERS, INC.	\$ 50,000.00
	(CLP)

TRF Development Partners, Inc. will use the funds in the West Port neighborhood of Baltimore to engage community members in the planning process that will identify the investment needs and market issues. Once this planning process has been completed, a reinvestment plan will be created to acquire vacant and distressed property and the redevelopment effort will begin.

2. MIDTOWN DEVELOPMENT CORPORATION	\$200,00.00
	(CLP)

The Midtown Development Corporation is a non-profit subsidiary of the Midtown Community Benefits District.

Midtown Development Corporation will use the funds to rebuild Kensett House a great and very noticeable historic building in Midtown, which has been vacant for ten years. The building is 20,000 square feet and will house 16 apartments. This project will promote the continued revitalization and restoration of long-vacant eyesores in Midtown and create jobs for dozens of residents who have recently renovated houses nearby and improve an important approach to the State Office Complex, which will soon be redeveloped.

MINUTES

DHCD - cont'd

<u>Organization</u>	<u>Amount</u>
3. THE REINVESTMENT FUND, INC. (TRF)	\$500,000.00 (CLP)

The TRF proposes the East Baltimore NSP Project. The funds will be used for the redevelopment efforts executed by TRF Development Partners, Baltimore LLC and utilized in conjunction with their application to cover both housing redevelopment work at the Preston Place Project in Baltimore's Oliver neighborhood and in the Greenmount West neighborhood. The purpose is to acquire and redevelop new homes on vacant lots and/or rehabilitate vacant homes. The redeveloped properties will be sold to first-time buyers and low and moderate-income buyers and funds will be secured as a mortgage and note ensuring ten years of affordability.

4. JUBILEE BALTIMORE, INC.	\$120,000.00 (CLP)
-----------------------------------	-------------------------------

In 2008, three formerly vacant derelict houses overlooking the Hollins Market were renovated. Now that the houses have been completely renovated, the housing market is in terrible shape. The three houses no longer appraise as they originally did when construction financing was arranged. Based on market comparables, each house is now appraising for \$40,000.00 less than the cost to build them.

Since Jubilee Baltimore, Inc. is a small company with very limited reserves of cash and few mortgageable assets the funds will be used as subsidy towards the adjusted appraisal for three completed renovated houses proposed located at 1125, 1127 and 1129 Hollins Street.

MINUTES

DHCD - cont'd

5. **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT/ RESERVOIR HILL** **\$500,000.00 (CLP)**

The Department of Housing and Community Development is seeking a grant to seed the Reservoir Hill Loan Stabilization Loan.

The funds will be targeted to the 2200 block of Linden Avenue, which was identified in the Copes Colvin study as a priority block due to the combination of efforts by Linden Tree LLC and Pennrose Properties. The former is a group of young professionals that met through TechBalto.com, an online grassroots community dedicated to improving eight vacant properties on Linden Avenue for homeownership. Six of the eight properties are occupied or under renovations. Pennrose Properties has renovated six properties into low income rentals as part of a larger award by the Housing Authority of Baltimore City.

The remaining vacant properties on the 2200 block of Linden Avenue have become depreciating assets. The funds will be leveraged and used to provide a no-interest loan to renovate these properties for either rental or sale. Loans made to investors would be paid out of net sales proceeds, and loans made to homeowners would be paid at time of sale or refinancing if the owner fails to remain in the property for seven years.

6. **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT/ WESTPORT/MOUNT WINANS** **\$ 0.00**

The City Department of Housing and Community Development is seeking to have these areas designated as Community Legacy area/s.

Turner Development, one of Westport Waterfront's joint-venture partners, has established Westport Community Partnerships (Partnerships) and recently hired a full-time Director. Through the Partnerships, efforts are underway

MINUTES

DHCD - cont'd

to revitalize the 2000 to the 2300 blocks of Baltimore-Annapolis Boulevard and restore a community business

district. A business association has been created and work has begun on rezoning this area from residential uses to a commercial business district. Rezoning would permit mixed-use and could become a catalyst to convert unused upper stories to residential as well as a tool to attract a greater diversity of uses. The non-profit Neighborhood Design Center is providing streetscape design and façade renovation design assistance for the Boulevard.

Westport Community Partnerships has also started to build value and inspire confidence in the residential sections of Westport through a matching façade grant program. The goal of this initiative is to restore and improve the appearance, cleanliness and safety of the neighborhood, creating a more attractive environment, discouraging crime and litter in the area, and helping to make Westport a cleaner and safer place to live, work and raise a family. It will also help property owners recognize an increased value in their properties in light of the upcoming Westport Waterfront development. A maximum of \$2,000 is available to cover up to 50% of a project's total cost. Harbor Bank is making loans available to assist homeowners in meeting their share of the costs. Since September 2008, 20 homeowners have applied for façade grants, and five projects are underway. It is anticipated that as many as 50 homes could receive improvements within a one-year period. Improvements are being undertaken by the Living Classrooms Foundation as part of a job training initiative.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing local government resolutions. The President **ABSTAINED** on Item No. 6.

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 Integrity Reality and Investment, LLC, developer, for the sale of the property located at 2903 Violet Avenue.

AMOUNT OF MONEY AND SOURCE:

\$7,000.00 - Appraised value

BACKGROUND/EXPLANATION:

A good faith deposit of \$1,000.00 is required within 10 days of the execution of this agreement.

The project will consist of the complete rehabilitation of the property into a three and one half bath, three-bedroom home. The property will include all energy efficient appliances, windows, and doors. In addition, all new insulation, a new roof and central air conditioning will be installed.

The sale and rehabilitation of this dilapidated property will significantly improve the appearance of the 2900 block of Violet Avenue and reduce the blight in the Park Heights Urban Renewal Area.

MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

The property is not subject to Article 5, Subtitle 28 of the Baltimore City Code because it will be sold at market value.

(FILE NO. 57051)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Integrity Reality and Investment, LLC, developer, for the sale of the property located at 2903 Violet Avenue. The Comptroller **ABSTAINED.**

MINUTES

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

* * * * *

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

2732 - 2734

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,
and MWBOO, unless otherwise indicated.

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 provisions
of the City Charter.

MINUTES

EXTRA WORK ORDERS

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

Department of General Services

- | | | | | |
|----|---|---------------|------------------------------------|-------|
| 1. | EWO #020, \$183,908.02 - PB 05810, Renovations and Modifications to Enoch Pratt Free Library No. 28 | | | |
| | \$ 2,419,000.00 | \$ 369,429.26 | E. Pikounis Construction Co., Inc. | 0 74% |

Bureau of Water & Wastewater

- | | | | | |
|----|---|---------------|--------------------------------------|-------|
| 2. | EWO #001, \$105,165.47 - SC 856, Design for Improvements to Herring Run Interceptors | | | |
| | \$ 1,389,455.57 | - | URS Corp. | - - |
| 3. | EWO #007, \$88,836.25 - SC 847, Lower Stony Run Wastewater Pumping Station and Force Main | | | |
| | \$15,876,763.00 | \$ 117,101.75 | Whiting-Turner Contracting Co., Inc. | 0 85% |
| 4. | EWO #032, \$26,093.59 - SC 791, Eastern Avenue Pumping Station Improvements | | | |
| | \$22,677,334.00 | \$ 276,514.26 | Whiting-Turner Contracting Co., Inc. | 0 63% |
| 5. | EWO #015, \$57,089.55 - SC 873, Repair and Replacement of Existing Sanitary Sewers at Various Locations | | | |
| | \$ 2,834,852.00 | \$ 568,670.00 | R & F Construction, Ltd. | 0 58% |

MINUTES

EXTRA WORK ORDERS

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

Bureau of Water & Wastewater

- | | | | | |
|----|--|-----------------------|-------------------------------------|---------|
| 6. | EWO #019, \$44,998.68 - SC 812, Improvements to the Lower Gwynns Run Interceptor | | | |
| | <u>\$21,206,342.00</u> | <u>\$2,451,532.56</u> | Carp Seca Corp. | 0 99% |
| 7. | EWO #021, \$30,435.00 - SC 833R, Improvements to Greenmount Branch Interceptor, Phase II | | | |
| | <u>\$18,210,320.00</u> | <u>\$1,598,966.42</u> | Northeast/Remsco Construction, Inc. | 0 97.5% |
| 8. | EWO #005, \$51,868.81 - WC 1164, Towson Finished Water Reservoir Cover and Miscellaneous Repairs | | | |
| | <u>\$ 875,946.58</u> | <u>\$ 114,152.21</u> | Gannett Fleming, Inc. | - - |

9. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$130,620.00	9960-558-709	
Counties	Constr. Res.	
	Finished Water	
	Reservoir Improv.	
69,380.00	" "	
Water Rev.		
Bonds		
<u>\$200,000.00</u>	-----	9960-557-709-3
		Design

This transfer of funds will provide funds under the design of the Towson Finished Water Reservoir. The consultant will eliminate Vault A and redesign buried valves along Stevenson Lane.

MINUTES

EXTRA WORK ORDERS

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

Bureau of Water and Wastewater

10. EWO #021, \$581,700.00 - WC 1156, Locust Point Area Infrastructure Rehabilitation

\$ 7,883,300.00	\$3,071,514.77	Spiniello Companies	40	83%
-----------------	----------------	---------------------	----	-----

ON JULY 1, 2009, THE BOARD APPROVED THE TRANSFER OF FUNDS.

11. EWO #063, \$1,527,000.00 - WC 1167R, Urgent Need Work Infrastructure Rehabilitation Various Locations

\$10,932,235.50	\$1,136,500.00	J. Fletcher	0	-
		Cremer and Sons, Inc.		

12. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,500,000.00	9960-558-100	9960-903689-9557
Revenue Bonds	Constr. Res. Water Infra- structure Rehab.	Extra Work

This transfer will provide funds to cover the costs associated with EWO #1167R, Urgent Need Infrastructure Rehabilitation at Various Locations.

13. EWO #021, \$113,917.50 - S.W.C. 7753, Storm Drain Repairs at Various Locations

\$1,073,350.00	\$ 535,630.00	Allied Contrac-	0	99%
		tors, Inc.		

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve task assignment no. 2 to Whitman, Reguardt & Associates under On Call Consultant Services Project 1074, Reconstruction, Rehabilitation and/or Resurfacing.

AMOUNT OF MONEY AND SOURCE:

\$149,757.99 - 9950-912616-9508-900020-703032

BACKGROUND/EXPLANATION:

Under Task No. 2, the consultant will design and prepare contract documents for the West Baltimore Streetscape project- Edmondson Avenue from North Bentalou Street to North Pulaski Street, and North Pulaski Street from Edmondson Avenue to West Saratoga Street. The Project includes installation of ADA compliant curb ramps, pedestrian lighting, pedestrian countdown signals, conduit and streetscape.

MWBOO SET GOALS OF 21% MBE AND 7% WBE.

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>
\$ 70,020.16 MVR	9950-914616-9509 Constr. Reserve West Baltimore Improvements	
100,000.00 <u>MVR</u>	9950-903113-9509 Constr. Reserve Gernand Road	
\$170,020.16	-----	9950-912616-9508-3 Design & Studies West Baltimore Streetscape

This transfer will fund the costs associates with the design and preparation of contract documents for the "West Baltimore Streetscape" project.

UPON MOTION duly made and seconded, the Board approved task assignment no. 2 to Whitman, Requardt & Associates under On-Call Consultant Services Project 1074, Reconstruction, Rehabilitation and/or Resurfacing. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve task assignment no. 5 to Whitman, Requardt & Associates, LLP/Johnson Mirmiran & Thompson, Inc. under Project 1081, On-Call Bridge Design.

AMOUNT OF MONEY AND SOURCE:

\$240,263.91 - 9950-911701-9506-900020-703032

BACKGROUND/EXPLANATION:

Under Task No. 5, the consultant will design services for the development of joint replacement plans and specifications for Bridges 3114 and BC 3115 carrying I-83 over Jones Falls and Union Avenue, Bridges BC 3113 carrying I-83 over the Jones Falls/MTA Light Rail and Bridges BC 1110, BC 1111, BC 1114, BC 1115, BC 1116 and BC 1117 carrying over Gay, Center, and Madison Streets. The roadway joints for these structures have deteriorated to a point where the joints are no longer performing their intended purpose and future deterioration may cause damage to the other elements of the structures and replacement has become necessary to avoid further damage and loss of structural capacity.

MWBOO SET GOALS OF 21% MBE AND 7% WBE.

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>
\$240,263.91	9950-903416-9507	9950-911701-9506-3
MVR	Constr. Res.	Design & Studies
	Hawkins Point Bridge	Minor Bridge Rehab.

This transfer will fund costs associated with the design services for the development of joint replacement plans and specifications for bridges carrying I-83 over Jones Falls and Union Avenue.

UPON MOTION duly made and seconded, the Board approved task assignment no. 5 to Whitman, Requardt & Associates, LLP/Johnson Mirmiran & Thompson, Inc. under Project 1081, On-Call Bridge Design. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Bureau of Water and Wastewater - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve task assignment no. 026 to Rummel, Klepper & Kahl, LLP under Project 1027, Construction Inspection Services.

AMOUNT OF MONEY AND SOURCE:

\$ 78,201.83 - 9956-904561-9551-900020-705032
78,201.82 - 9956-903635-9551-900020-705032
\$156,403.65

BACKGROUND/EXPLANATION:

Under task no. 026, the consultant will provide construction inspection services on SC 829, and SC 841.

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 task assignment no. 026 to Rummel, Klepper & Kahl, LLP under Project 1027, Construction Inspection Services.

MINUTES

Bureau of the Budget and - Supplementary Revenue Bond Fund
Management Research Capital Appropriations

The Board is requested to approve the various supplementary revenue bond fund capital appropriations.

SUPPLEMENTARY REVENUE BOND FUND CAPITAL APPROPRIATIONS

<u>Amount</u>	<u>Program and/or Account</u>
1. \$17,000,000.00	9965-580-068, Department of Transportation

Source of Funds: Revenue Bond Fund

The funds will be used to construct a 420-space public parking garage at the location bounded by Front Street, Low Street, Pothouse Alley, and Grome Alley. The garage will be constructed with sufficient structural support so that two or three additional floors may be built either for parking or for occupancy space.

MINUTES

BBMR - cont'd

2. **\$17,000,000.00** 9965-580-068, Department of
 Transportation

Source of Funds: Revenue Bond Fund

The funds will be used for the purchase of two McHenry Row parking garages.

McHenry Row is a mixed-use development of 725,000 square feet consisting of three components, including residential buildings, street-level retail, an office building, grocery store, and two parking garages. The City's purchase of the two parking garages will allow the developer to repay a significant portion of its current construction loan debt. This repayment will allow the lender to finance the office building and grocery store components.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the above supplementary revenue bond fund capital appropriations. The President **ABSTAINED** on Item Nos. 1 and 2.

MINUTES

Baltimore Community Relations - Expenditure of Funds
Commission (BCRC)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds to pay the Baltimore City Foundation.

AMOUNT OF MONEY AND SOURCE:

\$21,157.00 - 1001-000000-1560-171501-607001

BACKGROUND/EXPLANATION:

The BCRC is responsible for Baltimore City's International Festival. This year it is scheduled for August 1 - 2, 2009 at Polytechnic Western High School Complex. The expenditure will cover expenses towards the International Festival 2009. The funds were requested and approved in the FY 2010 budget.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay the Baltimore City Foundation.

MINUTES

Department of General Services - Temporary Construction
Easement Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve a temporary construction easement agreement with Mr. David H. and Mrs. Merle G. Fishman, of 1900 South Road. The period of the agreement is effective upon physical entry to the property for one year.

AMOUNT OF MONEY AND SOURCE:

\$450.00 - 9950-902631-9508-900020-70440

BACKGROUND/EXPLANATION:

The Department of General Services and the Department of Transportation, are proposing a project to reconstruct Helendale Street in the vicinity of 1900 South Road (TR-07024). In the design of this project, it has been determined that the City's contractor will need to access and use a portion of 1900 South Road as a storage area during construction.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the temporary construction easement agreement with Mr. David H. and Mrs. Merle G. Fishman, of 1900 South Road.

MINUTES

Department of General Services - Deed of Easement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a deed of easement with CSX Transportation, Inc.

AMOUNT OF MONEY AND SOURCE:

\$76,150.00 - 9950-902416-9506-900020-704040

BACKGROUND/EXPLANATION:

The Department of General Services and the Department of Transportation have identified an area needed for an easement in which to install a new water main. The construction will be part of the Hawkins Point Road Reconstruction Project. The area needed for the easement has been appraised and the fair market value of the easement is \$76,150.00.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 55903)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the deed of easement with CSX Transportation, Inc.

MINUTES

Department of General Services - 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 Betram M. Kestenbaum and Sheina Kestenbaum, grantors of the property located at 2511 Willow Glen Drive. The agreement is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The City is proposing to enter the owner's property for the purpose of performing any and all construction work associated with the installation of a sanitary sewer clean-out, and other appurtenances necessary to prevent sewage backups in the vicinity of 2511 Willow Glen Drive. The installation of a clean out is necessary to prevent back-ups into the property owner's basement. After completion of the construction work, any and all future maintenance of the clean out will be at the sole cost and expense of the grantor. The work is being performed under Sanitary Contract No. 873, repair and replacement of existing sanitary sewers at various locations.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Betram M. Kestenbaum and Sheina Kestenbaum, grantors of the property located at 2511 Willow Glen Drive.

MINUTES

Bureau of Water and Wastewater - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds to pay Mr. Indranil Goswami, an engineering professor at Morgan State University, School of Engineering. The period of the training course is effective July 16, 2009 for 14 weeks.

AMOUNT OF MONEY AND SOURCE:

\$2,325.00 - 2071-000000-5600-400100-603020
1,550.00 - 2071-000000-5530-398502-603020
2,325.00 - 2071-000000-5520-397901-603020
\$6,200.00 - Total

(\$775.00 x 8 students)

BACKGROUND/EXPLANATION:

Mr. Goswami will conduct the Fundamentals of Engineering Review Course, at Morgan State University, School of Engineering, for eight employees of the Department of Public Works, Bureau of Water and Wastewater.

MINUTES

BW&WW - cont'd

The Bureau is making an effort to retain engineering personnel and provide an opportunity for professional development. The continuing education leading to registration as a Professional engineer will benefit the Bureau's Capital Improvement Program implementation and day-to-day work. The training course will provide the review and refresher course of the subject areas. The period of the training course is effective July 16, 2009 for 14 weeks.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay Mr. Indranil Goswami, an engineering professor at Morgan State University, School of Engineering.

MINUTES

Bureau of Water and Wastewater - Supplemental Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a supplemental agreement with Rummel, Klepper & Kahl, LLP/Parsons Water & Infrastructure Inc., a Joint Venture, for SC 8526, Egg Shape Sludge Digester at Back River Wastewater Treatment Plant. The period of the agreement is effective upon Board approval for one year or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$1,030,798.09 - 9956-0907526-9551-900020-703032

BACKGROUND/EXPLANATION:

On March 20, 2002, the Board approved the original contract for the design of two Egg Shaped Digesters, which were deleted from the contract at 50% design completion, due to budgetary constraints. During the course of the design, the consultant was requested to perform a comprehensive review of the thickening and digestion.

There was no increase in fees authorized for this additional work even though there were two one-year time extensions approved. The value engineering (VE) workshop performed at 50% completion of the project resulted in significant design changes with significant cost savings.

This supplemental agreement will allow the consultant to address and implement the VE workshop recommendations and complete the design. The VE workshop is required to secure a State revolving loan for this project. Also, the recommendations resulted in savings of more than \$3,000,000.00.

MINUTES

BW&WW - cont'd

The consultant was approved by the Office of Boards and Commissions and the Architects and Engineers Awards Commission.

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 600,000.00	9956-549-526	
Baltimore Co.	Constr. Res.	
	Back River	
	Digesters	
600,000.00	" "	
<u>Water Rev. Bonds</u>		
\$1,200,000.00	-----	9956-551-526-3

This transfer of funds will cover the cost of additional engineering services associated with the award to Rummel, Klepper & Kahl, LLP/Parsons Water & Infrastructure Inc., a Joint Venture, for SC 8526, Egg Shape Sludge Digester at Back River Wastewater Treatment Plant.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the supplemental agreement with Rummel, Klepper & Kahl, LLP/Parsons Water & Infrastructure Inc., a Joint Venture, for SC 8526, Egg Shape Sludge Digester at Back River Wastewater Treatment Plant. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Department of Transportation - Partial Release of Retainage Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a partial release of retainage agreement with P. Flanigan & Sons, Inc. for Contract No. TR 06010.

AMOUNT OF MONEY AND SOURCE:

\$ 61,154.07 - 9950-904740-9514-000000-200001

BACKGROUND/EXPLANATION:

All work on Contract No. TR 06010 is substantially completed, with the exception of items on the punch list. The contractor has requested a partial release of the retainage in the amount of \$59,154.07. The remaining \$2,000.00 is sufficient to protect the interests of the City.

MBE/WBE PARTICIPATION:

P. Flanigan & Sons, Inc. has demonstrated a good faith effort towards achieving both the MBE and WBE goals.

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 partial release of retainage agreement with P. Flanigan & Sons, Inc. for Contract No. TR 06010.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

On the recommendations of the City agencies
hereinafter named, the Board,

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

2752 - 2755

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 provisions

of the City Charter. The Comptroller **ABSTAINED** on
Item Nos. 1 and 2. Item No. 7 was **WITHDRAWN** by the

Bureau of Purchases.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

1.	TR 09014, Resur- facing Highways at Various Locations Southeast (JOC FF)	P. Flanigan & Sons, Inc.	\$ 938,914.37
	MBE: L & J Construction Services, Inc.	\$ 2,200.00	0.23%
	Priority Construction Corp.	<u>195,000.00</u>	<u>20.77%</u>
		\$197,200.00	21.00%
	WBE: River Transport, Inc.	\$ 34,500.00	3.67%
	Morgan Construction Services, Inc.	34,500.00	3.67%
	William T. King, Inc.	<u>15,600.00</u>	<u>1.66%</u>
		\$ 84,600.00	9.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,079,751.53	9950-902765-9514	
Others	Resurfacing SE Sector 4	
\$ 938,914.37	-----	9950-901783-9514-6 Struc. & Improv.
93,891.44	-----	9950-901783-9514-2 Contingencies
<u>46,945.72</u>	-----	9950-901783-9514-5 Inspection Resur- facing Highways - JOC-FF
\$1,079,751.53		

This transfer will fund costs associated with the award of TR 09014 to P. Flanigan & Sons, Inc.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSDepartment of Transportation

3. TR 02394, Rehabilitation of Park Heights Avenue from Northern Parkway to Garrison Avenue M. Luis Construction Co., Inc. \$1,472,651.00

DBE: Fallsway Constr. Co. Inc. \$140,715.00 9.55%
 Baldwin Line Constr. \$301,862.50 20.50%

Bureau of Purchases

4. B50000905, Bio-Diesel and Ethanol Fuels OMO Science, Energy & Technology \$6,760,000.00

MWBOO SET GOALS OF 10% MBE AND 0% WBE.

MBE: J.J. Adams Fuel Oil Company 10%

MWBOO FOUND VENDOR IN COMPLIANCE.

5. B50000989, Spray-In Bedliners Acres Automotive \$ 250,000.00

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

6. B50001116, Forklift Handling Alliance Material Handling \$ 47,643.10

MWBOO GRANTED A WAIVER.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

7. B50001026, Provide Temporary Personnel \$5,000,000.00

<u>Vendor</u>	<u>1st Call Item Nos.</u>	<u>2nd Call Item Nos.</u>
1 st Choice Staffing Agency, LLC	8, 9, 18, 19	10
Abacus	None	5, 6
America on Demand of MD, Inc.	1, 2, 3, 4, 7	None
NEC Staffing Services	5, 6, 10, 11, 20	1, 2, 3, 4, 7, 12
Obverse, Inc.	15	14, 18, 19
Townsend Careers, LLC	12, 13, 17	11, 16, 20
Trustworthy Staffing Solutions	14, 16	13, 15, 17

MWBOO SET GOALS OF 15% MBE AND 15% WBE.1st Choice Staffing Agency, LLC:

MBE: Magnificus Corp.	15%
WBE: Beacon Staffing Alternatives, Inc.	15%

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases - cont'dAbacus:

MBE: Proper Staffing, Inc.	15%
WBE: SYM, Inc.	15%

America on Demand of MD, Inc.:

MBE: Proper Staffing, Inc.	15%
WBE: Beacon Staffing Alternatives, Inc.	15%

NEC Staffing Services, Inc.:

MBE: Win-Win Placements, LLC	15%
WBE: Mary Kraft & Associates, Inc.	15%

Obverse, Inc.:

MBE: Diversity Intelligence Services, LLC	15%
WBE: Trustworthy Staffing Solutions, LLC	15%

Townsend Careers, LLC:

MBE: SYM, Inc.	15%
WBE: Dockside Solutions, Inc.	15%

Trustworthy Staffing Solutions

MBE: Lacey's Professional Nursing Services, Inc.	15%
WBE: All Staffing, Inc.	15%

MWBOO FOUND VENDORS IN COMPLIANCE.

A PROTEST WAS RECEIVED FROM CARE RESOURCES.



Board of Estimates of Baltimore City
City Hall - Room 204-Attn: Clerk
100 N. Holliday Street
Baltimore, MD 21202
July 21, 2009

Honorable President and Members of the Board,

My name is Judi Lockett, Nursing Director of Care Resources, a licensed nursing staffing agency. For 15 years Care Resources has partnered with the Baltimore City Health Department to meet the critical staffing needs of the city schools. Care Resources has been both reliable and responsive to the needs of the Baltimore City Health Department in their provision of school nurses to cover the 200 school health suites throughout the city.

This letter of protest is in response to the exclusion of Care Resources as a vendor in bid #B50001026. The purpose of this protest is to highlight the potential liability to Baltimore City by limiting the number of vendors to only 2 nursing companies.

Since school health coverage was mandated by COMAR in the 1990's, school nursing has become a highly specialized field. The medical needs of students attending Baltimore City Public Schools today present a serious challenge. Any given school might have students with life-threatening illnesses or injuries. Many students attending school today have serious cardiac problems and seizure disorders. In addition, the rate of students with diabetes and asthma has increased to record levels in recent years. Severe food allergies have skyrocketed and have at times been fatal. Thus it is crucial to have an experienced school health professional on site. The Maryland Board of Nursing, recognizing the increased health needs of students, requires an additional 14 hour Case Manager/Delegating Nurse training for all RNs working in school health. Nurses who are not appropriately trained present a huge liability risk to the students, the City and the Health Department.

Bid # B50001026, Addendum 3 states "The City will award to one or as many vendors as necessary to meet its needs". The selected two vendors have not provided school health suite coverage in Baltimore City. My concern is that they may not have sufficient time to be fully prepared or equipped to meet the contract needs when school convenes in 5 weeks. Therefore, I am asking that the Board consider naming Care Resources as an

additional vendor should the recommended vendors be unable to meet the needs within the timeframe.

In closing, please consider the safety of the students of Baltimore City and add an incumbent provider to ensure the continuity of care and decrease liability.

Thank you for your time and consideration. If you should have any questions or need additional information please feel free to contact me at 410-583-1515.

Sincerely,

A handwritten signature in black ink that reads "Judi Lockett, RN". The signature is written in a cursive style with a large initial "J".

Judi Lockett, RN
School Nursing Director

P53-SQH

Brown
Goldstein
Levy ^{LLP}



120 E. Baltimore St.
Suite 1700
Baltimore, Maryland
21202-6701
Tel: 410 962-1030
Fax: 410 385-0869
www.browngold.com

Stuart O. Simms
sos@browngold.com

July 28, 2009

VIA HAND-DELIVERY

The Honorable Stephanie Rawlings Blake, President City Council
The Honorable Sheila Dixon, Mayor
The Honorable Joan M. Pratt, Comptroller
The Honorable George A. Nilson, Esquire, City Solicitor
The Honorable David Scott, Director Department of
Public Works
City Hall
100 North Holliday Street
Baltimore, Maryland 21202

Re: Solicitation Title: Providing Temporary Personnel Services
Solicitation Number: B50001026
Bureau of Purchases-Buyers
Protesting Party: Care Resources, Inc.
1026 Cromwell Bridge Road
Baltimore, Maryland 21286

Dear Members of the Board of Estimates:

The undersigned counsel represents Care Resources, Inc. ("Care Resources") that submitted a bid in response to an Invitation to Bid and Contract #B500001026 for: Providing Temporary Services. Appendix B.pdf and expand the qualifications for registered nurses placed within the Baltimore City Public School System. The purpose of this letter is to supplement Care First's earlier letter July 21, 2009 from Judi Lockett of Care resources protesting this specific bid.

Care Resources believes that a recommendation will be made to this Board to award contracts to firms which did not submit a "lowest responsible bid." Therefore, Care Resources respectfully requests that this Board not accept the recommendation and not award the contract to the firms without the lowest responsible competitive bid. Instead, Care Resources respectfully requests that the Board include Care Resources among the firms selected to perform the contract or alternatively rebid the contract. Care Resources further requests an opportunity to present its reasons at an appropriate hearing or meeting prior to the Board's final decision.

BROWN, GOLDSTEIN & LEVY, LLP

The Honorable Stephanie Rawlings Blake, President City Council

The Honorable Sheila Dixon, Mayor

The Honorable Joan M. Pratt, Comptroller

The Honorable George A. Nilson, Esquire, City Solicitor

The Honorable David Scott, Director Department of
Public Works

July 28, 2009

Page 2

As reasons for the protest, Care Resources submits the following:

A. Background

Care Resources is an education and health staffing and management solutions firm for public and non-public school districts, infant and toddler programs, and health agencies. For more than 15 years, Care Resources has partnered with the Baltimore City Health Department to provide health staffing needs to Baltimore City Public Schools. The firm has provided nursing professionals to address the needs of over 70 schools in the Baltimore City Public School System. The need is significant. There are 160 schools in Baltimore City involving more than 70,000 students who require nursing coverage. According to the National Association of School Nurses, 16% of public schools students have a serious medical condition that requires a skilled medical professional.¹

Although there is no specific delineation in the bid documents, it appears that a new approach for nursing services is being implemented through the contract associated with the bid. The "new" approach requires school principals to select the level of health coverage desired and to supplement the difference from their respect budgets. Putting aside the management issues related to such an approach,² there is the challenge of whether this method will result in any savings to the City of Baltimore, the school system or the tax payers.³

On or about March 31, 2009, the Nursing Director of Care Resources learned that the Bureau of Purchases on behalf of the City of Baltimore may be seeking nursing services as part of a larger clerical and administrative support bid proposal. That Director spoke with the procurement officer who advised that she was preparing a bid document for issuance. However, the bid was not issued as in the past. A bid came out in early April 2009 with a pre-bid date of 4/14/09 and due date of 4/29/09 with a small non-school based nursing component. There was no pre-bid meeting for the school health work. The bid request for nursing services was inserted into the existing bid on 5/18 with the due date changed to 5/27, some 7 business days later. See Exhibit 1. There was no pre-bid meeting for school based nursing services.

As stated above, on or about May 15, 2009, Solicitation B50001026 was modified and an attachment consisting of the nursing services described in Exhibit #2, an excerpt from the solicitation. The due date for the bid was changed from May 20 to May 27, 2009. The method

¹ *School Health Alert*, "The Impact of the School Nurse Shortage," October 2008.

² If implemented, principals will make medical decisions based on what they afford and select from companies with limited or no experience.

³ See, Section B below.

BROWN, GOLDSTEIN & LEVY, LLP

The Honorable Stephanie Rawlings Blake, President City Council

The Honorable Sheila Dixon, Mayor

The Honorable Joan M. Pratt, Comptroller

The Honorable George A. Nilson, Esquire, City Solicitor

The Honorable David Scott, Director Department of
Public Works

July 28, 2009

Page 3

of award was modified to read:

- "A. The award will be made to the lowest responsible and responsive bidder(s) meeting specifications.
- B. The City will award to one or as many vendors as necessary to meet its needs."

Care Resources submitted a timely bid but was not the lowest bidder as to price for either category of nursing professional, RN or LPN. A list of six (6) firms was selected as possible awardees for the Board of Estimates meeting of July 22, 2009. Care Resources submitted a timely protest to this Board. That agenda item containing bid proposal #B500001026 was re-scheduled for July 29, 2009.

B. Argument

The Contract Award should be made to Care Resources
on the Basis of its Responsible Bid

Under Baltimore the City Charter a legislative policy for the Board of Estimates involving bid awards charges that this body with awarding contracts for City purchasing and City projects to the lowest responsible bidder.

"The Board of Estimates after
opening bids, shall award a contract as an entity to
the lowest responsible bidder . . ."

Article VI § 7 Baltimore City Charter.

The concept of "lowest responsible bidder" applies to the bid submitted by Care Resources. The law is settled that this Board has wide discretion with respect to determining responsibility absent fraud, collusion, arbitrary or capricious exercise of authority. Mayor and City Council of Baltimore v. DeLuca-Davis Co., 210 Md. 518 (1956); City of Baltimore v. Jerry's Rides, Inc., 226 Md. 161 (1961); 49 Opinions of the City Solicitor 282 (1954); 56 Opinions of the City Solicitor 307 (1964). The Board is charged with considering whether the City will get the best service at the best price. There must be evidence concerning the responsibility of the bidder as would cause fair minded and reasonable persons to believe that it is not in the best interests of the City to award the contract to the bidder. 49 Opinions of the City

BROWN, GOLDSTEIN & LEVY, LLP

The Honorable Stephanie Rawlings Blake, President City Council

The Honorable Sheila Dixon, Mayor

The Honorable Joan M. Pratt, Comptroller

The Honorable George A. Nilson, Esquire, City Solicitor

The Honorable David Scott, Director Department of
Public Works

July 28, 2009

Page 4

Solicitor 282 (1954).

In the present case, Care Resources submitted a responsible bid for the best interests of the taxpayers of the City of Baltimore.

In this case, as a "responsible" low bidder, Care Resources' bid took into account the following:

1. Quality

For over 15 years, Care Resources has demonstrated a level of quality and consistency. It does not just hire a "body" for assignments. It fully trains nurses according to COMAR to be school nurses. The nurses hired are dedicated to the schools and their profession. The majority of Care Resources' nurse employees has school nursing as their only job and are not in night school or working all day. The nurses are Care Resource employees, with all taxes, insurances, etc., paid by Care Resources and none are independent contractors. Care Resources covers liability.

100% of the returned QA Principal surveys have requested that Care Resource nurses return for the following year. Exhibit 3 reflects five (5) letters representing the recognized quality of nursing care that has been provided by Care Resources.

2. Risk

Because of the standards of nursing care achieved by Care Resources, it has a continuity of management that enables oversight and reduction of risk. Although basic insurance needs for the bidders were outlined in the bid document, nowhere in the bid document or the bids is there any data to reflect reduction of liability. With the submitted bid by Care Resources, the City schools would be retaining a partner with the scope and depth of experience to mitigate health emergencies. The combination of a new selection methodology for nursing services by the principals and the entry of entirely new nursing service providers increase the potential of financial liability as well as difficulty in managing the multiplicity of providers. Balanced against those risks, the price submission by Care Resources is therefore is "responsible" and competitive. For the past 15 years, Care resources had over 3,750,000 student nursing encounters without a single finding of legal liability.

3. Price

BROWN, GOLDSTEIN & LEVY, LLP

The Honorable Stephanie Rawlings Blake, President City Council

The Honorable Sheila Dixon, Mayor

The Honorable Joan M. Pratt, Comptroller

The Honorable George A. Nilson, Esquire, City Solicitor

The Honorable David Scott, Director Department of
Public Works

July 28, 2009

Page 5

Although Care Resources is not the absolutely lowest price bidder, the price difference between the recommended awardees, that have no similar experience in school health nursing and Care Resources' trained nursing staff is 1% of the total price paid last year. Moreover, while the national increase in rates for nursing services has been 2.7%, average for Care Resources has been 1.2 to 2.2 %. (See, Exhibit 4). Finally, Care Resources does not bill for additional support services.

In every respect, Care Resources submitted a bid which complied with and affirmed its obligations to meet stipulated qualifications and levels of anticipated performance in the contract. In its bid protest letters, the firm reiterated both its qualifications and capabilities and identified how its bid is responsible and responsive as a low bidder.

C. CONCLUSION

For all of the above reasons, Care Resources respectfully requests that this Board not accept the recommendations for #B50001026 and select Care Resources to perform the contract or rebid the contract.

Respectfully submitted,

BROWN, GOLDSTEIN & LEVY, LLP

By: 
Stuart O. Simms

SOS/ch

Enclosures

cc: City Purchasing Agent
231 E. Baltimore Street
Client

MINUTESBaltimore Municipal Golf - Financial Statements
Corporation

The Board is requested to **NOTE** receipt of the audited financial statements for the Baltimore Municipal Golf Corporation for the year ended December 31, 2008 and 2007.

The Board **NOTED** receipt of the audited financial statements for the Baltimore Municipal Golf Corporation for the year ended December 31, 2008 and 2007. The President **ABSTAINED**.

MINUTES

Office of the Mayor - Disbursement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a disbursement to the Mount Vernon Place Conservancy, Inc.(Conservancy).

AMOUNT OF MONEY AND SOURCE:

\$35,000.00 - 1001-122-021

BACKGROUND/EXPLANATION:

DEFERRED

The Mount Vernon Place Conservancy, Inc. is a 501(c)(3) organization created to restore and manage Mount Vernon Place. The goals of the Conservancy are to fully restore the historic features of the park, to upgrade the park systems and to provide extensive disabled access in every area possible. Included in the restoration will be the upgrading of all electric and water service, restoration of highly deteriorated and damaged marble, increasing access for the disabled and enhancing much of the current landscaping.

The Conservancy is expected to assume management of the parks during refurbishment and after completion, which is targeted for the 2015 bicentennial of the laying of the Washington Monument cornerstone. The work in the parks is anticipated to cost \$7,000,000.00 to \$8,000,000.00, which will be raised by the conservancy from a combination of federal, state, local and private funds.

The \$35,000.00 grant was committed annually for five years as part of the March 25, 2009 Memorandum of Understanding between the City of Baltimore and Mount Vernon Belvedere Association.

The funds will be used by the Conservancy to pay for some landscaping and maintenance of the park.

MINUTES

Office of the Mayor - cont'd

MBE/WBE PARTICIPATION:

The Conservancy has agreed to comply with Article 5, Subtitle 28 of the Baltimore City Code (2000 Edition) regarding participation by Minority Business Enterprises (MBE) and Women's Business Enterprises (WBE) in its development of the project.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board **DEFERRED** this item for 1 week. The Mayor **ABSTAINED**.

MINUTES

Mayor's Office of Emergency Management - Memorandum of
Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) between the Mayor and City Council of Baltimore Business Network of Emergency Resources, Inc (BNET). The period of the agreement is effective upon Board approval through June 30, 2010.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The MOU is concerning the Corporate Emergency Access System (CEAS). The CEAS is a credentialing program whereby, upon order of the Mayor of the City of Baltimore or other designated official (after consultation with public safety officials), the card-holding employees of participating private businesses with offices located within a specified emergency zone, may have access to that zone. It has been developed by BNET, following consultation with various City, State, and private entities, and the Baltimore Police Department has already approved a General Order supporting the execution of the program. The purpose of this program is to help mitigate the losses experienced by organizations as a result of an emergency, emergency situation or special event in the City of Baltimore.

The purpose of the CEAS is to assist local organizations in accessing their facilities in areas restricted to public access due to an emergency condition or special event. The CEAS has been established to identify "Critical Employees" and "Essential Service Providers" for companies that do business in the City of Baltimore, whose job functions are considered essential to their organizations', on-going viability. If conditions permit, these employees may be allowed access to their respective participant's work sites during an emergency condition or

MINUTES

Mayor's Office of Emergency Management - cont'd

special event to help sustain each such Participant until "normal" conditions resume. The Program has been developed and successfully implemented in other cities based on the recommendations of the Joint Loss Reduction Partnership (JLRP) project administered by the New York State Emergency Management Office in 1997-98. One of the main findings of the JLRP strongly indicated that access to the workplace by critical employees and essential service providers during periods of restricted ingress was an issue critical to business survival. The City of Baltimore Program was developed for these same reasons and at the urging of the local business community.

The memorandum of understanding provides indemnification to the City of Baltimore and lays out specific requirements for the Plan of Administration.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding between the Mayor and City Council of Baltimore Business Network of Emergency Resources, Inc.

MINUTES

Department of Recreation and Parks - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the purchase of an End User License Agreement and execution of a Support Contract with RC Systems, Inc. The period of the agreement is effective upon Board approval through June 30, 2010.

AMOUNT OF MONEY AND SOURCE:

\$78,400.00 - G294-500-046-00-326

BACKGROUND/EXPLANATION:

The acquisition of the software is required as quickly as possible, so that the Department's Mayoral Fellow, Jody Sheely, may complete her main departmental project, which is to play an integral role in the implementation and transition to this software for recreation centers, as well as the development and marketing divisions. The Department apologizes for the late submission of this request.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the purchase of an end user license agreement and execution of a Support Contract with RC Systems, Inc.

MINUTES

Department of Finance - Public School Property
Transfer Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a public school property transfer agreement with the State of Maryland relating to the Highlandtown Middle School property located at 101 South Ellwood Avenue in Baltimore City.

AMOUNT OF MONEY AND SOURCE:

\$179,871.00 - General Funds

BACKGROUND AND EXPLANATION:

The Board of Public School Commissioners of the Baltimore City Public School System on September 26, 2006 determined that the Property was no longer needed for school purposes and the Board of Public Works of the State of Maryland on February 28, 2007, and as amended on October 1, 2008, approved the closure and transfer of the Property to the City. The Board of Public Work's approval, as required by applicable law, was contingent upon the City assuming the obligation to repay the balance of the State's unpaid bond debt service for the Property in the total principal and interest amount of \$189,408.00 agreeing to obtain the State's consent to any future sale or lease of the Property and

MINUTESDepartment of Finance - cont'd

to share any future sale proceeds or rental income with the State in accordance with a formula relating to each party's investment in the Property. The City has the option to pay the above unpaid bond debt service semiannually, annually or in one payment. If the City chooses the single payment option, then the amount due is \$179,871.00.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the public school property transfer agreement with the State of Maryland relating to the Highlandtown Middle School property located at 101 South Ellwood Avenue in Baltimore City.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|--|-------------|-----------------|
| 1. PRISM INNOVATIONS | \$11,056.00 | Low Bid |
| Solicitation No. 07000 - Cisco Maintenance - Department of Public Works - Req. No. R527246 | | |
| 2. LITECAST | \$21,600.00 | Selected Source |
| Solicitation No. 06000 - Litecast Upgrade on Maintenance - Mayor's Office of Information Technology - Req. No. R527140 | | |

Due to the current integration of the City network, considerably higher cost of establishing new fiber connectivity locations, and substantial roll-out costs in switching providers, no advantage would be gained from seeking bids.

- | | | |
|---|-------------|-------------|
| 3. VM WARE | \$10,625.00 | Sole Source |
| Solicitation No. 08000 - VMware Software Support and Subscription - Mayor's Office of Information Technology - Req. No. R527411 | | |

The vendor is the sole source provider of these proprietary items.

- | | | |
|--|-------------|-----------------|
| 4. UNITED SANITARY | \$ 9,804.00 | Low Bid |
| Solicitation No. 07000 - Commercial Bagless Upright Vacuums - Health Department - Req. No. R527313 | | |
| 5. STANLEY CONVERGENT SECURITY SOLUTIONS, INC. | \$10,800.00 | Selected Source |
| Solicitation No. 08000 - Security and Monitoring Service - Enoch Pratt Free Library - Req. No. R528506 | | |

The vendor currently provides security monitoring and maintenance services and will provide continuity of service.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

6. SHI	\$11,553.00	Sole Source
Solicitation No. 08000 - Software Updates and Maintenance - Enoch Pratt Free Library - Req. No. R528412		

The vendor is the sole source provider of these proprietary items.

7. J.G. PARKS & SONS, INC.	\$12,082.00	Low Bid
Solicitation No. B50001131 - Baccharach Equipment - Department of Housing and Community Development - Req. No. R526345		

8. ATLANTIC TACTICAL	\$21,999.25	Selected Source
Solicitation No. 06000 - Body Armor - Police Department - Req. No. R525421		

The vendor designed this armor to fit unique Police Department specs.

9. MILLIPORE CORP.	\$ 6,064.48	Sole Source
Solicitation No. 08000 - Millipore Super Q-Service Filters - Department of Public Works - Req. No. R528234		

The vendor is the sole source provider of this equipment already established at the agency.

10. FERGUSON WATERWORKS	\$16,899.44	Low Bid
Solicitation No. 07000 - Multiplugs for Pipe - Department of Public Works - Req. No. R521517		

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>		
11. TIPCO TECHNOLOGIES, INC.	\$24,546.00	Low Bid
Solicitation No. 07000 - Stainless Straps and Flared Leg Brackets - Department of Transportation - Req. No. R526902		
12. COMCAST BUSINESS SERVICES	\$32,619.60	Selected Source
Solicitation No. 06000 - Internet Service - Fire Department - Req. No. TBD		

The requested service is currently installed and connected in the City's fire stations. The vendor was selected to provide continuity of service. The period of the award is July 22, 2009 through June 30, 2010.

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 (d)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

13. DISTRICT HEALTHCARE AND JANITORIAL SUPPLY	\$ 0.00	Terminate and Re-Award
---	---------	------------------------------

Solicitation No. B50000399 - Furnishing and Delivering Incontinent Products & Dressings - Commission on Aging and Retirement Education - Req. No. R503420

On April 16, 2008, the Board approved the initial award, in the amount of \$90,522.00, to Modern Medical Products. A renewal, in the amount of \$102,098.00 was approved on April 22, 2009. Termination of the award to Modern Medical Products for convenience and re-award to District Healthcare and Janitorial Supply is requested as being in the best interest of the City. The period of the re-awarded contract is July 22, 2009 through April 30, 2010, with two one-year renewal options.

MWBOO GRANTED A WAIVER.

14. SIEMENS BUILDING TECHNOLOGIES, INC.	\$ 39,946.00	Sole Source
--	--------------	-------------

Solicitation No. 08000 - Maintenance and Repair of Pneumatic and Electronic Controls of the HVAC System at Back River Wastewater Treatment Plant - Department of Public Works, Bureau of Water and Wastewater - Req. No. R527738

The vendor is the installer and source provider of the service, software upgrades, and hardware required.

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 (d)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|---|---------------------|--------------------|
| 15. <u>COMPUTER ASSOCIATES</u> | <u>\$ 34,491.31</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Annual Support of Easytrive Plus Report Generator - Baltimore City Police Department (BCPD) - Req. No. R528534 | | |

The vendor is the sole provider of this proprietary software that is used by BCPD.

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 (d)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

- | | | |
|---|---------------------|-----------------|
| 16. <u>S.A.T., INC.</u> | <u>\$ 40,000.00</u> | <u>Increase</u> |
| Solicitation No. 08000 - Annual Maintenance of Monuments and Sculptures - Department of Planning - Req. No. R527648 | | |

On October 1, 2008, the Board approved the initial award in the amount of \$40,000.00. Additional funds are needed to meet the increased demand for these services.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|---|-----|-----------------------------|
| 17. XEROX CORP. | N/A | Termination for Convenience |
| Solicitation No. B50000284, White Xerographic Bond-Letter Sized Paper - Department of Finance - Req. Nos. N/A | | |

On February 6, 2008, the Board approved the initial award in the amount of \$1,000,000.00. On January 14, 2009, the contract was renewed in the amount of \$1,000,000.00, making the total award \$2,000,000.00. The City closed its warehousing operations and bulk delivery of paper is no longer needed. Therefore, the Department of Finance is requesting the contract be terminated effective July 22, 2009.

- | | | |
|---|--------------|-------------|
| 18. DENALI SOLUTIONS, LLC | \$ 82,125.00 | Sole Source |
| Solicitation No. 08000 - Annual Support of InPursuit (RMS) Oracle Software - Police Department - Req. No. R528487 | | |

The vendor is the sole provider of this proprietary software used by the Police Department.

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 (d)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

- | | | |
|---|--------------|----------|
| 19. GRAYBAR ELECTRIC COMPANY | \$300,000.00 | Increase |
| Solicitation No. B50000589 - Electrical Products - Agencies - Various - Req. Nos. Various | | |

On November 18, 2008, the Board approved the initial award in the amount of \$600,000.00. Due to an increase in the demand for these products, this increase in the amount of \$300,000.00 is necessary making the total award amount \$900,000.00.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|---|--------------|---------|
| 20. PVS CHEMICAL SOLUTIONS,
INC. | \$200,000.00 | Renewal |
| Solicitation No. Liquid Sodium Bisulfite - Department of
Public Works, Bureau of Water and Wastewater - Req. Nos.
Various | | |

On September 3, 2008, the Board approved the initial award in the amount of \$297,000.00. The award contained three 1-year renewal options at the sole discretion of the City. This is the first one-year renewal in the amount of \$200,000.00, making the award amount \$497,000.00.

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|---------|
| 21. BALTIMORE LOCK &
HARDWARE INC. | \$200,000.00 | Renewal |
| Solicitation No. BP 007022 - Provide Miscellaneous Locksmith
Services - Agencies - Various Req. Nos. Various | | |

On August 30, 2008, the Board approved the initial award in the amount of \$242,200.00. The award contained four 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This is the third renewal in the amount of \$200,000.00 making the award amount \$784,400.00.

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

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>		
22. MCLEAN CONTRACTING	\$100,000.00	Ratification
COMPANY	<u>100,000.00</u>	& Term Order
	\$200,000.00	

Solicitation No. 06000 - Requirements for Structural Maintenance and Dredging at the Inner Harbor - Agencies - Various -Req. Nos. Various

On March 22, 2006, the Board approved the initial award in the amount of \$229,600.00. Subsequent actions have been increased. Due to an administrative error, BP-06124 expired on March 21, 2009, with one-year renewal remaining. However, the vendor continued to provide services to meet the City's needs. It is requested that the expenditure from March 22, 2009 through July 21, 2009 be ratified and that a term purchase order be approved under the same terms and conditions as BP 06124.

MWBOO SET GOALS OF 9% MBE AND 4% WBE.

MBE:	G.E. Frisco	6%
	Cotton Construction	2%
	Manjo Insurance	1%
WBE:	A2Z Environmental	2%
	Hopkins Fuel Oil	2%

MWBOO FOUND VENDOR IN COMPLIANCE.

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts, and extensions. Item No. 5 was **WITHDRAWN**.

MINUTES

Office of the Comptroller/
Department of Communication Services - Agreements

ACTION REQUESTED OF B/E

The Board is requested to approve and authorize execution of the feeder cable relocation and new serving terminal agreement with Verizon-MD, Inc. (VMD). The Board is also requested to approve and authorize execution of a Conduit Placement and Cable Placement Agreement with Verizon Business Network Services, Inc. (VBNS).

AMOUNT OF MONEY AND SOURCE:

\$ 16,096.00 - (for VMD)

\$125,212.32 - (for VBNS)

Account No. 5000-577705-4780-367400-603016

BACKGROUND/EXPLANATION:

These agreements are for the Department of Recreation and Parks' new Visitors Center at Cylburn Park. New service is needed at this location to accommodate the improvements. The serving terminal that brings service to the Cylburn Park buildings will be relocated and expanded. Verizon has various entities that perform different functions that are necessary for the required work at Cylburn Park.

MINUTES

Office of the Comptroller/
Department of Communication Services - cont'd

The VMD will relocate the buried cable and install a larger cable for the new serving terminal. The VBNS will install a new conduit pathway and install new cable, for communication services. Verizon only permits its affiliate entities to install and service the terminals that provide service to its customers.

APPROVED FOR FUNDS BY FINANCE

(FILE NO. 55899)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the feeder cable relocation and new serving terminal agreement with Verizon-MD, Inc. The Board also approved and authorized execution of the conduit placement and cable placement agreement with Verizon Business Network Services, Inc.

MINUTES

Office of the Comptroller/
Department of Communication Services - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Millennium Technologies, LLC. The Board is also requested to authorize payment by Direct Payment Order. The period of the agreement is July 1, 2009 through June 30, 2010.

AMOUNT OF MONEY AND SOURCE OF FUNDS:

\$ 407,904.00 - (\$33,992.00 per month) maintenance services
7,000.00 - monthly estimated equipment services charged
to various agencies accounts

Account No. 2039-000000-1330-158400-603084

BACKGROUND/EXPLANATION:

Millennium Technologies, LLC (Millennium) has been providing maintenance on the telephone equipment owned by the City of Baltimore since July 2000, and has also provided installation of equipment, and changes to equipment, as needed. The City's voice infrastructure is in poor condition in many locations. Millennium has extensive knowledge and experience with the City's voice infrastructure and existing equipment. Continued maintenance and service by this vendor is necessary because of the age of the City's system. A consultant has been engaged to assist with the telecommunication needs of the City.

MINUTES

Office of the Comptroller/
Department of Communication Services - cont'd

It is expected that a Request for Proposals will be issued in the fall of 2009. Maintenance will be included in the implementation of new technologies.

APPROVED FOR FUNDS BY FINANCE

MWBOO GRANTED A WAIVER.

(FILE NO. 56613)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Millennium Technologies, LLC. The Board also authorized payment by Direct Payment Order.

MINUTES

Baltimore Development Corporation - Subordination Agreement
and First Amendment to
Intercreditor Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of (1) a subordination agreement with the First Mariner Bank (Bank) for the Black Olive Development Company, LLC (BO), developer, and (2) the first amendment to an intercreditor agreement among the Maryland Energy Administration, the Maryland Department of Housing and Community Development, Baltimore Development Corporation, the City, the Black Olive Development Company, LLC, and the First Mariner Bank.

The Board is also requested to authorize the Mayor, the Director of Finance, or the Commissioner of the Department of Housing and Community Development to execute all future modifications to the documents subject to review and approval by the Law Department.

AMOUNT OF MONEY SOURCE OF FUNDS:

N/A

BACKGROUND/EXPLANATION:

On March 29, 2001, the Board approved a land disposition agreement (LDA) and a \$105,000.00 Purchase Money Mortgage (PMM) between the BO and the City. The BO is a real estate holding company owned by members of the Spiliadis family, the owners of the Black Olive Restaurant in Fells Point. The BO acquired a 5,000 square foot parcel on Caroline Street to construct a 20,000 square foot market/café and 15 room inn. The new operation will create the equivalent of 30 new full-time jobs.

MINUTES

BDC - cont'd

The subordination agreement will allow for a modification to First Mariner's Bank (Bank) 2008 loan to the BO in order to extend the construction completion deadline from January 25, 2009 to October 1, 2009.

The subordinate lenders are: (i) BDC; (ii) City of Baltimore (Department of Housing and Community Development); (iii) Maryland Energy Administration; (iv) Maryland Department of Housing and Community Development; and (iv) Black Olive Holding Company, Inc. (an affiliate of the BO).

The first amendment to the intercreditor agreement will allow the BO to increase its borrowing capacity from the Bank from \$5,060,000.00 to \$5,107,322.00 (an increase of \$47,322.00) so that the Bank can issue a letter of credit in the amount of \$47,322.00 to the City to satisfy the BO's obligations under a Public Works Agreement relating to the project (construction of a mixed-use bed & breakfast with garden cafe at located 803 S. Caroline Street).

The Bank has agreed to the BO's request, subject to certain conditions, including (i) amending First Mariner's deed of trust to increase the maximum secured amount to \$5,107,322.00 (i.e. an additional \$47,322.00) to secure the BO's obligations under the requested letter of credit; (ii) the existing loan guarantors must guaranty the BO's obligations under the proposed letter of credit documentation; (iii) approval of the loan modification by Maryland Small Business Development Finance Authority, which has guaranteed a portion of the Bank's loan; and (iv) that each of the subordinate mortgage lenders must approve the loan modification and agree that the additional \$47,322.00 secured by First Mariner's Deed of Trust will be superior to the subordinate lender mortgages.

MINUTES

BDC - cont'd

MBE/WBE PARTICIPATION:

The developer has committed to achieving a goal of 20% MBE and 3% WBE participation for the total project, pursuant to the LDA approved by the Board on March 21, 2001.

(FILE NO. 55759)

UPON MOTION duly made and seconded, the Board approved and authorized execution of (1) the subordination agreement with the First Mariner Bank for the Black Olive Development Company, LLC (BO), developer, and (2) the first amendment to an intercreditor agreement among the Maryland Energy Administration, the Maryland Department of Housing and Community Development, Baltimore Development Corporation, the City, the Black Olive Development Company, LLC, and the First Mariner Bank. The Board also authorized the Mayor, the Director of Finance, or the Commissioner of the Department of Housing and Community Development to execute all future modifications to the documents subject to review and approval by the Law Department.

MINUTESBaltimore Development Corporation - Relocation Expenses**ACTION REQUESTED OF B/E:**

The Board is requested to approve the relocation expenses for Mr. Mohammed Nadir Yousoufi, d/b/a "One West North, Inc.", T/A New York Fried Chicken, for its move from 1 W. North Avenue to 542 E. Patapsco Avenue.

AMOUNT OF MONEY AND SOURCE:

\$240,000.00 - 9910-905575-9600

BACKGROUND/EXPLANATION:

The \$240,000.00 is allocated as follows:

\$165,000.00 purchase price of new business,

\$17,970.00 estimated cost of labor to renovate walls, replace windows, and countertops at new location, and

\$57,030.00 estimated cost of moving equipment, fixtures, and personal property from 1 W. North Avenue to the new location.

On February 20, 2009 a Notice of Relocation Eligibility Assistance was sent to Mr. Yousoufi. Notwithstanding the best efforts of BDC and relocation consultant Diversified Property Services, no suitable replacement location for Mr. Yousoufi's business was found.

Independent of these efforts, Mr. Yousoufi found an acceptable replacement location at 542 E. Patapsco Avenue where another New York Fried Chicken was for sale.

MINUTES

BDC - cont'd

Given these conditions, BDC, Diversified Property Services and Mr. Yousoufi agreed to use the provisions of the Uniform Relocation Act to calculate "as if relocated" compensation which would enable Mr. Yousoufi to purchase the New York Fried Chicken "replacement business."

As part of its economic development mission, BDC has provided restaurants, taverns and other regulated businesses with equivalent facilities in which to continue operations. Recently, Diversified Property Services has relocated several of these establishments in the greater Baltimore-Washington-Northern Virginia area. Eligible expenses for relocating these businesses into "warm, white spaces" have been running on average \$325,000.00-\$400,000.00.

This claim will prove more cost effective for the City at total cost of \$240,000.00 versus the \$325,000.00-\$400,000.00 that it typically costs to relocate this type of establishment. It will also allow Mr. Yousoufi to purchase an existing New York Fried Chicken complete with an existing client base, thereby mitigating the risks of opening a new business in these uncertain economic times.

(FILE NO. 57072)

MINUTES

BDC - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$240,000.00	9910-905575-9600	9910-904354-9601
M&CCF	Constr. Res. E. Balto. Ind. & Coml. Dev.	W. Balto. Ind & Coml. Dev.

This transfer will provide funds for expenses and payments related to the relocation of the New York Fried Chicken from 1 West North Avenue to 542 East Patapsco Avenue. This business is being relocated per the Charles North Urban Renewal Plan and the property is being offered as part of the Parkway Theatre Request for Proposal.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the relocation expenses for Mr. Mohammed Nadir Yousoufi, d/b/a "One West North, Inc.", T/A New York Fried Chicken, for its move from 1 W. North Avenue to 542 E. Patapsco Avenue. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Amount</u>
<u>Department of Recreation and Parks</u>		
1. Jerry Molyneaux	Amateur Athletic Union	\$15,730.00
Mary Haynes	National Championship Games	
Etosha Bakari	Des Moine, IA	
Lutalo Bakari	August 02 - 08, 2009	
Vincent Fuller		
Garfield Thompson		
Steve Waithe		
Vaughn DeVaughn		

Office of the President

2. Stephanie Rawlings-Blake	Maryland Association of Counties Annual Conf.	\$ 2,834.72
Kimberly Washington	Ocean City, MD	
	August 12 - 15, 2009	
	(Reg. Fee \$285.00 ea.)	

The hotel is \$254.00 plus tax per night. The allowed per diem for this area is \$245.00 per day. The Office of the President requests an additional \$147.00 for each person to cover the costs of lodging and food.

	<u>Actual Cost</u>	<u>Allowed Cost</u>
Subsistence		
Incl. Hotel	\$ 845.16	\$ 818.16
& Food	120.00	
Transportation	167.20	167.20
Registration Fee	285.00	285.00
	<u>\$1,417.36</u>	<u>\$1,270.36</u>

MINUTES

TRAVEL REIMBURSEMENTBaltimore City Council

3. Erin Fiaschetti \$ 849.28

On June 01 - June 3, 2009, Ms. Erin Fiaschetti traveled to Louisville, KY to attend an event titled "Reclaiming Vacant Properties" sponsored by the National Vacant Properties Campaign. Regrettably, because of errors in the original submission, Board approval could not be obtained prior to travel. Therefore, Ms. Fiaschetti is requesting the Board to ratify her travel request, including additional subsistence in the amount of \$78.58 used to cover the costs of lodging, and reimburse her travel expenses in the amount of \$849.28.

The per diem allowed for this area is \$143.00 per day. The hotel cost was \$145.00 per night. The actual expenses for her travel totaled \$849.28.

	<u>Actual Cost</u>	<u>Expected Cost</u>
Subsistence		
Incl. Hotel	\$ 356.62	\$ 286.00
& Food	8.96	
Airfare	258.70	258.70
Registration Fee	225.00	225.00
	<u>\$ 849.28</u>	<u>\$ 769.70</u>

UPON MOTION duly made and seconded, the Board approved the travel requests and the travel reimbursement. The President **ABSTAINED** on Item Nos. 2 and 3.

MINUTES**PROPOSALS AND SPECIFICATIONS**

Department of Recreation
and Parks

- RP 09817, Fort Armistead Break-water Replacement FY 09
BIDS TO BE RECV'D: 08/19/2009
BIDS TO BE OPENED: 08/19/2009

Department of Transportation - TR 07306, Resurfacing Edison Highway from Biddle Street to Erdman Avenue

- BIDS TO BE RECV'D: 08/26/2009**
BIDS TO BE OPENED: 08/26/2009

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

President: "As there is no more business before the Board, the meeting will recess until the bid opening at twelve o'clock noon."

MINUTES

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

BIDS, PROPOSALS AND CONTRACT AWARDS

NO ADDENDA WERE RECEIVED.

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

Department of Transportation - TR 02398, Rehabilitation of
Argonne Drive Bridge/Herring
Run (BC3401)

*Whiting Turner Contracting Co.
Joseph B. Fay Company
McClellan Contracting Company
Contract General, Inc.
Flippo Construction Co., Inc.
American Infrastructure

* UPON FURTHER MOTION, the Board found the bid of Whiting Turner Contracting Company **IRREGULAR** because of the company's failure to submit an entire bid book and duplicate bid as required in the bid instructions.

MINUTES

Bureau of Purchases

- B50001020, RFP to Manage,
Operate and Maintain
Telecommunications Systems
for the Baltimore Convention
Center

Smart City Networks, LP

M.C. Dean Building Intelligence

*Port Networks, LLC

*UPON FURTHER MOTION, the Board found the bid of Port Networks, LLC, **NON-RESPONSIVE**, because of the company's failure to proffer the bid guarantee in the form mandated by the City Charter.

MINUTES

Bureau of Purchases

- B50001121, Interactive Web-Based Map

Applied Geographics, Inc.
KCI Technologies, Inc.
Geograph IT
Avencia Inc.
GeoNorth LLC
EA Engineering Science &
Technology, Inc.
Smart Data Strategies
URS Corporation
Johnson, Mirmiran & Thompson (JMT)
First Nevron Inc.

Bureau of Purchases

- B50001128, Variable Crane
Installed on a 2009
Sterling Chassis

Intercon Truck of Baltimore, Inc.
Triad Truck Equipment, Inc.
Cargotec USA, Inc.
RMS

Bureau of Water and Wastewater

- WC 1184, Replacement of
Freight Elevators at
Montebello Plants 1 and 2

Elevator Control Service
ThyssenKrupp Elevator
Kone, Inc.

- NO BID

MINUTES

* * * ***** * * * *

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, July 29, 2009.

JOAN M. PRATT
Secretary