

MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

President: "I will direct the Board members attention to the memorandum from my office dated February 14, 2011, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

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

President: "All those in favor say AYE. All Opposed NAY. The routine agenda has been adopted. Madam Mayor."

Mayor: "I forgot to vote Yay. Please add me as a Yay."

President: "Please add the Mayor."

Mayor: "A little slow on the vote today."

* * * * *

MINUTES**BOARDS AND COMMISSIONS**1. 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:

Aaron Enterprises, Inc.	\$ 8,000,000.00
Asbestos Specialists, Inc.	\$ 8,000,000.00
C & D Waterproofing Corp.	\$ 8,000,000.00
Electrico, Inc.	\$ 8,000,000.00
McNew Excavating, Inc.	\$ 1,500,000.00
Plano-Coudon, LLC	\$ 8,000,000.00
Union Electric Company, LLC	\$ 1,500,000.00
C.W. Wright Construction Co., Inc.	\$83,394,000.00

2. Prequalification of Architects and Engineers

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

ADS Environmental Services	Engineer
Century Engineering	Engineer Survey
Data Transfer Solutions, LLC.	Engineer Survey

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BOARDS AND COMMISSIONS - cont'd

KCE Engineering, Inc.

Landscape Architect
Engineer
Survey

Stantec, Inc.

Architect
Landscape Architect
Engineer
Survey

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

MINUTESEnoch Pratt Free Library - TRANSFER OF LIFE-TO-DATE
SICK LEAVE

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

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

<u>NAMES</u>	<u>DAYS</u>
Stanley Butler	3
Kenneth Scott	2
Cresencio Maralit	2
Phillip Ervin	2
Elizabeth Williams	<u>1</u>
	10

APPROVED FOR FUNDS BY FINANCE

THE LABOR COMMISSIONER RECOMMENDED APPROVAL.

UPON MOTION duly made and seconded, the Board approved the transfer of Life-to-Date sick leave days from the listed employees to the designated employee, Thomas Dawkins.

MINUTES

Department of Real Estate - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with Court Appointed Special Advocates of Baltimore, Inc., lessee, for the rental of approximately 1,498 square feet of the property known as 4 S. Frederick Street (Block 1351, Lot 005). The period of the agreement is March 1, 2011 through February 28, 2013 with an option to renew for one additional 1-year term.

AMOUNT OF MONEY AND SOURCE:

	<u>Annual Rent</u>	<u>Monthly Rent</u>
Year 1	\$10,006.64	\$833.88
Year 2	\$10,411.10	\$867.59

BACKGROUND/EXPLANATION:

The lessee will use the leased premises for office space for its administrative offices.

The landlord will be responsible for utilities, security alarm system, maintenance and repairs of the exterior and interior of the building, janitorial services, trash removal, fire insurance, real estate taxes, snow removal and minor repairs.

The lessee will be responsible for telephone and computer services to leased premises and liability insurance.

The Space Utilization Committee approved this lease on February 8, 2011.

(FILE NO. 54712)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Court Appointed

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Department of Real Estate - cont'd

Special Advocates of Baltimore, Inc., for the rental of Approximately 1,498 square feet of the property known as 4 S.

Frederick Street (Block 1351, Lot 005)

MINUTES

Space Utilization Committee - Transfer of Jurisdiction

ACTION REQUESTED OF B/E:

The Board is requested to approve the transfer of jurisdiction of 23 Parcels from the inventory of the Department of Transportation (DOT) to the inventory of the Department of Recreation and Parks.

BACKGROUND/EXPLANATION:

The Department of Planning, the Department of Transportation and the Department of Recreation and Parks have reviewed property assignments of City-owned land.

The Department of Transportation wishes to transfer 23 parcels to the Department of Recreation and Parks. This will allow current maintenance responsibilities to be reflected in the City's Real Property files. The 23 parcels located in 9 city parks, for a total of 21.25 acres, will be assigned to the Department of Recreation and Parks. Changes in agency assignment will have no impact on current maintenance operations.

Correct agency assignment of parcels within the Real Property file will improve processing of complaints through the 311 system, allow corrections of the land planning data in the City's GIS system, and protect neighborhood parkland.

The Space Utilization Committee approved this transfer of jurisdiction at its meeting on February 8, 2011.

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Name	Neighborhood	Address	Acres	Block	Lot
Asbury Park	Sabina-Mattfeldt	1322 Appleby Ave.	0.126	4660C	18
Asbury Park	Sabina-Mattfeldt	1319 Appleby Ave.	0.131	4660C	30
Asbury Park	Sabina-Mattfeldt	1321 Appleby Ave.	0.131	4660C	31
Asbury Park	Sabina-Mattfeldt	1320 Asbury Rd.	0.167	4660C	48
Carroll Park	Carroll Park	1500 Washington Blvd. rear	8.000	731	2
Chinquapin Run Park	Woodbourne Heights	Woodbourne Ave. & Northwood Dr.	0.150	5263	60
Chinquapin Run Park	Woodbourne Heights	Chinquapin Pkwy. & Harwood Ave.	0.550	5263	61A
Gwynns Falls Park	Rosemont	N Franklinton Rd.	2.460	2442D	5
Gwynns Falls Park	Gwynns Falls/Leakin Park	1232 N. Franklinton Rd.	0.204	2463	13
Gwynns Falls Park	Gwynns Falls/Leakin Park	1238 N. Franklinton Rd.	0.072	2463	14
Gwynns Falls Park	Gwynns Falls/Leakin Park	1242 N. Franklinton Rd.	0.483	2463	15
Gwynns Falls Trail	Morrell Park		3.045	7774	2
Gwynns Falls Trail	Morrell Park		3.523	7774	3
Maisel St Park	Saint Paul	Maisel St. & Washington Blvd.	0.009	7874	2
Maisel St Park	Saint Paul	Maisel St. & Washington Blvd.	0.012	7874	3
Maisel St Park	Saint Paul	Maisel St. & Washington Blvd.	0.017	7874	4
Maisel St Park	Saint Paul	Maisel St. & Washington Blvd.	0.019	7874	5
Maisel St Park	Saint Paul	Maisel St. & Washington Blvd.	0.022	7874	6
Radecke Park	Frankford	5618 Seward Ave. rear	0.575	6045	61
Radecke Park	Frankford	5621 Daywalt Ave. rear	0.335	6045	62
Western Run Park	Mt. Washington	Kelly Ave.	1.058	4652F	1
Western Run Park	Mt. Washington	Kelly Ave.	0.095	4652G	1
Woodberry Park	Woodberry	2200 Girard Ave. rear	0.068	3389	23A
		Total Acres for Parks	21.253		

MINUTES

Space Utilization Committee - cont'd

(FILE NO. 56665)

UPON MOTION duly made and seconded, the Board approved the transfer of jurisdiction of 23 Parcels from the inventory of the Department of Transportation to the inventory of the Department of Recreation and Parks.

MINUTESDepartment of Planning - Report on Previously
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds subject to receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. Today, the Board is requested to **NOTE 24** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on January 19, 26, and February 2, 2011.

The Board **NOTED** receipt of the 24 favorable reports.

MINUTES

Mayor's Office of Employment - Intergovernmental Agreement
Development (MOED)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an intergovernmental agreement with the Maryland State Department of Human Resources/Baltimore City Department of Social Services DHR/BCDSS. The period of the agreement is October 1, 2010 through September 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$636,430.00 - 5000-508811-6392-483200-405001

BACKGROUND/EXPLANATION:

The purpose of this agreement is to compensate MOED for providing an array of services to DHR/BCDSS Food Stamps customers to become gainfully employed. Eligible participants will be engaged and provided with services, which include career development, training, and ongoing personal support, culminating in employment and job retention services.

The agreement is late because additional time was required to reach a comprehensive understanding that was agreeable by both parties.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the intergovernmental agreement with the Maryland State Department of Human Resources/Baltimore City Department of Social Services.

MINUTES

Baltimore Development - Relocation Payment
Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve the relocation payment to Mr. Jimmie Drake.

AMOUNT OF MONEY AND SOURCE:

\$41,382.00 - 9910-903483-9601

BACKGROUND/EXPLANATION:

On April 17, 2008, the City obtained possession of 3306 Weedon Street through condemnation. As a result, Mr. Drake will relocate to an address in the Curtis Bay area of Baltimore City. 3306 Weedon Street is included in the Fairfield Urban Renewal Area and is included in the redevelopment of the Old Fairfield area. This is the final relocation needed for the redevelopment of this industrial area of the City in order to proceed.

The cost to relocate Mr. Drake is \$41,382.00. This amount includes rental assistance, moving and storage. The amount was provided by Diversified Property Services, the company with whom the BDC contracted to assist in the relocation process.

APPROVED FOR FUNDS BY FINANCE.

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTESBDC - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$41,382.00	9910-902483-9600	9910-903483-9601
22 nd EDF	Constr. Res.	S. Balto. Ind. &
	S. Balto Ind. &	Coml. Dev.
	Coml. Dev.	

This transfer will provide funds for payment of relocation expenses to Mr. Jimmie Drake, who resides at 3306 Weedon Street as part of the redevelopment efforts in the Fairfield Urban Renewal Area.

(FILE NO. 57198)

UPON MOTION duly made and seconded, the Board approved the relocation payment to Mr. Jimmie Drake. The transfer of funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

MINUTES

Baltimore Development Corporation - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with Downtown Sailing Center, Inc., (DSC) lessee, for leasing the City-owned riparian rights and submerged lands of approximately 0.869 acres located at 1407 Key Highway (leased area), known as the Fire Maintenance Site. The period of the agreement is April 18, 2011 through April 17, 2036.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - Annual Rent

BACKGROUND/EXPLANATION:

The DSC is a non-profit community sailing center that offers instruction and access to sailing without the cost of private ownership and boat maintenance. Its mission since 1994 is to make the joy of sailing accessible to everyone regardless of age, income, ability or disability. With over sixty boats, the DSC operates group and individual sailing programs, day camps, and racing for Baltimore City young people, people with disabilities (using specially adapted boats), and adults. Keeping its membership fees affordable, the DSC funds its operations with State and private foundation grants and private gifts.

Since 2000, the DSC has operated at the 1407 Key Highway site under various temporary agreements with the City. Operations at the leased area are connected to the larger DSC marina that is under a long-term lease with the Museum of Industry, located at 1415 Key Highway. In 2010, the DSC developed a plan to replace its older and dilapidated docks and piers in the leased area with new, more suitable and accessible floating docks and finger piers. Because the plan will require the DSC to solicit gifts or grants from a number of government, foundation, and private sources, the DSC has requested that the City enter into a long-term lease agreement.

MINUTES

BDC - cont'd

The new lease agreement will have a term of 25 years. The annual rent will be \$1.00 per annum. The lease will provide the DSC the right to develop the submerged lands and riparian area out to but not crossing the bulkhead line. The leased area will be used solely to support the DSC's non-profit activities. The DSC agrees to comply with the Key Highway Urban Renewal Plan and the Maritime Master Plan. The DSC agrees to permit the BDC and the Baltimore City Fire Department (BCFD) to review the construction plans and to work cooperatively with the BDC in any future redevelopment of 1407 Key Highway fast lands.

In the event, City-owned fire, marine police or the Department of Public Works boats, currently berthed at a federally owned pier immediately north of Fort McHenry or other berthing locations within the Inner Harbor, are required to move elsewhere, the DSC will reasonably provide space at its docks and piers in the leased area or other suitable areas in its marina. This space will be provided to the City at no charge.

The lease has been reviewed and executed by the Chief of the BCFD.

MBE/WBE PARTICIPATION:

IN ACCORDANCE WITH ARTICLE 5, SUBTITLE 28 OF THE BALTIMORE CITY CODE (2000 EDITION), THE ORGANIZATION HAS SIGNED THE COMMITMENT TO COMPLY WITH THE MINORITY AND WOMEN'S ENTERPRISE PROGRAM.

(FILE NO. 56400)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with Downtown

MINUTES

BDC - cont'd

Sailing Center, Inc., for leasing the City-owned riparian rights and submerged lands of approximately 0.869 acres located at 1407 Key Highway, known as the Fire Maintenance Site.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

448 - 450

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**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation (BDC)</u>		
1. \$ 4,641.25 M&CC	9911-903859-9600 Constr. Res. BDC Economic Dev.	9910-905852-9601 Economic Dev. Incentives
125.00 M&CC	9910-902483-9600 Constr. Res. S. Balto. Ind. & Coml. Dev.	9910-903483-9601 S. Balto. Ind. & Coml. Dev.
714.10	9910-904115-9600 M&CC Constr. Res. West Side Initiative	9910-905825-9603 West Side Downtown
706.00 M&CC	9910-904982-9600 Constr. Res. Coml. Rev. Program	9910-902879-9601 Coml. Rev.
194.18 M&CC	9910-905575-9600 Constr. Res. E. Balto. Ind. & Coml. Dev.	9910-906575-9601 E. Balto. Ind. & Coml. Dev.
7,875.00 21 st EDF	9910-902873-9600 Constr. Res. Brownsfield Incentive Fund	9910-903873-9601 Brownsfield Incentive Fund
1,825.00 21 st EDF	9910-905575-9600 Constr. Res. E. Balto. Ind. & Coml. Dev.	9910-902879-9601 Coml. Rev.
47,855.51 22 nd EDF	9910-902483-9600 Constr. Res. S. Balto. Ind. & Coml. Dev.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
BDC - cont'd		
11,274.55 22 nd EDF	9910-903354-9600 Constr. Res. W. Balto. Ind. & Coml. Dev.	9910-902879-9601 Coml. Rev.
10,697.00 22 nd EDF	9910-903354-9600 Constr. Res. W. Balto. Ind. & Coml. Dev.	9910-904354-9601 W. Balto. Ind. & Coml. Dev.
25,000.00 22 nd EDF	9910-904115-9600 Constr. Res. West Side Initiative	9910-905825-9603 West Side Downtown
10,655.48 22 nd EDF	9910-904982-9600 Constr. Res. Coml. Rev. Program	9910-902879-9601 Coml. Rev.
163.00 22 nd EDF	9910-905575-9600 Constr. Res. E. Balto. Ind. & Coml. Dev.	9910-906575-9601 E. Balto. Ind. & Coml. Dev.
<u>\$ 121,726.07</u>		

This transfer will provide funds to reimburse the BDC for eligible capital expenses for the month ending January 31, 2011.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>		
2. \$ 178,499.20	9950-903416-9507	
Federal	Constr. Res.	
	Hawkins Point	
	Road Bridge	
44,624.80	" "	
<u>MVR</u>		
\$ 223,124.00	-----	9950-902416-9506-3
		Design & Studies
		Hawkins Point Road
		Bridge

This transfer will provide funds to cover the cost associated with Change Order No. 1 for the consultant, Century Engineering, Inc., for design engineering services in connection with Hawkins Point Rd. Bridge.

MINUTES

Police Department - Amendment No. 1 to Grant Award Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution amendment no. 1 to grant award agreement with the Maryland Emergency Management Agency (MEMA). The amendment no. 1 to the grant award agreement extends the period of the award through April 30, 2012.

AMOUNT OF MONEY AND SOURCE:

(\$ 21,000.00)	-	4000-435410-2010-682411-600000	
		HS Education Program - Reduction	
150,000.00	-	4000-435410-2010-682422-600000	
		LInX Law Enforcement Exchange Network	
<u>\$129,000.00</u>	-	Net Change to Grant Award	

BACKGROUND/EXPLANATION:

On April 21, 2010, the Board approved a grant award agreement with MEMA for the FY09 Urban Area Security Initiative (UASI) grant program in the amount of \$2,237,397.00. The FFY 2009 UASI grant program was created to improve local, regional, and statewide emergency preparedness. Amendment No. 1 to the grant agreement reallocates UASI grant funding for High School Education Programs in the amount of \$21,000.00 to a new line item for LInX Law Enforcement Exchange Network. This amendment no. 1 to the grant agreement also provides a supplemental award of \$129,000.00 in new grant funds, also allocated to LInX Law Enforcement Exchange Network. The net change in the total award to Baltimore City will be an increase of \$129,000.00, for a total award of \$2,366,397.00.

APPROVED FOR FUNDS BY FINANCE**AUDITS NOTED THIS AMENDMENT.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 1 to the grant agreement with the Maryland Emergency Management Agency.

MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2010 through June 30, 2011, unless otherwise indicated.

1. **KENNEDY KRIEGER INSTITUTE, INC.** **\$129,375.00**
(KKI)

	<u># OF VISITS</u>	<u>COST PER VISIT</u>	
Initial Case Mgt.	90	\$250.00	\$ 22,500.00
Individualized Family Service Plan (annual)	90	\$137.50	\$ 12,375.00
On-going Case Mgt. (visits)	1,260	\$ 75.00	\$ 94,500.00

Account: 4000-428211-3080-294392-600000

The KKI will provide health-related early intervention/case management services for eligible patients in the Maryland Medical Assistance Program.

The agreement is late because it was recently finalized.

2. **UNIVERSITY OF MARYLAND, BALTIMORE** **\$126,250.00**
(UMB)

Initial Case Mgt.	150	\$250.00	\$ 37,500.00
Individualized Family Service Plan (annual)	100	\$137.50	\$ 13,750.00
On-going Case Mgt.	1,000	\$ 75.00	\$ 75,000.00

Account: 4000-428211-3080-294392-600000

MINUTES

Health Department - cont'd

The UMB will provide health-related early intervention/case management services for eligible patients referred by the Baltimore Infants and Toddlers Program.

The agreement is late because revisions were necessary which delayed its processing.

3. **THE PEOPLE'S COMMUNITY HEALTH CENTER, INC. (PCHC)** **\$ 47,150.00**

Account: 4000-424511-3023-274405-603051

The PCHC will provide services to increase the accessibility and availability of comprehensive, high quality HIV primary care services in the Baltimore metropolitan area. In addition, the PCHC will provide early treatment of infection and access to appropriate medical care, including antiretroviral therapies.

The agreement is late because the State AIDS Administration programmatically manages all Ryan White Part B services. Providers are selected through the Request for Proposal process. The Department prepares the agreements after receipt of an approved budget and scope of services and processes payments following approval.

MWBOO GRANTED A WAIVER.

4. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$ 75,937.00**

Account: 5000-522311-3030-272500-603051

The JHU will work as an Infertility Prevention Project Coordinator and serve as the MD State contact with the Region III Infertility Prevention Project in Philadelphia. This position consults with local health and private providers, provides support to adolescent STD programs, schedules training sessions, medical consultant events and annual meetings, and assists with data analysis and reporting.

MWBOO GRANTED A WAIVER.

MINUTES

Health Department - cont'd

The agreement is late because of changes to the budget accounting system.

5. **GOVANS CENTER FOR RETIRED PERSONS, INC.** \$ 53,068.00

Account: 4000-433511-3024-268404-603054

6. **ALLEN CENTER BOARD, INC.** \$ 57,563.00

Account: 4000-433511-3024-268401-603051

The Govans Center for Retired Persons, Inc. and the Allen Center Board, Inc. will each operate a senior program, which will serve as the community focal point for seniors and their caregivers. The services to be provided will include, but will not be limited to transportation, social, recreational, and educational programs, information and assistance, and outreach and wellness programs. The period of the agreement is October 1, 2010 through September 30, 2011.

The agreements are late because of the transition between the Department and the Commission on Aging and Retirement Education and additional time was required for the grant approval.

MWBOO GRANTED A WAIVER.

7. **DENISE D. HAMMOND, R.N.** \$45.00 per case \$ 81,000.00
per month

Account: 4000-426211-3041-268600-603018

Ms. Hammond will work as an Individual Case Monitor. She will establish a plan of personal care for each eligible recipient assigned to her, review and/or revise the plan at least once every 90 days or more often, if necessary and supervise the personal care providers. Ms. Hammond will make home visits as often as the Department's Nurse Supervisor determines to be necessary, but not less than every 90 days. The period of the agreement is December 1, 2010 through June 30, 2011.

MINUTES

Health Department - cont'd

The agreement is late because it was requested late in the fiscal year and was recently completed.

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. The President **ABSTAINED** on item no. 4.

MINUTES

Health Department - Grant Award Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorization execution of a FY 2011 Weinberg Foundation grant award agreement with the Maryland Department of Aging (MDoA). The period of the grant award agreement is July 1, 2010 through June 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$27,024.00 - 5000-532911-3044-273300-603026

BACKGROUND/EXPLANATION:

This agreement will allow the Department to receive State allocations for FY11 Weinberg Foundation funds from the MDoA. Under the terms of this award the Department will manage training sessions for the Chronic Disease Self-Management Program and Diabetes Self-Management Program. The training sessions will teach seniors/volunteers appropriate techniques to help participants deal with problems such as nutrition, diabetes, hypertension, pain management, and the appropriate exercise techniques by maintaining and improving strength, flexibility and endurance.

The grant award agreement is late because it was recently received from the MDoA.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the FY 2011 Weinberg Foundation grant award agreement with the Maryland Department of Aging.

MINUTES

Health Department - Grant Award Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the grant award agreement with the Department of Health and Human Services, Centers for Disease Control and Prevention. The period of the grant award agreement is January 1, 2011 through December 31, 2011.

AMOUNT OF MONEY AND SOURCE:

\$345,116.00 - 4000-422111-3030-271400-404001

BACKGROUND/EXPLANATION:

Under the terms of the grant award agreement, the Department will use the funds to support the project entitled "Tuberculosis Prevention and Control Cooperative". The Department will provide medical care and treatment for active and latent TB patients and conduct contact investigations. In addition, the funds will be used for staff, radiology services, and clinician salaries.

The grant award agreement is late because it was recently received.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant award agreement with the Department of Health and Human Services, Centers for Disease Control and Prevention.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Condemnation</u>			
1. American Tax Lien Realty, LLC	1121 McDonogh St.	L/H	\$ 9,870.00

Funds are available in Account No. 9910-906416-9588-900000-704040, EBDI Project Phase II.

Law Department - Condemnations and Payments of Settlements

2. Skyline 2, LP (previous owner)	1723 E. Biddle St.	F/S	\$38,000.00
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Funds are available in Account No. 9910-906416-9588-900000-704040, EBDI Project Phase II.

On March 4, 2009, the Board of Estimates approved acquisition by condemnation of the fee simple interest in the property located at 1723 E. Biddle Street. On May 11, 2009, the City filed a regular condemnation suit to acquire the fee simple property interest for \$54,000.00. The previous owner demanded \$150,000.00 as the value of the property interest. The parties settled the case for \$92,000.00. The Board is requested to approve an additional \$38,000.00; the difference between the previous approval of \$54,000.00 and the total settlement of \$92,000.00.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Law Dept. - Condemnations and Payments of Settlements - cont'd</u>			
3. Skyline 6, LLC (previous owner)	930 N. Chester St.	F/S	\$ 19,000.00

Funds are available in Account No. 9910-906416-9588-900000-704040, EBDI Project Phase II.

On March 25, 2009, the Board approved acquisition by condemnation of the fee simple interest in the property located at 930 N. Chester Street. On December 29, 2009, the City filed a regular condemnation suit to acquire the fee simple property interest for \$44,000.00. The previous owner demanded \$121,000.00 as the value of the property interest and filed a counterclaim for damages in the amount of \$300,000.00. The parties settled the case for \$63,000.00. The Board is requested to approve an additional \$19,000.00; the difference between the previous approval of \$44,000.00 and the total settlement of \$63,000.00.

(FILE NO. 56017)

UPON MOTION duly made and seconded, the Board approved the condemnation and the condemnations and payments of settlements.

MINUTES

Department of Housing and - HOME Investment Partnership Loan
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a HOME Investment Partnerships Program (HOME) loan to Coppin Heights Community Development Corporation (CDC), (the Borrower). The Board is also requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

<u>SOURCES</u>		<u>USES</u>	
HUD HBCU Grant	\$179,393.00	Construction Costs	\$589,621.00
Home Buyer Sales	390,000.00	Professional Fees	66,000.00
HOME Funds	120,000.00	Financing Fees	27,200.00
Deferred Developer Fee	58,152.00	Developer Fees	64,724.00
Total	\$747,545.00	Total	\$747,545.00

Account: 9910-905094-9610

BACKGROUND/EXPLANATION:

The HOME loan will not exceed \$120,000.00. The loan funds will be used to support a portion of the hard construction costs of the Coppin Heights Homeownership Project located at 2777 - 2781 West North Avenue, and will be secured in a second lien position during the construction period.

The Coppin Heights Homeownership Project will involve the construction of two new townhomes on vacant lots located at 2779 and 2781 W. North Avenue and a substantial rehabilitation of an existing vacant row house located at 2777 W. North Avenue. All three of these units will be for-sale townhomes to be sold to first time homebuyers with incomes at or below 80% of area median income. The developer, Coppin Heights CDC is a Certified Housing Development Organization (CHDO) and non-profit organization established in February 2, 1995, to assist in the revitalization of the Coppin Heights community.

MINUTES

DHCD - cont'd

The two-story townhomes will have gross square footages as follows:

2777 W. North Avenue - 1,640 square feet
2779 W. North Avenue - 1,116 square feet
2781 W. North Avenue - 1,284 square feet

These townhomes will sell for approximately \$125,000.00 - \$130,000.00.

An appraisal was prepared on November 13, 2010, by Paul Lee & Associates for Coppin Heights CDC, the construction lender. The as completed value was determined to be \$130,000.00 for 2777 W. North Avenue, \$135,000.00 for 2779 W. North Avenue and \$140,000.00 for 2781 W. North Avenue.

Participating Parties:

A. Developer

Coppin Heights CDC will be the owner and developer of the project.

B. General Contractor/Architect

Harris Kupfer Architects will function as the architect and The Michael's Group will function as the general contractor. The general contractor will be requested to post a 100% Payment and Performance Bond.

C. Participating Lenders

Coppin Heights CDC Equity (revolving construction loan) -
Construction 1st lien position

The developer will contribute cash and HUD grant funds during the construction period as required to cover hard and soft costs of the project. The terms and conditions of disbursement will be defined in the HOME loan security instruments and project draw schedule. A HUD HBCU grant has already been disbursed. The Coppin Heights CDC will

MINUTES

DHCD - cont'd

establish a revolving loan fund, funded by its own equity, in the amount of \$300,000.00 to construct the project. The Borrower will borrow the funds from the revolving loan fund to construct each house and pay back such loan upon the sale of each unit from the proceeds of the sale.

Baltimore City HOME Loan - Construction 2nd lien position

The City's HOME Loan will have a construction period of twelve (12) months and an interest rate of zero percent (0%) per annum on sums advanced. As the units are sold to qualified buyers, each Buyer will assume a portion of the obligations of the borrower and the borrower will be released from the same portion of the construction loan. The Buyer's Proportionate Share will be evidenced by a promissory note and other security instruments and structured as an unsecured deferred loan. If each Buyer complies with all applicable terms and covenants of the loan documents for a 15 year period of affordability, the payment of the outstanding principal will be forgiven.

In the event a conveyance occurs during the "period of affordability", such Buyer will immediately repay the Department all or a portion of its loan out of net proceeds. The HOME loan will be non-recourse debt. The Department will be entitled to a fifty percent (50%) share of any and all excess sales proceeds after the developer (i) earns no more than 10% in profit and overhead based on a cost certification, and (ii) is reimbursed for documented predevelopment overhead on the project for such items, in such amounts and for such periods as are approved by the DHCD.

MBE/WBE PARTICIPATION:

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

MINUTES

DHCD - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 120,000.00	9910-926010-9609	9910-905094-9610
Federal	Reserve Account	Coppin Heights
HOME FY 2010	HOME FY 2010	Housing

This transfer will provide HOME funds to Coppin Heights CDC for the construction of Coppin Heights Housing project.

(FILE NO. 57026)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the a HOME Investment Partnerships Program loan to Coppin Heights Community Development Corporation. The Board also authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval by the Department of Law. The transfer of funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. The Comptroller **ABSTAINED**.

MINUTES

Department of Housing and - HOME Loan
Community Development (DHCD)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a HOME Investment Partnerships Program loan to the Dayspring Program, Inc. (Dayspring). The Board is also requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

<u>SOURCES</u>		<u>USES</u>	
NCB Capital Impact	\$ 2,700,000.00	Acquisition	\$ 25,000.00
		Hard Costs -	
New Markets Tax Credit	2,340,000.00	Rehab	3,125,000.00
Historic Tax Credits	1,085,000.00	Hard Costs -	
		New	3,125,000.00
Contributed Developer	1,390,000.00	Contingency	560,000.00
Fee			
Harbor Bank Loan/State		Developer's	
Shelter Grant	1,000,000.00	Fee	1,625,000.00
Baltimore City HOME	350,000.00	Soft Costs	<u>2,305,000.00</u>
Bridge Loan - PNC -	500,000.00		
Weinberg Grant			
Weinberg Grant -			
unleveraged funds	350,000.00		
Abell Foundation	250,000.00		
France Merrick			
Foundation	250,000.00		
State of Maryland/Bond			
Bill	200,000.00		
Baltimore Development			
Corp.	150,000.00		
Macht Foundation	25,000.00		
Citi Foundation	45,000.00		
CDA Community Legacy	30,000.00		
Enterprise Foundation	25,000.00		
MD Affordable Housing	<u>75,000.00</u>		
Trust			
TOTAL	\$10,765,000.00	TOTAL	\$10,765,000.00

Account 9910-915073-9610

MINUTES

DHCD - cont'd

BACKGROUND/EXPLANATION:

The HOME loan will be in an amount not to exceed \$350,000.00 and will be required to be spent on the hard costs of the construction/rehabilitation of certain residential rental units. The property is located at 1125 N. Patterson Park Avenue, which includes an open lot. Dayspring Square will be a historic renovation/restoration of a long-vacant structure and the construction of a new building on the adjacent open lot. When complete, the existing building and the new building will contain a multi-purpose center that will house a new, 5,000 square foot state-of-the-art Head Start Center, an approximately 5,000 square foot office and program space for the Dayspring program, 22 supportive housing units, parking, and a playground (collectively, the Development). Using a combination of Historic Tax Credits and New Market Tax Credits, grants from various foundations, short-term loans, and the proceeds of loans from the City and the State funding, the development team is proposing to redevelop the approximately 42,000 square feet of usable space that will be created following renovation/construction.

The proceeds of the City loan will finance a portion of the hard costs of the supportive housing (Rental Project). Of the Rental Project, 17 are expected to be two-bedroom units and five are expected to be three-bedroom units and each of the units will remain affordable to individuals earning less than 50% of area median income, adjusted for family size.

Because of the complicated financing structure that is required by the use of Historic Tax Credits plus the New Market Tax Credits in this transaction, the proceeds of the City loan will be disbursed to Dayspring, who will then make the proceeds of the City loan available to the Owner, who will own the Development. To secure the City loan, the Owner will execute a mutually acceptable and legally sufficient guaranty (the Guaranty). The Owner will also grant to the City a subordinate Lien Indemnity Deed of Trust (IDOT) to secure the Guaranty and

MINUTES

DHCD - cont'd

ensure that the Owner complies with the HOME program restrictions and other requirements of the City loan. At the end of the recapture period of the New Market Tax Credits, the Borrower will ensure that the City loan continues to be secured by a lien on real property or with other collateral whose appraised value is not less than the outstanding principal and interest on the City loan, such as a letter of credit. The City agrees that to the extent the Borrower arranges for permanent financing of the Rental Project at the end of the seven-year period in which the New Markets Tax Credits can be recaptured, the payment of the City loan and the terms, conditions and lien of the City's mortgage, if any, will be subordinate to the terms, conditions and lien of any mortgage securing any component of such permanent financing, and City agrees to enter into a commercially reasonable subordination agreement and standstill agreement with any such permanent lender.

In order to gain maximum leverage of the New Markets Tax Credits, certain funds will be aggregated with a leverage fund (the Leverage Fund) associated with U.S. Bancorp Community Development Corporation (USB CDC). The Leverage Fund will in turn use these funds to make a Qualified Equity Investment into a Community Development Entity (the CDE) associated with NCB Capital Impact, a non-profit community development organization, which in turn will make a Qualified Low Income Community Investment (QLICI) into the Owner.

The Borrower and the Owner will represent and warrant that the proceeds of the City loan will be used only for hard costs of constructing the Rental Project (Approved Construction Costs) in accordance with an approved development budget and draw schedule, both to be reviewed and approved by the City prior to the closing of the City Loan. To the extent the Borrower makes any draw requests to the CDE to obtain disbursement of the QLICI, a copy of such request will also be submitted to the City. Following the completion of construction, the Borrower will submit a written certification as to the final Approved Construction Costs funded by the proceeds of the City loan.

MINUTES

DHCD - cont'd

An appraisal was prepared on June 23, 2010, by Lipman Frizzell & Mitchell LLC. The prospective market value of the Project upon completion and stabilization, based on Section 8 rents, was determined to be \$3,950,000.00.

PARTICIPATING PARTIES

- A. Developer and Borrower: Dayspring Programs, Inc. (Dayspring) will be the borrower of the City Loan but will then make an equity contribution of such funds to the Owner. Dayspring has been approved as a "Community Housing Development Organization" under the HOME Program. Dayspring will also be the developer of the Development and has retained the Historic East Baltimore Community Action Coalition as a development consultant.
- B. Owner and Guarantor: 1125 North Patterson Park LLC (the Owner), a subsidiary of Dayspring will own the Development and the property. The Owner will guaranty the City Loan. The membership interests of the Owner are expected to be owned as follows: .01% by the managing member entity and 99.99% by a programs management entity, both such entities to be owned and operated by Dayspring.
- C. General Contractor/Architect: The general contractor will be A.R. Marani, Inc. The project architect will be Hord Coplan Macht. The City Loan will be used solely to finance a portion of the hard construction costs of the Rental Project.
- D. City Loan: The City loan will have the following terms. Interest will accrue at one percent annually and the loan will have a maturity of 20 years following construction completion (the Maturity Date). No payments will be due and interest will not accrue during the construction period. During the twenty-year period following construction completion, payments of interest only will be due monthly. All principal and interest owed will be due at the Maturity Date. Following the completion of construction the Borrower will submit a written certification as to the costs funded by the City Loan.

MINUTES

DHCD - cont'd

The City loan will be primarily secured by the Guaranty and the IDOT. At closing, the IDOT is expected to be subordinate to various liens, including the liens securing the QLICI. The Borrower has agreed that at the end of the Recapture Period, the Borrower will secure the City Loan by either continuing the subordinate lien on the Development or providing other collateral, such as a letter of credit. Sale or refinancing of the Development without the consent of the City will be an event of default and the principal amount of the City loan plus any and all outstanding interest owed will be immediately due.

- E. Participating Financing: Leverage Fund and CDE: As described above, the Leverage Fund will be controlled by USB CDC. The Leverage Fund aggregates various financing sources in order to leverage additional New Markets Tax Credit equity. A CDE receives the allocation of New Markets Tax Credits from the Federal treasury and makes the direct investment into the Project.

MBE/WBE PARTICIPATION:

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

APPROVED FOR FUNDS BY FINANCE

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 350,000.00	9910-926010-9609	9910-915073-9610
Federal	Reserve Account	Dayspring Square
HOME FY 2010		

This transfer will provide HOME funds for the historic

MINUTES

DHCD - cont'd

renovation and restoration of a long-vacant structure and the construction of a new building on the adjacent open lot known as Dayspring Square.

A LETTER OF PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY BUSINESS ASSOCIATION FOR 1) THE DAYSPRING PROGRAM, INC., 2) THE M ON MADISON LP (pages 471 - 476) AND 3) THE BALTIMORE SUN (page 503, item no. 12).

ON FEBRUARY 16, 2011, CORRESPONDENCE WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATIONS, INC. WITHDRAWING ITS PROTEST ON THE DAYSPRING PROGRAM, INC.

(FILE NO. 56411)

President: "Madam Mayor."

Mayor: "Yes thank you. Thank you very much Mr. Chair. Today the Board has approved a loan to support the construction of the Dayspring Center. I want to thank our Housing Commissioner Graziano and Reggie Scriber and his staff, for helping Dayspring to find a property they could use for their important work in East Baltimore. The new offices for Head Start will be there as well as affordable housing units will be located at the -- at Dayspring, and these will be built in a currently vacant building on North Patterson Park Avenue. It has been a significant source of blight for that community and it will be removed with this new project, and it will help individuals and families in that community get the support that they need. So, I consider that a win-win-win. So, I just wanted to acknowledge

MINUTES

DHCD - cont'd

the hard work and the cooperation of my team as well as the community to move this forward."

* * * * *

UPON MOTION duly made and seconded, the Board approved and authorized execution of the HOME Investment Partnerships Program loan to the Dayspring Program, Inc. The Board also authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval by the Department of Law. The transfer of funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. The President **ABSTAINED**.

MINUTES

Department of Housing and - HOME Loan
Community Development (DHCD)

ACTION REQUESTED OF B/E

The Board is requested to approve and authorize execution of a HOME Investment Partnerships Program (HOME) loan to M on Madison LP (the Borrower). The Board is also requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

<u>SOURCES</u>		<u>USES</u>	
Howard Bank	\$ 2,300,000.00	Acquisition	\$ 1,800,000.00
MD DHCD RHF	4,000,000.00	Construction	10,176,468.00
HOME	1,330,000.00	Construction Fees	1,166,195.00
LIHTC	8,837,416.00	Financing Fees	725,997.00
Deferred	164,164.00	Syndication	82,137.00
Developer Fee		Guarantee/Reserves	848,020.00
		Developer Fees	1,832,763.00
TOTAL	\$ 16,631,580.00	TOTAL	\$16,631,580.00

Account: 9910-907093-9610

BACKGROUND/EXPLANATION:

The HOME loan will be in an amount not to exceed \$1,330,000.00. The loan funds will be used to support a portion of the hard construction costs of the M on Madison Apartments located at 301 W. Madison Street. The M on Madison Apartments will involve the acquisition of a 0.51 acre lot and construction of a 74 unit mid-rise apartment building located on the corner of Howard and Madison Streets in the Mt. Vernon Historic District. In addition to the gross leasable area, the proposed development will feature 25 surface parking lot spaces, a community room, an

MINUTES

DHCD - cont'd

exercise room, a business center and an on-site management office. The building will be constructed to meet LEED Silver standards and will contain a green roof, terrace, and Energy Star appliances. The tenants will also benefit from several amenities, such as a dishwasher, and washer and dryer included within their units. In addition, individual case management and adult education programs will be provided at no cost and a portion of the cost of high-speed internet services provided in all units will be subsidized. In 2007, the developer, HTA Development, LLC, successfully completed the rehabilitation of the Holly Lane Apartments, a 170 unit garden style apartment complex, using HOME funds.

Upon completion of the construction, there will be one efficiency unit, 58 one-bedroom, and 15 two-bedroom units. One hundred percent of the project's units will be affordable to families with incomes at or below 60% AMI for 40 years. The Borrower will provide 23 units for Non-Elderly Persons with Disabilities (the NED Units) that are affordable and reserved for not less than 15 years in accordance with and meeting the requirements of the Bailey Consent Decree. The term NED means a household that meets the following criteria: (i) whose sole member, head of household, or head of household's spouse has a disability and is under age 62; (ii) which is eligible for a one-bedroom public housing unit or for a two-bedroom public housing unit because a second bedroom is needed for disability-related reasons; and (iii) which is on the HABC waiting list for public or Section 8 subsidized housing. The Department intends to provide rent subsidy in the form of Project-Based Housing Choice Vouchers for the NED units RCDH & Co. of Maryland, LLS prepared an appraisal, dated October 20, 2010 for the permanent first lender. The estimated market value of the subject property as if completed and stabilized at restricted rents with consideration to the tax credits is \$15,810,000.00. The appraised value is below the total development cost of the project which is common for transactions involving LIHTC,

MINUTES

DHCD - cont'd

subsidized rents and preferred governmental financing. The LIHTC provides equity and is not considered as long-term debt to the property. The rents are considered restricted because they are supported with financing that requires long-term income and rent restrictions. As a result, the rent levels are set below the market rate thereby decreasing the property's appraised value. Gap financing, such as the HOME loan and the other governmental sources are in place in order to allow for continuing affordability. The appraised value meets the underwriting standards for the must-pay permanent superior mortgage. The DHCD is comfortable with recommending the City loan as described under these circumstances.

Participating Parties:

A. Owner/Developer

M on Madison, LP, will be the borrower of record; HTA Development, LLC will act as the Developer.

B. General Contractor/Architect:

Hamel Builders Inc. will act as general contractor. Peter Fillat Architects, a city certified MBE, will provide architectural services.

C. Participating Lenders:

Howard Bank - Construction/Permanent 1st lien position

The interest rate during both the construction loan and permanent loan periods will be 7.4%. Interest only payments will be charged during the construction term of 24 months. During the permanent loan period, payments of principal and interest will be amortized on a 35 year schedule and the loan will be due and payable 15 years after construction completion.

MD DHCD RHPP Program - Construction/Permanent 2nd lien position

The MD DHCD will make a loan from its RHPP program to fund permitted development costs. During the permanent loan period the loan will carry an interest rate of 4% which may be

MINUTES

DHCD - cont'd

adjusted downward prior to loan settlement; no interest will be charged during the construction period. During the permanent period, the loan will be amortized on a 40 year term with payments made from available surplus cash flow. All outstanding principal balance and any deferred and accrued interest is due and payable on the Maturity Date.

Baltimore City HOME Program - Construction/Permanent 3rd lien position

During the permanent loan period the loan will carry an interest rate of 1%, no interest will be charged during the construction period. During the permanent period, the loan will be amortized on a 40 year term with payments made from available surplus cash flow. All outstanding principal and any deferred and accrued interest is due and payable on the HOME Maturity Date. The Period of Affordability, the term of rent and income restrictions required by the HOME program, will be 20 years. The HOME Loan will be long-term, subordinate, non-recourse debt.

MBE/WBE PARTICIPATION:

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

APPROVED FOR FUNDS BY FINANCE

MINUTES

DHCD - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,330,000.00	9910-926010-9609	9910-907093-9610
Federal	Reserve Account	M on Madison
HOME FY 2010	HOME FY 2010	Apartments

This transfer will provide HOME funds to M on Madison, LP for the acquisition and construction of a mid -rise apartment building.

(FILE NO. 57215)

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

Deputy Comptroller: "We also received a protest for pages 35 to 38 which is the HOME Loan for the M on Madison, and that protest was received from the Maryland Minority Contractors Association, Inc. Is there any one present to speak on behalf of the protest for pages 35 through 38 HOME Loan for the M on Madison? (No responses) As there is no one present, that item will remain on the routine agenda."

UPON MOTION duly made and seconded, the Board approved and authorized execution of a HOME Investment Partnerships Program loan to M on Madison LP. The Board also authorized the Commis-

MINUTES

DHCD - cont'd

sioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

MINUTES

Department of Housing and - Loan Subordinations
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to note receipt of the quarterly report from the Department of Housing and Community Development for the period September 2010 through December 2010 outlining loan subordination requests from homeowners.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On February 23, 2005, the Board approved a Loan Subordination Policy from the Department. Under this policy, the Department was given authority to execute subordination agreements for homeowners seeking to refinance first mortgages provided the owner received no cash out from the refinance.

The Finance Review Committee reviewed and approved ten subordination agreements during this past quarter. This allows the City's second lien position to remain unchanged.

All other requests from homeowners for equity withdrawal when refinancing are presented to the Board and the Director of Finance for approval, as per the policy previously approved by the Board.

(FILE NO. 57077)

UPON MOTION duly made and seconded, the Board approved and **NOTED** receipt of the quarterly report from the Department of Housing and Community Development for the period September 2010 through December 2010.

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. 907 W. 36 th Street	Ghulam Nabi & Sons, LLC.	Retain one awning with signage, two flat signs, four floures- cent tubes
Annual Charge: \$451.75		
2. 1500 W. Fayette St.	Franklin Square Housing Limited Partnership	One flat sign 12.5' x 8'
Annual Charge: \$140.00		

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

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

MINUTES

Department of General Services - Sub-grant Agreements

The Board is requested to approve and authorize execution of the sub-grant agreements with the various community non-profit organizations. The period of the agreement is effective upon Board approval for one year.

- | | | |
|----|--|-------------|
| 1. | THE VESTRY OF EMMANUEL CHURCH,
BALTIMORE (D/B/A/ EMMANUEL
EPISCOPAL CHURCH) | \$ 4,840.00 |
| 2. | WOMAN'S INDUSTRIAL EXCHANGE OF
BALTIMORE CITY | \$ 2,750.00 |
| 3. | ST. JOHNS METHODIST CHURCH OF
BALTIMORE (D/B/A/ ST. JOHNS' OF
BALTIMORE CITY UNITED METHODIST
CHURCH) | \$ 3,465.00 |
| 4. | ST. FRANCIS OF ASSISI ROMAN CATHOLIC
CONGREGATION, INC. (D/B/A ST.
FRANCIS OF ASSISI) | \$ 9,785.00 |
| 5. | JUBILEE BALTIMORE, INC. | \$ 600.00 |
| 6. | ASSOCIATED CATHOLIC CHARITIES, INC. | \$ 7,854.00 |
| 7. | UNITY PROPERTIES, INC. | \$ 7,700.00 |
| 8. | ST. AMBROSE HOUSING AID CENTER, INC. | \$ 2,530.00 |

MINUTES

Department of General Services - cont'd

9.	BALTIMORE CHILD ABUSE CENTER, INC.	\$ 5,264.00
10.	BALTIMORE THEATER PROJECT, INC.	\$ 1,210.00
11.	FOUNDATION FOR BALTIMORE LEADERSHIP SCHOOL FOR YOUNG WOMEN	\$10,725.00
12.	GILMAN SCHOOL, INC.	\$ 8,800.00
13.	MT. LEBANON BAPTIST CHURCH OF BALTIMORE CITY, INC.	\$ 7,700.00
14.	NORTHWOOD APPOLD COMMUNITY. ACADEMY, INC.	\$ 5,280.00
15.	PATTERSON PARK PUBLIC CHARTER. SCHOOL, INC	\$13,310.00
16.	PRISONERS AID ASSOCIATION OF. MARYLAND, INC	\$ 655.00
17.	SOCIETY FOR THE PRESERVATION OF FEDERAL HILL AND FELL'S POINT, INC.	\$ 3,955.00

Account: 9916-913900-9197-910013-703032

The Department has received an award under the Energy Efficient and Conservation Block Grant Program from the U.S. Department of Energy.

Under the terms of the grant award agreements the community non-profits will conduct energy audits at its facilities. The non-profits will hire professional auditors to study, evaluate and prioritize energy savings upgrades and retrofits the buildings.

MINUTES

Department of General Services - cont'd

These recommendations can then be used as documentation in subsequent grant applications for the funds to implement such improvements.

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 sub-grant agreements with the various community non-profit organizations.

MINUTES

Department of Transportation - Amendment No. 1 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Rummel, Klepper & Kahl, LLP (RK&K), for Project No. 1074, On-Call Consultant Services for Reconstruction, Rehabilitation and/or Resurfacing Project. The amendment no. 1 extends the agreement through April 30, 2012.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On April 30, 2008, the Board approved the original agreement in the amount of \$2,000,000.00 with the RK&K, to provide engineering design services for a three-year period.

The Department of Transportation is requesting a one-year time extension under amendment no. 1, to permit the completion of various ongoing design tasks. All other terms and conditions of the agreement will remain unchanged.

MBE/WBE PARTICIPATION:

The RK&K will continue to adhere to the established goals of 21% MBE and 7% WBE.

AUDITS NOTED THIS NO-COST TIME EXTENSION AND WILL REVIEW TASK ASSIGNMENTS.

(FILE NO. 57079)

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

MINUTES

Department of Transportation - cont'd

Kahl, LLP, Project No. 1074, On-Call Consultant Services for
Reconstruction, Rehabilitation and/or Resurfacing Project.

MINUTES

PROPOSALS AND SPECIFICATIONS

1. Department of Transportation - TR 05032, Reconstruction of Newkirk Street Reconstruction from Keith Avenue to Boston Street
BIDS TO BE RECV'D: 3/30/2011
BIDS TO BE OPENED: 3/30/2011

2. Department of Recreation and Parks - RP 11812, Baltimore Playlot Project-FY'10
BIDS TO BE RECV'D: 03/23/2011
BIDS TO BE OPENED: 03/23/2011

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

MINUTES

Department of Transportation (DOT) - Special Event
Equipment Fees

ACTION REQUESTED OF B/E:

The Board is requested to approve fees for the rental of equipment from the DOT for use at special events and other community functions. The Board is also requested to permit the Director of Transportation, in consultation with the Director of General Services and the Director of Finance, to establish a security deposit and form of payment for the same, not to exceed the value of the equipment to be used; and issue guidelines for the use of City equipment. This policy will take effect for any event scheduled on or after April 15, 2011.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On November 3, 2010, the Board approved a fee schedule for event permits for block parties, fairs and festivals and other special events. The approval applied only to the event permit application fee charged by the Department of General Services, but did not specify the fees for use and delivery of particular equipment types. Subject to the approval of each permit, the DOT is responsible for providing equipment such as stages, food and display booths, picket fencing, bicycle racks, etc. for use by community organizations, event promoters, and others.

Under current fees and policies, where a community organization wanted to use 5 carnival/food booths, it would pay an equipment fee of \$10.00 per booth, a travel charge of \$20.00, and labor costs of at least \$240.00, although more typically in the range of \$500.00 to \$1,000.00 for mid-sized events. Pursuant to the approved policy of November 3, 2010, the fees are then discounted by 50% for all non-profit organizations. Due to the

MINUTES

DOT - cont'd

discount, community organizations frequently order more equipment than is needed, and many organizations also seek fee waivers. Though providing equipment for special events is not a core function of the DOT and in light of current budget pressures, the DOT can no longer sustain the costs of these services absent either an increase in fees or a change in the model for delivering services.

In consultation with the Mayor's Office of Neighborhoods, Baltimore Office of Promotion and the Arts, and frequent community event organizers, the DOT has restructured its service delivery model in a manner that will reduce charges for smaller, community-based events. Community organizations will be permitted to pick-up smaller equipment directly from the DOT's Special Events Division, which will supply large, sturdy tents instead of heavy wooden booths.

While an application fee will still be charged and a security deposit required, no rental fees will be charged for basic equipment. This will save the DOT a considerable amount of staff time and a significant amount of money for community organization.

Additionally, for large events such as Artscape, the Baltimore Book Festival, ethnic festivals, etc., one of the DOT's major costs is the installation of electrical wiring throughout the entire event site. Deployment for these can cost between \$25,000.00 and \$400,000.00 in labor, supplies and materials. Under the DOT's new service model, portable electrical generators will be used to supply necessary electrical services. Again, significant cost savings will occur both for the event organizer and for the DOT.

Finally, except as provided below, rather than multiple charges for equipment rental, delivery and set-up, travel, etc., the DOT proposes a single, all encompassing fee per piece of equipment.

MINUTES

DOT - cont'd

The Board is requested to approve the following fees:

Service	Per Unit Fee (before discount)
Supply tent in lieu of carnival or food booth	Free, up to 10 tents per event, when picked up directly from the DOT. For the rental of 11 or more tents, \$50.00 per tent. A Security deposit will be required.
Tent delivery charge	\$250.00
Supply and deliver 8 x 8' or 12' x 12' stage	\$250.00
Supply and deliver 16' x 16' stage	\$325.00
Supply and deliver 18' x 24' stage	\$400.00
Supply and deliver 30' x 40' steel stage	\$2,000.00
Supply and deliver 4' x 8' wooden upright panel	\$50.00*
Supply and deliver 4' x 8' x 6" tall riser	\$50.00*
Bicycle Rack	\$150.00 (per ten, minimum ten)
Fencing (10' section)	\$50.00 per 10' section (minimum ten)
Electrical generator	\$100.00 per generator, per day or fraction thereof** (minimum 5 generators)
Electrical services other than for generators (labor and material, included)	\$70.00 per hour (minimum 4 hours)

*These services can only be supplied when tents and/or stages are also requested.

** Includes refueling and overnight security, where deemed necessary by the Director of the DOT.

MINUTES

DOT - cont'd

UPON MOTION duly made and seconded, the Board approved the fees for the rental of equipment from the DOT for use at special events and other community functions. The Board also authorized the Director of Transportation, in consultation with the Director of General Services and the Director of Finance, to establish a security deposit and form of payment for the same, not to exceed the value of the equipment to be used; and issue guidelines for the use of City equipment. This policy will take effect for any event scheduled on or after April 15, 2011.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

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

490

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

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

- | | | |
|-------------------------------------|-------------------------------|--------------|
| 1. B50001701, Pest Control Services | AB&B Termite and Pest Control | \$ 80,000.00 |
|-------------------------------------|-------------------------------|--------------|

MWBOO GRANTED A WAIVER.

- | | | |
|--|----------------------------|--------------|
| 2. B50001786, Various Type K - Copper Tubing | Ferguson Enterprises, Inc. | \$151,000.00 |
|--|----------------------------|--------------|

MWBOO GRANTED A WAIVER.

- | | | | | | | | | | | |
|--------------------------------|---|-------------------|---------------------|---------------------|--------------|------------|--|--------------------------------|--------------|--|
| 3. B50001782, Hazmat Trailers | <table border="0"> <tr> <td style="border-bottom: 1px solid black;">Item Nos. 2 and 3</td> <td style="text-align: right; vertical-align: bottom;">\$ 50,705.84</td> </tr> <tr> <td>The Hitch Man, Inc.</td> <td style="text-align: right;">\$ 39,483.84</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Item No. 1</td> <td></td> </tr> <tr> <td>Four Acres Trailer Sales, Inc.</td> <td style="text-align: right;">\$ 11,222.00</td> </tr> </table> | Item Nos. 2 and 3 | \$ 50,705.84 | The Hitch Man, Inc. | \$ 39,483.84 | Item No. 1 | | Four Acres Trailer Sales, Inc. | \$ 11,222.00 | |
| Item Nos. 2 and 3 | \$ 50,705.84 | | | | | | | | | |
| The Hitch Man, Inc. | \$ 39,483.84 | | | | | | | | | |
| Item No. 1 | | | | | | | | | | |
| Four Acres Trailer Sales, Inc. | \$ 11,222.00 | | | | | | | | | |

MWBOO GRANTED A WAIVER.

- | | |
|--|---|
| 4. B50001611, Towing Management Services | <p>REJECTION - On September 15, 2010, one proposal was received and opened. The Department of Transportation has determined that it is in the City's best interest to continue to perform this function with City personnel.</p> |
|--|---|

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:

492 - 493

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The President **ABSTAINED** on item nos. 8-12.

MINUTES

EXTRA WORK ORDERS

<u>Contract</u>	<u>Prev. Apprvd.</u>	<u>Contractor</u>	<u>Time</u>	<u>%</u>
<u>Awd. Amt.</u>	<u>Extra Work</u>		<u>Ext.</u>	<u>Compl.</u>
<u>Department of General Services</u>				
1. EWO #021, \$30,995.00 - PB 08820R, Fallsway Housing & Service Center				
\$6,937,000.00	\$784,218.38	Roy Kirby & Sons, Inc.	-	85
<u>Department of Transportation</u>				
2. EWO #001, \$0.00 - TR 10305, Resurfacing Highways at Various Locations, Northwest Sector II				
\$2,111,444.77	-	M. Luis Construction Co., Inc.	90	-
3. EWO #002, \$0.00 - TR 08028, Banger Street Reconstruction from Hollins Ferry Road to Dead End				
\$ 601,795.02	\$ 11,800.00	M. Luis Construction Co., Inc.	90	-
4. EWO #011, \$240,000.00 - TR 05315, Rehabilitation of Northern Parkway from Park Heights Avenue to Falls Road				
\$6,584,427.40	\$814,680.29	M. Luis Construction Co., Inc.	104	-
5. EWO #014, \$81,238.63 - TR 05315, Rehabilitation of Northern Parkway from Park Heights Avenue to Falls Road				
\$6,584,427.40	\$705,902.49	M. Luis Construction Co., Inc.	-	-
6. EWO #001, \$0.00 - TR 10308, Resurfacing Highway at Various Locations Citywide				
\$2,143,832.06	-	P. Flanigan & Sons, Inc.	90	-

MINUTES

EXTRA WORK ORDERS

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

Department of Transportation - cont'd

7. EWO #001, \$0.00 - TR 10307, Resurfacing Highways at Various Locations, Southeast Sector IV

\$ 1,973,777.10	-	P. Flanigan & Sons, Inc.	90	-
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Bureau of Water & Wastewater

8. EWO #004, \$113,054.35 - WC 1196 - Sidewalk Restorations

\$ 987,700.00	\$ 95,563.58	P. Flanigan & Sons, Inc.	0	100
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9. EWO #101, \$53,632.85 - SC 791, Eastern Avenue Pumping Station Improvements

\$22,677,334.00	\$1,333,677.23	Whiting-Turner Contracting Co., Inc.	0	99
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10. EWO #004, \$192,313.92 - WC 1160R, Montebello Plant 2 Finished Water Reservoir Cover

\$36,922,950.00	\$ 727,185.18	Alan A. Myers, LP	0	38
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11. EWO #004, \$97,904.19 - SC 852R, Denitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$115,688,000.00	\$373,659.07	Fru-Con Construction Corp.	0	19
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12. EWO #005, \$67,650.38 - SC 852R, Denitrification Filters and Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$115,688,000.00	\$471,563.26	Fru-Con Construction Corp.	57	19
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MINUTES

Bureau of Water and Wastewater - On-Call Task Assignment No. 2

ACTION REQUESTED OF B/E:

The Board is requested to approve an assignment of Task No. 002 to Rummel, Klepper & Kahl, LLP, under Project No. 1120R, On-Call Consultant Services, Contract No. SC 852R, Geotechnical and Other Civil Inspection Services.

AMOUNT OF MONEY AND SOURCE:

\$167,999.10 - 9956-910533-9551-900010-703032

BACKGROUND/EXPLANATION:

Under this task the consultant will provide geotechnical, pile driving, and other civil inspection services.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 002 to Rummel, Klepper & Kahl, LLP, under Project No. 1120R, On-Call Consultant Services, Contract No. SC 852R, Geotechnical and Other Civil Inspection Services. The President **ABSTAINED**.

MINUTES

Wage Commission - Prevailing Wage Rate Modification

ACTION REQUESTED OF B/E:

The Board is requested to approve a revision and correction to four of the 2011 Construction Prevailing Wage rates.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On December 08, 2010, the Board approved the recommended Prevailing Wage Rates in accordance with Article 5, Subtitle 25, Baltimore City Code, to be paid to laborers, mechanics and apprentices on all projects awarded by the Mayor and City Council of Baltimore. The rates became effective for contracts advertised on or after December 31, 2010.

The Wage Commission is requesting that four of the Construction Prevailing Wage rates be revised as follows:

1. Classification No. 1, page 1, Mason Tender - the total changes from \$22.16 to \$22.15.
2. Classification No. 1, page 1, Piledriver - the hourly rate changes from \$24.00 to \$24.84, fringe benefits change from \$10.02 to \$10.77, and the total changes from \$34.11 to \$35.61.
3. Classification No. 2, page 8, Skilled Laborer: Concrete Surfacers will change the Total from \$22.51 to \$22.50, and
4. Classification No. 5, page 17, Carpenter/Piledriver/Resilient Soft Floor will change the hourly rate from \$24.81 to \$24.84.

UPON MOTION duly made and seconded, the Board approved the revision and correction to four of the 2011 Construction Prevailing Wage rates.

MINUTESDepartment of Finance - BPW Capital Project Grant Agreement

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

AMOUNT OF MONEY AND SOURCE:

\$5,000,000.00 - State of Maryland Loan Authorization
Maryland Consolidated Capital Bond Loan

BACKGROUND/EXPLANATION:

Chapter 483 of the 2010 Laws of Maryland authorizes the creation of a State debt in the amount of \$5,000,000.00, for property acquisition, demolition, and site improvements in the East Baltimore Biotechnology Park area.

APPROVED FOR FUNDS BY FINANCE

This item was **WITHDRAWN**.

MINUTES

Department of Finance - Resolution for the Baltimore City
Head Start Governing Board

ACTION REQUESTED OF B/E:

The Board is requested to approve a resolution authorizing the Mayor & City Council to indemnify and save harmless the appointed volunteer members of the Baltimore City Head Start Governing Board while in the performance of their duties.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Mayor has recently established a Head Start Governance Board pursuant to Section 642(c) of the Head Start Act. The Head Start Governance Board's bylaws call for up to 18 members. The composition is made of individuals who represent various disciplines as prescribed by the Act, including fiscal management, childhood education and development, and law. Current membership includes two parents of Head Start children.

The Board of Estimates has previously adopted similar resolutions for officers and directors of certain non-profit corporations that perform various and sundry functions to promote the general welfare of the citizens of the City of Baltimore.

(FILE NO. 57216)

UPON MOTION duly made and seconded, the Board approved the resolution authorizing the Mayor & City Council to indemnify and save harmless the appointed volunteer members of the Baltimore City Head Start Governing Board while in the performance of their duties. The Mayor **ABSTAINED**. The President **ABSTAINED**.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- | | | |
|---------------------------------------|-------------|---------|
| 1. ALLIED WASTE/BFI
WASTE SERVICES | \$31,650.00 | Low Bid |
|---------------------------------------|-------------|---------|
- Solicitation No. B50001769 - Rental of Vertical Baler -
Baltimore Convention Center - Req. No. R564772

The period of the award is February 9, 2011 through February 8, 2012, with four 1-year renewals.

- | | | |
|---------------------|-------------|-------------|
| 2. SMITHS DETECTION | \$37,500.00 | Sole Source |
|---------------------|-------------|-------------|
- Solicitation No. 08000 - Hazmat Identification Set - Fire
Department - Req. No. R56782

The vendor is the manufacturer and sole provider of this equipment which must be compatible with the equipment currently in use at the Fire Department.

- | | | |
|--|-------------|-------------|
| 3. KERSHNER ENVIRONMENTAL
TECHNOLOGIES, LLC | \$26,103.00 | Sole Source |
|--|-------------|-------------|
- Solicitation No. 08000 - Replacement Parts for Netzsch Pump -
Department of Public Works - Req. No. R564641

The vendor is the manufacturer and sole provider of the OEM parts required. The period of the award is February 9, 2011 through February 8, 2012.

- | | | |
|------------------|-------------|---------|
| 4. CORELLI, INC. | \$41,500.00 | Low Bid |
|------------------|-------------|---------|
- Solicitation No. B50001809 - Message and Arrow Boards -
Department of Transportation - Req. No. R566520

This is a one-time purchase.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|---|--------------|-------------|
| 5. ACTIVU | \$ 46,139.40 | Sole Source |
| CORPORATION | | Agreement |
| Solicitation No. 08000 - LCD Display and Software Maintenance and Support - Department of Transportation - Req. No. R564010 | | |

The Board is requested to approve and authorize execution of an agreement with Activu Corporation. The period of the agreement is effective upon Board approval for one-year, with four 1-year renewal options.

The vendor is the sole provider of the proprietary software associated with this equipment in use at the Baltimore Traffic Management Center.

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.

(FILE NO. 57210)

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|--|--------------|-------------|
| 6. GODWIN PUMPS OF | \$ 80,000.00 | Sole Source |
| AMERICA, INC. | | Agreement |
| Solicitation No. 08000 - Service/Labor/Repair Parts for Godwin Pumps - Department of Public Works, Bureau of Water and Wastewater - Req. No. R560646 | | |

The Board is requested to approve and authorize execution of an agreement with Godwin Pumps of America, Inc. The period of the agreement is effective upon Board approval for one-year with two 1-year renewal options.

Godwin Pumps of America, Inc. is the sole source manufacturer of the Godwin products in use by the Bureau of Water and Wastewater.

(FILE NO. 57210)

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

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|-----------------|--------------|--------------------------|
| 7. PSR,
INC. | \$550,401.00 | Sole Source
Agreement |
|-----------------|--------------|--------------------------|
- Solicitation No. 08000 - IBM z10 Mainframe Agreement -
Mayor's Office of Information Technology - Req. No. R561440

The Board is requested to approve and authorize execution of an agreement with PSR, Inc. The period of the agreement is effective upon Board approval for five years.

The vendor is knowledgeable with the City's current IBM Mainframe configuration and requirements making them uniquely qualified to transition the old mainframe network configurations to the new z10 Mainframe with a minimal loss of critical service.

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.

(FILE NO. 57210)

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|--|---------------------|--------------------|
| 8. <u>REMOTEC, INC.</u> | <u>\$ 55,735.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Remotec Wireless RC System - Police Department - Req. No. R563936 | | |

The requested system is only available from the manufacturer and required by the Police Department to upgrade equipment currently in use.

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.

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|---|---------------------|----------------|
| 9. <u>ARROWHEAD FORENSICS</u> | <u>\$ 35,000.00</u> | <u>Renewal</u> |
| Solicitation No. 06000 - Evidence Pouches - Baltimore City Police Department - Req. No. R540506 | | |

On March 10, 2010, the Board approved the initial award in the amount of \$35,000.00. The award contained three 1-year renewal options at the sole discretion of the City. This renewal in the amount of \$35,000.00 is for the period March 10, 2011 through March 9, 2012, with two 1-year renewal options remaining.

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>
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Bureau of Purchases - cont'd

10. DYNAMIC INDUSTRIES

NY, INC.	\$ 12,000.00	Renewal
Solicitation No. B50001355 - Shop Towels/Wiping Cloths - Department of General Services - P.O. No. P512385		

On March 3, 2010, the Board approved the initial award in the amount of \$24,000.00. The award contained two 1-year renewal options at the sole discretion of the City. This renewal in the amount of \$12,000.00 is for the period March 11, 2011 through March 10, 2012, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

11. INERGY PROPANE, d/b/a

UNITED PROPANE	\$ 40,000.00	Increase
Solicitation No. 06000 - Provide Liquid Propane - Recreation and Parks - PO. No. P504596		

On October 01, 2008, the Board approved the initial award in the amount of \$135,000.00. Because of increased use, the Board is requested to approve an increase in the amount of \$40,000.00.

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>
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Bureau of Purchases - cont'd

12. THE BALTIMORE SUN	\$ 75,000.00	Sole Source
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Solicitation No. 08000 - Baltimore City Tax Sale 2011
Advertisement - Department of Finance - Req. No. R566691

The Bureau of Treasury Management must advertise the properties to be offered in Baltimore City's annual tax sale on March 16, 2011. The Baltimore Sun is the only paper with required circulation and reach.

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.

A LETTER OF PROTESTS WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC.

ON FEBRUARY 16, 2011, CORRESPONDENCE WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC. WITHDRAWING ITS PROTEST ON THE BALTIMORE SUN.

13. MYKA CORP. d/b/a	\$ 40,000.00	
CHEMDRY ELITE (1 st Call)		
EXCELL MANAGEMENT		
CORP. (2 nd Call)	20,000.00	
	<u>\$ 60,000.00</u>	Only Bids

B50001761, Provide Carpet Drapery and Furniture Cleaning Services for Various City of Baltimore Buildings - Department of General Services - Req. No. R557810

Vendors were solicited by posting on Citibuy and in local newspapers. The two bids received were opened on January 26, 2011. The period covered is February 16, 2011 through February 15, 2012, with four one-year renewal options.

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>
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Bureau of Purchases - cont'd

14. TIBURON, INC.	\$1,614,130.30	Sole Source/ Agreement
Solicitation No. 08000 - Master Support Agreement - Various Departments - Req. No. R556325		

The Board is requested to approve and authorize execution of a Master Support Agreement with Tiburon, Inc. (Tiburon). The period of the agreement is effective upon Board approval for five years.

Tiburon is the exclusive provider and technical services provider for the Computer Aided Dispatch (CAD) software utilized by the Fire and Police Department. Tiburon will provide support services relating to the CAD computer automated system previously implemented as outlined in the agreement.

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.

(FILE NO. 57210)

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 - cont'd</u>		
15. HOLABIRD ENTERPRISES OF MD, INC. D/B/A TRANS-TECH TRANS- MISSION CENTER AND RICHWELL ENTERPRISES, INC.	\$1,000,000.00 0.00 <u>\$1,000,000.00</u>	Renewal

Solicitation No. B50000292 - Automotive Transmission Services - Department of General Services - P.O. Nos. P501945 & P501946

On March 26, 2008, the Board approved the initial award in the amount of \$1,500,000.00 to Trans-Tech and \$500,000.00 to Richwell. This award to Trans-Tech in the amount of \$1,000,000.00 is the first and final renewal option. The period of the renewal is April 1, 2011 through March 31, 2013.

MWBOO GRANTED A WAIVER.

16. HIGHER GROUND TRANSPOR- TATION SERVICES, INC.	\$ 98,270.00	Renewal
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Solicitation No. BP 07044 - Provide Transportation Services - Health Department - P.O. P512360

On December 20, 2006, the Board approved the initial award in the amount of \$98,270.00. Subsequent actions have been approved. This renewal in the amount of \$98,270.00 is the fourth and final 1-year renewal. The period of the renewal is February 12, 2011 through February 11, 2012.

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>
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Bureau of Purchases - cont'd

- | | | |
|--|---------------|---------|
| 17. GEN-PROBE, INC. | \$ 283,000.00 | Renewal |
| Solicitation No. 08000 - Chlamydia Trachomatis Kits - Health Department - Req. No. R557739 | | |

On February 17, 2010, the Board approved the initial award in the amount of \$283,000.00. Subsequent actions have been approved. This renewal in the amount of \$283,000.00 is the first of two one-year renewal options. The period of this renewal is February 17, 2011 through February 16, 2012, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

- | | | |
|--|---------------|--------------|
| 18. ENVIRONMENTAL SYSTEMS | | Sole Source/ |
| RESEARCH INSTITUTE, INC. | \$ 400,000.00 | Agreement |
| Solicitation No. 08000 - Master Purchase and License Agreement - Departments Various - Req. Nos. Various | | |

The Board is requested to approve and authorize execution of a new master purchase and license agreement with the Environmental Systems Research Institute, Inc. (ESRI).

This agreement will allow the City to acquire geographic information system software licenses, maintenance, and technical support. The ESRI is the sole provider of ESRI proprietary software licenses and maintenance. The period of the agreement is effective upon Board approval for five years.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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

(FILE NO. 57210)

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. The Board also approved and authorized execution of the agreements with the Activu Corporation (item no. 5), the Godwin Pumps of America, Inc. (item no. 6), the PSR, Inc. (item no. 7), Tiburon, Inc. (item no. 14), and the Environmental Systems Research Institute, Inc. (item no. 18). The Mayor **ABSTAINED** on item no. 1. The President **ABSTAINED on** item nos. 6 and 7.

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MINUTES

ACKNOWLEDGEMENT

President: "Deputy Comptroller. Comptroller Pratt."

Comptroller: "I would just like to acknowledge two young men who are shadowing in Real Estate and the Department of Audits. Maybe you could stand? Itavis Johnson --"

Mayor: "It (mic) is not plugged in --"

President: "Use this one."

Comptroller: "Okay. Itavis Johnson from the National Academy Foundation High School who will be shadowing the City Auditor, in Audits and Mr. Aaron Rowland, who will be shadowing the Real Estate Officer in Real Estate. I just wanted to thank you for participating this morning in City Hall. Thank you."

(Applause)

Mayor: "Madam Comptroller, what school do they attend?"

Comptroller: "The National Academy Foundation High School."

Mayor: "Oh wonderful, welcome."

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

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

MINUTES

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

BIDS, PROPOSALS AND CONTRACT AWARDS

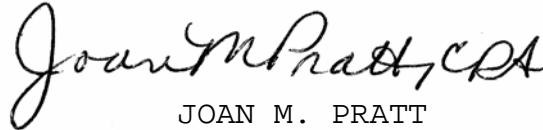
Prior to the reading of bids received today and the opening of bids scheduled for today, the Clerk announced that the following agencies had issued an Addendum extending the dates for receipt and opening of bids on the following contract. There were no objections.

Bureau of Water and <u>Wastewater</u>	- WC 1215, Sidewalk Restorations
	BIDS TO BE RECV'D: 02/23/2011
	<u>BIDS TO BE OPENED: 02/23/2011</u>

THERE WERE NO BIDS SCHEDULED FOR OPENING.

MINUTES

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, February 23, 2011.

A handwritten signature in black ink that reads "Joan M. Pratt, CPA". The signature is written in a cursive style with a large initial 'J'.

JOAN M. PRATT
Secretary