

## MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

\* \* \* \* \*

President: "I will direct the Board members attention to the memorandum from my office dated February 13, 2012, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

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

Comptroller: "Second."

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

\* \* \* \* \*

## MINUTES

BOARDS AND COMMISSIONS1. Prequalification of Contractors

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

A2Z Environmental Group, LLC	\$1,500,000.00
Alvarez Contractors, Inc.	\$8,000,000.00
Biscayne Contractors, Inc.	\$8,000,000.00
Green Project Management, LLC	\$ 207,000.00
McNew Excavating, Inc.	\$ 243,000.00
Young's Floor Service & Remodeling Co., Inc.	\$ 252,000.00

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:

Century Engineering	Landscape Architect Engineer Land Survey
RJN Group, Inc.	Engineer
Sanders Designs, P.A.	Architect

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

## MINUTES

Office of the Labor Commissioner - Memoranda of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to **NOTE** the Memoranda of Understanding (MOU) for FY 2012 with the Baltimore City Police Department as follows:

1. **BALTIMORE CITY LODGE NO. 3, FRATERNAL ORDER OF POLICE, INC., UNIT I POLICE OFFICERS, POLICE AGENTS AND FLIGHT OFFICERS**
2. **BALTIMORE CITY LODGE NO. 3, FRATERNAL ORDER OF POLICE, INC., UNIT II POLICE SERGEANTS AND POLICE LIEUTENANTS**

**AMOUNT OF MONEY AND SOURCE**

Effective April 27, 2012, all bargaining unit members will receive a 2% across the board wage increase. Funds for the across the board wages have been budgeted.

**BACKGROUND/EXPLANATION:**

In accordance with the Municipal Employees Relations Ordinance (MERO) the Office of the Labor Commissioner has concluded negotiations with the Fraternal Order of Police, Lodge No. 3, Units I and II. The results of the negotiations have been reduced to writing in the form of a memorandum of understanding for fiscal year 2012.

UPON MOTION duly made and seconded, the Board **NOTED** the memoranda of understanding for FY 2012 with the Baltimore City Police Department and the Baltimore City Lodge No. 3, Fraternal Order of Police, Inc., Unit I Police Officers, Police Agents and Flight Officers; and the Baltimore City Lodge No. 3, Fraternal Order of Police, Inc., Unit II Police Sergeants And Police Lieutenants.

## MINUTES

Department of Planning - Report on Previously  
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds subject to receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. Today, the Board is requested to **NOTE 22** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on January 18, 25, and February 1, 2012.

The Board **NOTED** the **22** reports.

## MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,  
the Board approved  
the Transfer of Funds  
listed on the following page:

500

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

TRANSFER OF FUNDSDepartment of Recreation and Parks

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
1.	\$ 20,000.00	9938-906765-9475	9938-904765-9474
	State	Reserve - Courts & Fields Reno- vations FY 09	Active - Courts & Fields Renovations FY 09

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1167, Task #6 to Greenman-Pedersen, Inc.

## MINUTES

Liquor Board - Employee Expense Report

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense report for Mr. Stephan Fogleman for the month of May 2011 for attendance at the annual meeting of the Maryland Alcohol License Association.

**AMOUNT OF MONEY AND SOURCE:**

\$140.25 - 1001-000000-8500-259500-603002  
208.00 - 1001-000000-8500-259500-603003  
**\$348.25**

**BACKGROUND/EXPLANATION:**

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

The report was submitted on time by Mr. Fogleman, however, the expense report was misplaced during the agency's review process.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expense report for Mr. Stephan Fogleman for the month of May 2011 for attendance at the annual meeting of the Maryland Alcohol License Association. The Mayor **ABSTAINED**.

MINUTESDept. 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. 1304 Jackson Street	Federal Hill Holding Co., LLC	One step of steps
Flat Charge: \$35.20		
2. 3201 Seven Mile Lane	Congregation Darchai Tzedek	Four 4" conduits at 32'
Annual Charge: \$448.00		

There were no objections, since no protests were received.

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



## MINUTES

Department of General Services (DGS) - Energy Efficiency and  
Conservation Block  
Grant Agreements

The Board is requested to approve and authorize execution of the energy efficiency and conservation block grant agreements with the various community non-profit organizations. The period of the agreement is effective upon Board approval through August 31, 2012.

1. **THE FAMILY TREE, INC.** **\$10,744.00**

Account: 9916-913900-9197

Under the terms of the sub-grant agreement, this community non-profit will implement energy efficiency upgrades to its facility located at 2108 North Charles Street. The DGS and the Department of Planning, Office of Sustainability have worked in collaboration to solicit, review, and numerically score "Energy Saver Grant" applications from Baltimore non-profits for use of these funds. This organization received a qualifying score for proposed energy upgrades. The total project cost is \$25,453.00. The Family Tree, Inc. is leveraging 58% (\$14,709.00) of the project cost.

2. **UNITED MINISTRIES, INC.** **\$ 2,530.00**

Account: 9916-913900-9197

Under the terms of the sub-grant agreement, the community non-profit will implement energy efficiency upgrades to its facility located at 1400 E. Lombard Street. The DGS and the Department of Planning, Office of Sustainability have worked in collaboration to solicit, review, and numerically score "Energy Saver Grant" applications from Baltimore non-profits for use of these funds. This organization received a qualifying score for proposed energy upgrades. The total project cost is \$9,426.75. The United Ministries, Inc. is leveraging 73% (\$6,896.75) of the project cost.

## MINUTES

DGS - cont'd

**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 energy efficiency and conservation block grant agreements with the various community non-profit organizations.

**MINUTES**

Department of General Services - Amendment No. 1 to  
On-Call Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an amendment no. 1 to the on-call agreement with Wallace Montgomery & Associates, for Project 1099, WM. The amendment extends the agreement through February 1, 2013.

**AMOUNT OF MONEY AND SOURCE:**

\$250,000.00 - Funds will be identified as tasks are processed.

**BACKGROUND/EXPLANATION:**

On February 3, 2010, the Board approved the original agreement for two years with an upset dollar amount of \$750,000.00. Due to extra work that needs to be assigned to the Consultant, the Department is requesting to increase the upset limit amount to \$1,000,000.00 and approve an extension to the agreement from two years to three years.

**MBE/WBE PARTICIPATION:**

The MBE/WBE goals in the original agreement will continue to apply.

**AUDITS NOTED THE TIME EXTENSION AND INCREASE IN THE UPSET LIMIT AND WILL REVIEW TASK ASSIGNMENTS.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 1 to the on-call agreement with Wallace Montgomery & Associates, for Project 1099, WM.

**MINUTES**Health Department - Employee Expense Report**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense report for Mr. Michael Royale for the month of August 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$109.34 - 4000-422812-3080-294286-603002 (mileage)  
1.50 - 4000-422812-3080-294286-603003 (parking)  
**\$110.84**

**BACKGROUND/EXPLANATION:**

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

The expense report was submitted timely by the employee, but the supervisor failed to process the expense report within the prescribed time-period. The Department apologizes for the lateness.

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

UPON MOTION duly made and seconded, the Board approved the expense report for Mr. Michael Royale for the month of August 2011.

## MINUTES

Health Department - Employee Expense Report

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense report for Ms. Alice Key for the month of August 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$17.50 - 4000-422812-3080-294286-603002 (mileage)

**BACKGROUND/EXPLANATION:**

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

The expense report was submitted timely by the employee, but the supervisor failed to process the expense report within the prescribed time-period. The Department apologizes for the lateness.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expense report for Ms. Alice Key for the month of August 2011.

**MINUTES**Health Department - Employee Expense Report**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense report for Ms. Sophia Krome for the months of July and August 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$ 51.62 - 4000-422812-3080-288700-603002 (July mileage)  
96.57 - 4000-422812-3080-288700-603002 (August mileage)  
**\$148.19**

**BACKGROUND/EXPLANATION:**

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

The expense report was submitted timely by the employee, but the supervisor failed to process the expense report within the prescribed time-period. The Department apologizes for the lateness.

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

UPON MOTION duly made and seconded, the Board approved the expense report for Ms. Sophia Krome for the months of July and August 2011.

## MINUTES

Health Department - Agreements, Amendment to Agreement  
Notification of Grant Award Agreement,  
and Grant Award Agreement

The Board is request to approve and authorize execution of the various agreements and notification of grant award. The period of the agreement or notification of grant award is July 1, 2011 through June 30, 2012, unless otherwise indicated.

1. **FAMILY LEAGUE OF BALTIMORE CITY, INC. \$1,209,690.00**  
**(FLBC)**

Account: 6000-626309-3080-294901-603051

The FLBC will be responsible for the implementation of the B'More for Healthy Babies Program. Services will include the supervision and training of project staff, coordination of project activities and committees, outreach with all partner agencies, programmatic and budgetary reports and systems change work.

The agreement is late because it was just returned by the provider.

**MWBOO GRANTED A WAIVER.**

**(FILE NO. 55358)**

2. **LIGHT HEALTH AND WELLNESS COMPREHENSIVE \$ 64,500.00**  
**SERVICES, INC.**

Account: 4000-425612-3023-274408-603051

The organization will provide psychosocial services to 15 HIV/AIDS infected individuals. Services will include individual or group counseling activities such as support group services, caregiver support/pastoral care bereavement counseling and nutritional education.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Department - cont'd

3. **LIGHT HEALTH AND WELLNESS COMPREHENSIVE SERVICES, INC.** \$ 22,500.00

Account: 4000-425612-3023-274402-603051

The organization will provide psychosocial support services to 15 HIV/AIDS infected individuals. Services will include individual or group counseling activities such as support group services, care giver support/pastoral care bereavement counseling and nutritional education.

4. **THE JOHNS HOPKINS UNIVERSITY (JHU)** \$ 48,394.00

Account: 4000-424512-3023-274425-603051

The JHU HIV Women's Program will identify potential barriers to care of HIV infected women during pregnancy, who are active substance users. The majority will be enrolled at the Center for Addiction in Pregnancy at Johns Hopkins Bayview Campus. A non-medical case manager will act as part of a team effort in keeping these women engaged in prenatal care to achieve optimal outcomes and to reduce mother to child transmission of HIV.

5. **THE JOHNS HOPKINS UNIVERSITY (JHU)** \$ 200,000.00

Account: 4000-424512-3023-274408-603051

The JHU will increase mental health services available to HIV infected patients. It will provide 2,100 units of services including comprehensive psychiatric services, evaluations, and follow-up visits to patients attending the Johns Hopkins University Moore Clinic.

**MWBOO GRANTED A WAIVER.**



## MINUTES

Health Dept. - cont'd

The agreements are being presented at this time because the State of Maryland Department of Infectious Disease and Environmental Health Administration programmatically manages Ryan White Part B and D services. The Department is responsible for processing contracts after receipt of an approved budget and scope of services and making payments to the provider after the State selects the provider through the Request for Proposal process.

6. **ST. PAUL SPECIALISTS, INC.** **\$ 14,000.00**

Account: 1001-000000-3030-271300-603051

The organization will provide a Medical Director for the Bureau of Disease Control Laboratory. The Medical Director will be responsible for the overall operation and administration of the laboratory, assist in the selection of personnel who are competent to perform test procedures, and record and report test results promptly.

The agreement is late because of a delay in receiving an acceptable budget and scope of work.

7. **TRAINING RESOURCES NETWORK, INC.** **\$261,583.00**  
**(TRN)**

Account: 4000-427711-3023-273315-603051

The TRN will work in conjunction with the Baltimore City Health Department Clinical Quality Management staff to effectively manage and implement an Eligible Metropolitan Area (EMA) wide clinical quality management program. The purpose of this program is to enhance the development, delivery and availability of HIV services throughout the EMA. The period of the agreement is March 1, 2011 through February 29, 2012.

The agreement is late because of delay in receiving an acceptable budget.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Dept. - cont'd

8. **N.M. CARROLL MANOR, INC.** **\$ 32,193.00**

Account: 4000-432912-3024-268400-604014

The organization will serve meals for 20 elderly residents per/day at N. M. Carroll Manor, Inc. located at 701 N. Arlington Avenue at a cost of \$4.41 per meal. All meals will be reviewed by a licensed dietitian or a licensed nutritionist and/or the Maryland Department of Aging. The period of the agreement is October 1, 2011 through September 30, 2012.

The agreement is late because the Department was waiting for a final budget and signatures from the provider.

9. **CHESAPEAKE SQUARES, INC.** **\$ 3,307.50**

Account: 6000-633012-3024-268400-406001

The organization will use the Mason F. Lord room at the Waxter Center on Tuesday and Thursday evenings from 6:30 p.m. to 10:30 p.m. The room will be used for square dancing and organizational meetings. The period of the agreement is September 1, 2011 through August 31, 2012.

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

10. **MARYLAND DEPARTMENT OF THE ENVIRONMENT** **\$350,000.00**  
**(MDE)**

Account: 4000-426012-3031-579200-404001

The Health Department will conduct childhood lead poisoning prevention services. Services will include prevention, environmental investigations according to applicable MDE approved guidelines, early intervention, and primary intervention. The Health Department will also coordinate with State and local agencies, participate in statewide coordination meetings including the Lead Poisoning Prevention Commission and sub-committees. The period of the agreement is July 1, 2011 through August 2012.

## MINUTES

Health Dept. - cont'd

The agreement is late because it was prepared by the MDE and revisions to the document delayed processing.

(FILE NO. 57087)

AMENDMENT TO AGREEMENT

11. **DENISE D. HAMMOND, R.N.** **\$ 27,000.00**  
 (MDoA)

Account: 4000-426212-3110-306800-603018

On July 20, 2011 the Board approved the original agreement in the amount of \$54,000.00 at a rate of \$45.00 per case for 100 cases per month. Due to an increase in the volume of Medical Assistance Personal Care referrals, the Case Monitor requested a waiver to increase her caseload from 100 cases per month to 150 cases per month. This amendment brings the total agreement to \$81,000.00 at a rate of \$45.00 per case for 150 cases per month.

**AUDITS REVIEWED AND HAD NO OBJECTION.**NOTIFICATION OF GRANT AWARD (NGA)

12. **MARYLAND DEPARTMENT OF AGING** **\$1,020,073.00**  
 (MDoA)

Account: 5000-532812-3023-273300-404001

The NGA is for the FY12 Medicaid Waiver Administration and Case Management Project to provide services for seniors under the State Medicaid Waiver and Case Management projects. The State Waiver amount is \$453,872.00 and the Federal Waiver amount is \$566,201.00 for a total amount of \$1,020,073.00.

The NGA agreement is late because it was just received.

## MINUTES

Health Dept. - cont'd

NOTIFICATION OF GRANT AWARD

13. **MARYLAND DEPARTMENT OF AGING** **\$100,000.00**  
**(MDoA)**

Account: 5000-536012-3044-273300-404001

The MDoA State allocation for FY12 will allow the Department to provide funding for seniors under the MDoA Maryland Access Point Program. The program will streamline policies and practices at the State and local levels, as well as increase consumer access to information and services for long-term care and support in a comprehensive, flexible, and cost effective manner to become a fully functioning ADRC.

The NGA is late because it was just received.

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

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreements, amendment to agreement, notification of grant award agreement, and grant award agreement. The President **ABSTAINED** on item nos. 4 and 5.

**MINUTES**

Fire Department - Grant Award Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant award agreement with the Federal Emergency Management Agency (FEMA). The period of the grant award agreement is January 4, 2012 through January 3, 2013.

**AMOUNT OF MONEY AND SOURCE:**

\$1,393,432.00 - 4000-458112-2142-229600-404001 - Federal  
348,358.00 - 1001-000000-2142-229600-600000 - City Match  
**\$1,741,790.00**

**BACKGROUND/EXPLANATION:**

The grant will allow the purchase of replacement turnout gear for the members of the Fire Department that is beyond its useful life expectancy for safety reasons. This grant will also allow for the purchase of thermal imaging cameras to assist in search and rescue efforts on fire responses.

**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 Federal Emergency Management Agency.

## MINUTES

Fire Department - Retroactive Payments

The Board is requested to approve the retroactive payments to employees as indicated.

1. **SHERRY A. HYDE** **\$14,862.29**

Ms. Hyde will receive pay for pay period ending January 4, 2011 through January 17, 2012.

2. **CASSANDRA C. CHASE** **\$ 6,049.16**

Ms. Chase will receive pay for pay period ending June 21, 2011 through January 17, 2012.

Account: 1001-000000-2151-230500-601061

The employees are due retroactive pay per Local 964's Memorandum of Understanding, Article 25 Sections A, C, and D. The Department did not maintain an active promotional list for Fire Dispatch Supervisor and the promotion is retroactive to the vacancy.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the retroactive payments to the foregoing employees.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Options</u>			
1. Lee & Joyce, Inc.	4674 Park Heights	G/R Ave.	\$ 750.00 \$90.00
2. Eutaw Place, LLC	4912 Denmore Ave.	G/R \$90.00	\$ 750.00
3. Kansangra Properties 2, LLC	4916 Denmore Ave.	F/S	\$ 7,500.00
4. Alexander A. Cummings	4932 Denmore Ave.	L/H	\$19,250.00
5. Vivian Brady, Personal Representative of the estate of Frank Brady	3301 Virginia Ave.	F/S	\$30,000.00
6. William Lewis, Jr.	4922 Denmore Ave.	F/S	\$ 7,700.00
Funds are available in account 9910-903187-9588-900000-704040, Park Heights Demo-Woodland/Virginia Corridor.			
<b>(FILE NO. 57083)</b>			
7. Paul W. Nochumowitz and Amy S. Nochumowitz	1202 Brentwood Ave.	G/R \$90.00	\$ 750.00
8. The Braverman Trustees	718 Mura St.	G/R \$36.00	\$ 240.00
9. Groundlease Management, LLC	1210 Brentwood Ave.	G/R \$90.00	\$ 825.00
10. Dennis Keith Kirk & Frederick H. Kirk, Power of Attorney for Frederick A. Kirk & Thelma M. Kirk	1219 Valley St.	G/R	\$ 392.00 \$47.00

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
DHCD - Options - cont'd			
11. Dennis Keith Kirk & Frederick H. Kirk, Power of Attorney for Frederick A. Kirk & Thelma M. Kirk	1221 Valley St.	G/R	\$ 392.00 \$47.00
12. Groundlease Manage- ment, LLC	730 E. Preston St.	G/R \$120.00	\$ 1,100.00

Funds are available in account 9990-907714-9593-900001-704040,  
Johnston Square Project.

**(FILE NO. 57070)**

13. Charles Muskin, Trustee	338 E. 20 <sup>th</sup> St.	G/R \$110.00	\$ 733.00
--------------------------------	-----------------------------	-----------------	-----------

Funds are available in account 9910-904713-9588-900000-704040,  
Barclay Project.

**(FILE NO. 57066)**

14. Margie Robinson Peterson	2234 Etting St.	L/H	\$11,200.00
---------------------------------	-----------------	-----	-------------

Funds are available in account 9910-905788-9588-900000-704040,  
Baker/Division Site.

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



## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations</u>			
15. Paul Kopel	602 E. Biddle St.	G/R \$65.00	\$ 596.00
Funds are available in account 9990-910715-9588-900000-704040, Johnston Square Project.			

**(FILE NO. 57070)**

16. Pearl O. Bruce and Helen I. Dewling	3337 Woodland Ave.	G/R \$66.00	\$ 440.00
17. John H. Torbit and Maggie Torbit	4926 Denmore Ave.	L/H	\$ 6,940.00
18. Virginia Shipley Murphy	4926 Denmore Ave.	G/R \$84.00	\$ 560.00

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

**(FILE NO. 57083)**

19. Derrick Graham	1711 Ellsworth St.	L/H	\$ 4,800.00
Funds are available in account 9910-906416-9588-900000-704040, EBDI Project Phase II.			

**(FILE NO. 56017)**DHCD - Condemnation or Redemption

20. Ellen Gammie Kelly	936 E. Preston St.	G/R \$55.00	\$ 367.00
Funds are available in account 9990-907714-9593-900001-704040, Johnston Square Project.			

**(FILE NO. 57070)**

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
-----------------	-----------------	-----------------	---------------

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

Department of Law - Settlement

21. George Lee (Previous owner)	2004 Greenmount Ave.	L/H	\$ 5,000.00
------------------------------------	----------------------	-----	-------------

On January 26, 2011, the Board approved the previous condemnation action to acquire the leasehold interest in the property located at 2004 Greenmount Avenue, Baltimore, Maryland, in the amount of \$20,000.00. On April 15, 2011, the City filed a condemnation action to acquire the leasehold interest in the subject property. The approval was based upon the City's independent appraiser's fair market valuation of the property. Mr. Lee offered an appraisal valuation of \$34,000.00. The parties agreed to settle the condemnation action for \$25,000.00. Therefore, the Board is requested to approve an additional \$5,000.00.

Funds are available in account 9910-904713-9588-900000-704040, Barclay Project.

**(FILE NO. 57066)**

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing options, condemnations, and settlement.

MINUTES

EXTRA WORK ORDERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

522

All of the EWOs had been reviewed

and approved by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

## MINUTES

EXTRA WORK ORDERS

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

Department of Transportation

- |    |   |   |   |   |
|----|---|---|---|---|
| 1. | EWO # 001, \$34,294.00 - W.C. 1214R, Repaving Utility Cuts at Various Locations   |   |   |   |
|    | \$3,984,398.50 -  | Monumental Paving & Excavating, Inc.                                  | 0 | 7 |
| 2. | EWO # 002, \$37,103.37 - Project 814, Charles Street Rehabilitation from 25 <sup>th</sup> Street to University Parkway Design Proposal  |   |   |   |
|    | \$1,910,063.00 \$33,671.83  | Rummel, Klepper & Kahl, LLP/Wallace Robert & Todd, LLC, Joint Venture | - | - |
| 3. | EWO # 003, \$285,915.38 - Project 814, Charles Street Rehabilitation from 25 <sup>th</sup> Street to University Parkway Design Proposal |   |   |   |
|    | \$1,910,063.00 \$70,775.20  | Rummel, Klepper & Kahl, LLP/Wallace Robert & Todd, LLC, Joint Venture | - | - |
| 4. | EWO # 001, \$5,836.03 - Project 1010, York Road Streetscape from 43 <sup>rd</sup> Street to Glenwood Avenue                             |   |   |   |
|    | \$ 453,624.76 -   | Whitney, Bailey, Cox & Magnani  | - | - |

**MINUTES**

Department of Transportation - Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to note receipt of a grant and authorize execution of a grant agreement with the U.S. Department of Transportation, Federal Transit Administration. The period of the agreement is September 20, 2010 through December 31, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$1,164,000.00 - 9950-905980-9508-000000-490360

**BACKGROUND/EXPLANATION:**

On August 25, 2010, the Board approved the resolution permitting the Director of Transportation, on behalf of the City, to apply for and receive grants from the Federal Transit Administration for various purposes consistent with 49 U.S.C. Chapter 53 and 23 U.S.C. and other applicable federal transportation statutes.

Pursuant to that authority, the Director of Transportation entered into an agreement (MD-03-0119-00) with the Federal Transit Administration for a grant in the amount of \$1,164,000.00 on March 11, 2011. The City will purchase up to four 40' hybrid-electric buses. The acquisition of the buses will allow the City to extend the Charm City Circulator to serve the Fort McHenry National Monument.

**APPROVED FOR FUNDS BY FINANCE**

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

**(FILE NO. 55340)**

UPON MOTION duly made and seconded, the Board **NOTED** receipt of the grant and authorized execution of the grant agreement with the U.S. Department of Transportation, Federal Transit Administration.

**MINUTES**

Department of Transportation - Grant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to note receipt of a grant and authorize execution of a grant agreement with the U.S. Department of Transportation, Federal Transit Administration. The period of the agreement is July 1, 2012 through September 30, 2013.

**AMOUNT OF MONEY AND SOURCE:**

\$516,000.00 - 9950-909710-9514-000000-490360

**BACKGROUND/EXPLANATION:**

On August 25, 2010, the Board approved the resolution permitting the Director of Transportation, on behalf of the City, to apply for and receive grants from the Federal Transit Administration for various purposes consistent with 49 U.S.C. Chapter 53 and 23 U.S.C. and other applicable federal transportation statutes.

Pursuant to that authority, the Director of Transportation entered into an agreement (MD-03-0119-00) with the Federal Transit Administration for a grant in the amount of \$516,000.00 on September 22, 2011.

Funds from this "Bus Livability Grant" will be used to create a central pedestrian artery from the planned Westport Waterfront Transportation Oriented Development (TOD) to the Westport Light Rail Station and on to Annapolis Road, which is the closest point for bus transfers, approximately two blocks west of the Light Rail Transit (LRT) station. Existing communities surrounding the LRT station and the proposed TOD are heavily transit-dependent, and it is important that the LRT line does not become a physical barrier separating the "old Westport" from the "new Westport." Working together, the Department of Transportation (DOT) and the Westport Waterfront developer have planned the Kent Street Transit Corridor as a key element of physically integrating the two communities with a central axis that is clearly defined, safe, and welcoming.

## MINUTES

Department of Transportation - cont'd

APPROVED FOR FUNDS BY FINANCE

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

(FILE NO. 56667/55340)

UPON MOTION duly made and seconded, the Board **NOTED** receipt of the grant and authorized execution of the grant agreement with the U.S. Department of Transportation, Federal Transit Administration.

## MINUTES

Department of Transportation - Employee Expense Report

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense report for Mr. Charles Biondo for the month of July 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$72.16 - 3001-000000-5011-382800-603002

**BACKGROUND/EXPLANATION:**

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

The originally submitted expense account for Mr. Biondo, for July, 2011 was returned for correction in data. The resubmitted request exceeded the forty-day limit for acceptance and approval. Mr. Biondo submitted the expense report on August 19, 2011; however, the Project ID number was incorrect. On September 12, 2011, the Bureau of Accounting & Payroll Services (BAPS) returned the expense report for corrections. It was resubmitted correctly on November 07, 2011. BAPS, Accounts Payable received it on November 11, 2011, and by that time, the 40-day limit was exceeded.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expense report for Mr. Charles Biondo for the month of July 2011.



## MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of the City Council President</u>			
1. Benjamin Herbert Hyman	2012 MLR Urban Invitational Houston, TX Feb. 17 - 19, 2012	General Funds	\$ 914.95

The Department has prepaid the airfare in the amount of \$534.20 and hotel costs in the amount of \$44.00 per night including occupancy taxes in the amount of \$10.375 per night on City issued credit card assigned to Mr. Hosea Chew. The disbursement to Mr. Hyman will be in the amount of \$272.00.

The Department is requesting permission to rent a car at a rate of \$86.05 for three days plus gas expenses. Mr. Hyman will use his subsistence to cover the cost of the rental car because the hotel cost is very economical. The rental car is necessary for Mr. Hyman to attend events at various locations throughout Houston, TX.

Per AM-240-8, if official City business at the event site will require extensive inspection trips, tours, or other unusual but necessary land travel, the Board of Estimates must approve funds for such expenses in advance of the trip.

Baltimore City Health Department

2. Laura Plasencia* Jonathan Gross**	Public Health Preparedness Summit Anaheim, CA Feb. 20 - 24, 2012 Feb. 18 - 24, 2012* (Reg. Fee \$400.00) (Reg. Fee \$525.00)**	Metro- politan Medical Response System	\$3,967.76
---	--	--	------------

The Department has paid the cost of airfare and registration for Ms. Plasencia and Mr. Gross with a City-issued credit card assigned to Ms. Meghan Butasek. Therefore, the disbursement amount to Ms. Plasencia and Mr. Gross will be in the amount of \$933.68 each. Furthermore, Ms. Plasencia is staying 2 additional days at her own expense.

## MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore City Health Department</u>			
3. Vincent Marsiglia	FedEx Shipping Dangerous Goods Seminar Hollywood, FL March 5 - 8, 2012 (Reg. Fee \$685.00)	Federal Fund	\$1,748.37
The Department has prepaid the registration in the amount of \$685.00 by EA000084845. The disbursement to Mr. Marsiglia will be in the amount of \$1,063.37.			
4. Kevin S. Beardsley	Hooke College of Applied Sciences Westmont, IL Feb. 26, - Mar. 2, 2012		\$ 0.00
5. Martin A. Bartness Rhonda L. McCoy	Advance Domestic Violence & Sexual Assault Training Charlotte, NC Feb. 20 - 24, 2012 (Reg. Fee \$475.00 ea.)	Maryland Reimburse- ment Account	\$2,134.00
6. Christopher P. Brockdorff	Forensic Video Analysis & the Law Indianapolis, IN Mar. 18 - 23, 2012	General Funds	\$1,287.40

## MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
7. Francis A. Chiafari	Annual Meeting of the American Academy of Forensic Sciences Atlanta, GA Feb. 21 - 25, 2012 (Reg. Fee. \$425.00)	Coverdell II Grant	\$1,360.00

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

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a land disposition agreement with Mr. Michael Rodney Simms, Jr., developer, for the sale of the property known as 521 Mosher Street.

**AMOUNT OF MONEY AND SOURCE:**

\$4,000.00 - Purchase Price

**BACKGROUND/EXPLANATION:**

Mr. Simms is a general contractor and an investor. The property will be completely rehabbed into a single family unit for resale. The total rehab cost will be \$63,000.00. The purchase price of the property and the cost of renovation will be financed with private funds.

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE PRICE DETERMINED BY USING THE WAIVER VALUATION PROCESS IN LIEU OF AN APPRAISAL:**

The property was priced pursuant to the appraisal policy of Baltimore City. The Valuation Waiver process was used in determining the price for the property in lieu of an appraisal. The proposed price for the property was \$10,000.00. The following factors are present and resulted in sale price below the proposed price for the property:

- 1) the sale and rehabilitation of the property will help to promote a specific benefit to the community,
- 2) the sale and rehabilitation of the property will continue the elimination of blight, and
- 3) the sale and rehabilitation of the property will promote economic development through the placement of the subject property on the City tax rolls.

## MINUTES

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

N/A

(FILE NO. 57211)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Mr. Michael Rodney Simms, Jr., developer, for the sale of the property known as 521 Mosher Street.

**MINUTES**

Department of Housing and - Interdepartmental Memorandum  
Community Development of Understanding

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an interdepartmental memorandum of understanding (MOU) with the Department of Public Works/Bureau of Solid Waste. The period of the interdepartmental MOU is July 1, 2011 through June 30, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$1,427,149.00 - 2089-208912-5930-701964-603051

**BACKGROUND/EXPLANATION:**

Pursuant to guidance from the U.S. Department of Housing and Urban Development (HUD), a MOU will henceforth be executed for the utilization of Community Development Funds to support other City Agencies. The Department of Public Works, Bureau of Solid Waste, will clean and/or board vacant/unoccupied publicly and privately owned properties in qualified areas as instructed on a CHIP Work Order Service Request assigned by the DHCD's Code Enforcement Division. Funds are being provided to subsidize a portion of the salary and other personnel cost and select operating expenses to clean and/or board assigned vacant structures. This activity will assist in eliminating unsafe conditions and aid in arresting decline in low to moderate-income areas.

On June 22, 2011, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2011 Annual Action Plan for the following formula programs:

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

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2011 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, this interdepartmental memorandum of understanding was delayed due to final negotiations and processing.

## MINUTES

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the interdepartmental memorandum of understanding with the Department of Public Works/Bureau of Solid Waste.

**MINUTES**

Department of Housing and                    - Acquisition by Gift  
Community Development (DHCD)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the property located at 1013 W. Mulberry Street by gift from Mr. Franklin A. Chancey and Ms. Beverly L. Chancey, owners, **SUBJECT** to any outstanding municipal liens other than current water bills.

**AMOUNT OF MONEY AND SOURCE:**

Mr. Chancey and Ms. Chancey agree to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. No City funds will be expended.

**BACKGROUND/EXPLANATION:**

The DHCD, Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City.

The owners have offered to donate title to their property located at 1013 W. Mulberry Street. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 1013 W. Mulberry Street are itemized as follows:

Cumulative Real Property Taxes 2011-2012

Total Tax	\$2,021.69
Interest/Penalties	1,179.73
Other	205.30
Tax Sale Interest	71,801.51
Miscellaneous Bills	20,209.15
Metered Water (Tax Sale)	1,636.91
Rental Registration	<u>190.50</u>
Total Municipal Liens	<b>\$97,244.79</b>



## MINUTES

DHCD - cont'd

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved and authorized the acquisition of the property located at 1013 W. Mulberry Street by gift from Mr. Franklin A. Chancey and Ms. Beverly L. Chancey, owners, **SUBJECT** to any outstanding municipal liens other than current water bills.

**MINUTES**

Department of Housing and - Head Start Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Head Start agreement with Baltimore Mental Health Systems, Inc., delegate agency for the Martin Luther King, Jr./Early Head Start Program. The period of the agreement is July 1, 2011 through June 30, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$11,824.00 - 4000-486311-6051-452299-603051

**BACKGROUND/EXPLANATION:**

Under the terms of this agreement, the organization will provide Head Start mental health services to children and their families in Baltimore City served by the Martin Luther King Jr. Head Start Program.

The Head Start agreement is late because of delays in the administrative review process.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Head Start agreement with Baltimore Mental Health Systems, Inc., delegate agency for the Martin Luther King, Jr./Early Head Start Program. The President

**ABSTAINED.**

**MINUTES**

Department of Housing and - Grant Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement with THE ASSOCIATED: Jewish Community Federation of Baltimore, Inc. The period of the agreement is effective upon Board approval for six months.

**AMOUNT OF MONEY AND SOURCE:**

\$250,000.00 - 9910-903125-9588

**BACKGROUND/EXPLANATION:**

In 2009, the City committed \$750,000.00 to assist in the development of new headquarters for Comprehensive Housing Assistance Incorporated (CHAI), located at 5809 Park Heights Avenue. CHAI is an affiliate of THE ASSOCIATED: Jewish Community Federation of Maryland, and uses THE ASSOCIATED for their real estate development needs.

On February 17, 2010, the Board approved a grant agreement in the amount of \$500,000.00 with THE ASSOCIATED for the demolition of 5800 Park Heights Avenue in order to create the necessary parking for CHAI's new headquarters.

Under the terms of this grant agreement, the funds will be used to reimburse THE ASSOCIATED for electrical costs associated with the construction of CHAI's new headquarters. The new building is complete.

**MBW/WBE PARTICIPATION:**

The MBE/WBE goals in the original grant award will continue to apply.

**APPROVED FOR FUNDS BY FINANCE**

**(FILE NO. 57290)**

## MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized the grant agreement with THE ASSOCIATED: Jewish Community Federation of Baltimore, Inc.

**MINUTES**

Department of Housing and - Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with the Coalition to End Childhood Lead Poisoning, Inc. The period of the agreement is September 1, 2011 through August 31, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$185,400.00 - 2089-208912-5930-436763-603051

**BACKGROUND/EXPLANATION:**

The organization is dedicated to preventing childhood lead poisoning through advocacy, outreach, and education. Working in partnership with the community, the organization is committed to ensuring that all children grow up in affordable, lead-safe housing and that community based solutions for lead-safe housing are implemented which will result in healthier communities. Under the terms of this agreement the organization through the Safe at Home Baltimore Program will implement a comprehensive approach to reduce childhood lead poisoning, asthma episodes, and other home-based environmental health and safety hazards in Baltimore's older low and moderate-income communities.

On June 22, 2011, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2011 Annual Action Plan for the following formula programs:

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

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2011 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, this agreement was delayed due to final negotiations and processing.

## MINUTES

DHCD - cont'd

MBE/WBE PARTICIPATION:

FOR FY 2012, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$37,500.00, AS FOLLOWS:

MBE: \$3,750.00

WBE: \$1,875.00

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTIONS

(FILE NO. 57087)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Coalition to End Childhood Lead Poisoning, Inc.

## MINUTES

Parking Authority - Consent to Assignment Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the consent to the assignment agreement with Cale Parking Systems, USA, Inc., assignor, and Cale America Inc., assignee.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On July 19, 2006, the Board approved an agreement for Pay-and-Display Parking Stations, (meter agreement) with Cale Parking Systems, USA, Inc. On May 17, 2010, the Board approved the maintenance agreement (maintenance agreement) with Cale Parking Systems, USA, Inc. Cale Parking Systems USA, Inc. is assigning its rights, title, interest, and obligations in both agreements.

The meter agreement originally allowed for the purchase of 375 meters, and provides for the wireless communication and back-end software to manage the meters. Subsequently, the Board has approved four amendments to the meter agreement, to increase the number of meters that may be purchased:

1. October 17, 2007, to purchase 120 meters bringing the total to 495 meters,
2. July 30, 2008, to purchase 200 meters bringing the total to 695 meters,
3. April 8, 2009, to purchase 25 meters bringing the total to 720 meters, and
4. August 25, 2010, to purchase 75 meters bringing the total to 795 meters.

On February 17, 2010, the Board approved an amendment which allowed for upgrading the method of credit card processing at selected meters.

The original term of the meter agreement was five years and ended on July 18, 2011 with five 1-year renewal options. The

## MINUTES

PABC - cont'd

PABC has exercised its first renewal option to extend the term of the meter agreement one year through July 18, 2012.

The period of the meter maintenance agreement is June 1, 2010 through May 31, 2015. The maintenance agreement provides for regular preventive maintenance and any required repairs to the meters.

The assignee, Cale America Inc., is a wholly owned subsidiary of the Cale Meter Manufacturer making it an ideal assignee of the agreements. The Cale meters are meeting expectations and the PABC believes that future purchase of additional meters will be beneficial to the City.

**APPROVED FOR FUNDS BY FINANCE**

**(FILE NO. 55985)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the consent to the assignment agreement with Cale Parking Systems, USA, Inc., assignor, and Cale America Inc., assignee.



**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a third amendment to agreement of lease with the Baltimore Condo 2-8, LLC, landlord, for the rental of 118 N. Howard Street also known as The Atrium Apartments.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On February 20, 2002, the Board approved an agreement of lease for approximately 5,000 square feet of space located in the basement level of 118 N. Howard Street for use as a Police Substation where downtown Baltimore Closed Circuit Television (CCTV) cameras are monitored.

The lease was amended in January, 2005, and September, 2008 to increase the leased area, extend the original term, and provide for rental payment, renewals, seven parking spaces and additional roof space.

Under this third amendment to agreement of lease, the landlord is making available approximately 100 square feet on the exterior of the premises for installation of two HVAC condensation units and conduit. As a condition, the tenant's contractor will provide certain insurances during installation and the tenant agrees to remove the HVAC upon termination of the lease.

This unit will allow greater efficiency at the facility which monitors all downtown, Baltimore City CCTV cameras. The facility deters crime and increases the security and protection of City residents, visitors, employees and the tourism industry.

## MINUTES

BDC - cont'd

The third amendment to agreement of lease was approved by the Space Utilization Committee on February 7, 2012.

**(FILE NO. 55889)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the third amendment to agreement of lease with the Baltimore Condo 2-8, LLC, landlord, for the rental of 118 N. Howard Street also known as The Atrium Apartments.

**MINUTES**Bureau of Solid Waste - Task Assignment**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 001 to KCI Technologies, Inc. under Project 1157, Quarantine Road Landfill Title V Air Permit Requirement.

**AMOUNT OF MONEY AND SOURCE:**

\$660,756.21 - 9948-902047-9517-900220-703331

**BACKGROUND/EXPLANATION:**

On September 28, 2011, the Board approved the award to KCI Technologies, Inc. for On-Call Project 1157. The Bureau of Solid Waste requires technical and reporting services associated with the Quarantine Road Landfill Title V Air Permit Requirement.

**MBE/WBE PARTICIPATION:**

KCI Technologies, Inc. will comply with Article V, Subtitle 28 of the Baltimore City Code and MBE/WBE goals established in the original agreement.

**APPROVED FOR FUNDS BY FINANCE**

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

**(FILE NO. 57079)**

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 001 to KCI Technologies, Inc. under Project 1157, Quarantine Road Landfill Title V Air Permit Requirement.

**MINUTES**

Bureau of Water and - Employee Expense Report  
Wastewater (BW&WW)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense report for Ms. Maryann Tana for the month of October 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$326.35 - 9960-904727-9557-900020-705050 (mileage)

**BACKGROUND/EXPLANATION:**

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

The request is late because the original expense report was misplaced during the BW&WW review process, and the resubmitted expense report exceeded the 40-workday limit for approval.

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

UPON MOTION duly made and seconded, the Board approved the expense report for Ms. Maryann Tana for the month of October 2011. The President **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Consultant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a consultant agreement with Johnson, Mirmiran and Thompson, Inc., for Project SC 920, Improvements to the Gwynns Falls Sewershed Collection System - Area A. The period of the agreement is effective upon Board approval for five years, or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$ 856,504.01 - Baltimore City Wastewater Revenue Bonds  
 1,501,452.19 - Baltimore County  
\$2,357,956.20 - 9956-904623-9951-900020-703023

**BACKGROUND/EXPLANATION:**

The Consultant will provide engineering services necessary to evaluate, prepare a design memorandum, develop contract documents including plans and specifications and post award services. The improvements include rehabilitation of sanitary sewers and manholes; replacing and upsizing sewers, point repairs; locating, opening and inspecting manholes; designing a storage facility, updating the program level database and GIS. The Consultant will also provide certain engineering services during construction including reviewing request for information and potential change orders, site visits and solving construction problems. The Consultant was approved by the Architectural and Engineering Awards Commission.

**MBE/WBE PARTICIPATION:**

<b>MBE:</b>	TLB Associates, Inc.	\$ 47,083.20	2.00%*
	Khafra Engineering Consultants, Inc.	259,447.71	11.00%
	Savin Engineers, PC	117,942.34	5.00%
	Phoenix Engineering, Inc.	94,365.12	4.00%
	Chester Engineers, Inc.	<u>117,851.19</u>	<u>5.00%</u>
		<b>\$636,689.56</b>	<b>27.00%</b>

MINUTES

BW&WW - cont'd

<b>WBE:</b>	Sahara Communications, Inc.	\$ 23,550.25	1.00%
	Albrecht Engineering, Inc.	<u>188,556.69</u>	<u>8.00%</u>
		<b>\$212,106.94</b>	<b>9.00%</b>

\*TLB Associates, Inc. is not in good standing with the Maryland Department of Assessments and Taxation. The bidder will be allowed to substitute an approved MBE if TLB Associates, Inc. is not in good standing at the time of award.

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

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

(FILE NO. 55986A)

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 944,424.00	9956-907622-9549	
W.W. Revenue	Constr. Reserve	
Bonds	Sewer System	
	Evaluation -	
	Gwynns Falls	
1,655,576.00	" "	
County Appropiations		
<u>\$2,600,000.00</u>		
\$2,357,956.20	-----	9956-904623-9551-3
		Engineering
242,043.80	-----	9956-904623-9551-9
<u>\$2,600,000.00</u>		Administration

The funds are required to cover the cost of SC 920, Improvements to the Gwynns Fall Sewershed Collection System.

**MMCA- Maryland Minority Contractors Association, Inc.**

A Chapter of the American Minority Contractors and Businesses Association, Inc.-AMCBA

Baltimore, Maryland 21210

443-413-3011 Phone

410-323-0932 Fax

February 14, 2012

VIA Facsimile 410-685-4416

The Honorable President and Members

Baltimore City Board of Estimates

**Attention:** Clerk to the Board

City Hall-Room 204

Baltimore, MD 21202

Dear Mr. President:

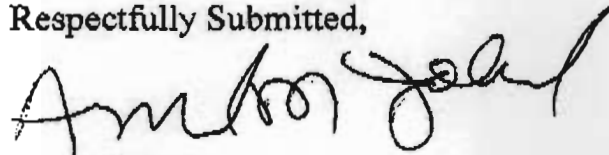
I represent the Maryland Minority Contractors Association, Inc. ("MMCA"), its members, clients and constituents.

I wish to protest the City's Bureau of Water and Wastewater's consultant agreement with Johnson, Mirmiran and Thompson, Inc., as stated on pages 49-50 of Your Honorable Board's 02/15/2012 agenda. Moreover, I also want to protest the City's Bureau of Water and Waste water consultant agreement with O'Brien & Gere Engineers, Inc., as presented on pages 51-52 of Your Honorable Board's 02/15/2012 agenda.

These protests are based on the fact that both of these proposed consultant agreements appear to have excluded and unlawfully discriminated against our local African American-owned consultant engineers. There are many African American engineering firms, and it appears that they have been completely excluded from both of these large consultant contracts.

I respectfully request that you correct this most unfortunate situation.

Respectfully Submitted,



Arnold M. Jolivet

Managing Director

## MINUTES

BW&WW - cont'd

President: "The first item on the non routine agenda can be found on Page 49-50, Consultant Agreement with Johnson, Miriam and Thompson. Will the parties please come forward?"

Mr. Corey: "Good morning Mr. President. My name is Thomas Corey, I am the Chief of the Minority and Women's Business Opportunity Office, and Mr. Jolivet has a statement."

Mr. Jolivet: "Good morning, your Honorable Board. I would move the Board ---."

Comptroller: "State your name."

Mr. Jolivet: "Arnold M. Jolivet. I would respectfully move the Board to allow me to withdraw that protest if the Board sees fit. My concerns on that project have been abated, so therefore, I would move the Board respectfully to move the Board to allow me to withdraw that."

President: "I will entertain a Motion to withdraw this protest."

City Solicitor: "Move to allow the withdrawal of the protest and to approve the items submitted by the Department."

Director of Public Works: "Second."

President: "All in favor say AYE. All opposed NAY. The motion carries. Thank you."

City Solicitor: "Thank you all very much."



## MINUTES

\* \* \* \* \*

UPON MOTION duly made and seconded, the Board approved and authorized execution of the consultant agreement with Johnson, Mirmiran and Thompson, Inc., for Project SC 920, Improvements to the Gwynns Falls Sewershed Collection System - Area A. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**. The Comptroller **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Consultant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a consultant agreement with O'Brien & Gere Engineers, Inc., for Project SC 921, Improvements to the Gwynns Falls Sewershed Collection System - Area B. The period of the agreement is effective upon Board approval for five years, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$ 897,276.29 - Baltimore City Wastewater Revenue Bonds  
1,572,926.02 - Baltimore County  
**\$2,470,202.31** - 9956-904623-9551-900020-703032

BACKGROUND/EXPLANATION:

The Consultant will provide engineering services necessary to evaluate, prepare a design memorandum, develop contract documents including plans and specifications and post award services. The improvements include rehabilitation of sanitary sewer and manholes, replacing and upsizing sewers, point repairs, locating, opening and inspecting manholes, designing a storage facility, and updating the program level database and GIS. The Consultant will also provide certain engineering services during construction including reviewing requests for information and potential change orders, site visits and solving construction problems. The Consultant was approved by the Architectural and Engineering Awards Commission.

MBE/WBE PARTICIPATION:

<b>MBE:</b>	EBA Engineering	\$674,474.92	27.31%
<b>WBE:</b>	Carroll Engineering	\$222,625.33	9.01%

**MWBOO FOUND THE VENDOR IN COMPLIANCE**

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

**A LETTER OF PROTEST HAS BEEN RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION, INC.**

MINUTES

BW&WW - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 625,576.00	9956-907622-9549	
W.W. Revenue	Constr. Reserve	
Bonds	Sewer System	
	Evaluation	
	Gwynns Falls	
1,751,090.00	" "	
County Approp-		
riation		
373,334.00	9956-903623-9549	
W.W. Revenue	Constr. Reserve	
Bonds	Sewer System	
<u>\$2,750,000.00</u>	Evaluation	
	Gwynns Falls	
\$2,470,277.31	-----	9956-904623-9551-3
		Engineering
279,722.69	-----	9956-904623-9551-9
<u>\$2,750,000.00</u>		Administration

The funds are required to cover the cost of SC 921, Improvements to the Gwynns Fall Sewershed Collection System - Area B.

(FILE NO. 57289)

\* \* \* \* \*

President: "So the second item on the non routine agenda can be found on Pages 51-52, Consultant agreement with O'Brien and Gere Engineers. Will the parties please come forward?"

Mr. Corey: "Good morning Mr. President, members of the Board, my name is Thomas Corey, Chief of the Minority and Women's Business Opportunity Office. On the contract with O'Brien &

## MINUTES

Gere Engineers, there is minority participation, there's 27% MBE participation and 9% WBE participation. The MBE in this contract is EBA Engineering and the WBE contractor is Carroll Engineering."

Mr. Jolivet: "Mr. President, Tom is actually right in terms of his description that there is MBE/WBE participation. However, that really is not my -- that's not my allegations and in 2007, when we were in the process of reauthorizing the MBE Ordinance, I went to Tom and I went to the City Council and I described a situation where there was a bias - - there was a bias against African American on contracts. In many instances it was more prevalent with the consultant engineering, so I asked Tom and he agreed that there was a need for a provision in the Ordinance providing for the establishment of sub-goals. Sub-goals to include the various members uh -- that were covered in the Ordinance. So, we put a provision in the Ordinance which it did not require if you wouldn't mind Mr. President, if you wouldn't mind pass that out to the members of the Board. But money does, it simply says and I would ask the Board for permission to read it into the record, because what it does, it allows given the fact that there was a proven bias against African American firms, primarily in the area of consulting engineering. So we - - the language in the Ordinance was not exactly like I would

## MINUTES

have wanted to do - - wanted it to be. But, we certainly have a provision that said 'on architectural or engineering contracts, the office meaning the MBE/WBE office may in consultation with the contracting agency, set goals for MBE's dividing into sub-goals for African American, Hispanic American, Asian Americans or Native American-owned businesses. Now, there was a reason for that, and unfortunately, the City's MWBOO office has not really followed this Ordinance and consequently, we end up with a situation where the benefits of the MBE Ordinance simply go to the same people. The same firms and they are very rarely African American. So, I ask the Board this morning, to look at how we are apportioning the MBE benefit. Anytime were we have a situation where African American owned MBE firms, consultants or otherwise are being excluded that is something that we need to pay full and immediate attention to. Now, in this case it's a prime example where the entire 27% went to a non-African American entity. Now, I am not here to suggest to you that the entire 27% should go to an African American. No, that is not my -- but we have guidelines that have been set by the City Council on how we should administer the Ordinance and if we are not following those guidelines, then we end up with a situation where all of the MBE benefits are going to firms other than African American. So I just think it's a plain

## MINUTES

and unambiguous situation. I would ask this Board in your wisdom to have this contract to be rebid, because it's just not right to have an MBE program in the City that is 65 to 70% African American and the African American businesses are being excluded. It doesn't make sense and the sad thing about it Mr. Solicitor; it is being done in conformity with the Ordinance. The Ordinance doesn't preclude it per se, but it goes totally against the intent and purpose and the spirit of the Ordinance. I don't want to make a - - I guess I have, I guess I've already done that. But my point is, my point is and I appreciate the Board listening, because this is serious. We've got an Ordinance that was designed and enacted to empower everyone. But we are finding it's only empowering and including very select people Mr. Solicitor."

City Solicitor: "Before Mr. Corey respond's just a question for you. You said that the action here in not invoking the discretionary sub goal provision was contrary to guidelines expressly adopted by the City Council. Now, are there guidelines that were reflected in the current Ordinance as extended other than to give the MWBOO office the discretion to set sub-goals? Are there any specific guidelines --"

Mr. Jolivet: "Yes."

## MINUTES

City Solicitor: that are violated here, and what are they briefly?"

Mr. Jolivet: "I am sorry, I didn't hear the --"

City Solicitor: "And what are they briefly, the guidelines that the MWBOO office has violated in not setting a sub-goal or sub-goals here."

Mr. Jolivet: "I'll gladly answer that for you --"

City Solicitor: "Briefly."

Mr. Jolivet: "Yes, briefly of course briefly. But yeah I want you to look at the plain unambiguous language of the Ordinance."

City Solicitor: "Not what's in front of us, but something else?"

Mr. Jolivet: No. If the Ordinance itself tells you --."

City Solicitor: "Okay, this says, they may in consultation with the agency set sub-goals."

Mr. Jolivet: "Right, Okay I think that suggests in and of itself one can leave that Ordinance the language of that Ordinance to suggest that there was a problem that the legislature was trying to remedy. But, more importantly if you would refer yourself to the legislative history at the hearings, the legislative history clearly would support a more vigorous and consistent enforcement of that provision, because there was testimony at the legislative hearings."

## MINUTES

City Solicitor: "Okay, now I know where to go."

Mr. Jolivet: "Yeah."

City Solicitor: "Thank you."

Mr. Jolivet: "Read the legislative hearings."

City Solicitor: "Will do."

Mr. Jolivet: "But, nonetheless let me wind-up."

City Solicitor: "Okay."

Mr. Jolivet: "Let me wind-up because you know I know the Board has other things to do and I am very mindful of the Board's time. Nonetheless, I think I have made my case. I don't think I need to say anymore."

City Solicitor: "Mr. Corey would like to."

Mr. Corey: "Sure, just briefly. The Ordinance clearly says that the office may establish some sub-contract goals on contracts, in consultation with the agency. When we look at a contract, we look to see whether or not there is some availability with regards to putting other firms on contract, and if the agency and we agree that sub-goals are not appropriate for a particular contract, we will not set contract -- sub contract goals. This is one of them. Ah, it isn't appropriate in this instance. We share the same concern that Mr. Jolivet shares in that, trying to make sure that everybody is involved in the City's procurement process. It was opened to



## MINUTES

anyone to participate as an MBE/WBE, this firm happened to choose these two folks because they may be better suited for the task that they were hired to do, and that is appropriate and it is within the law."

Mr. Jolivet: "Mr. President, just give me one more opportunity to not to simply rebut Mr. Corey, because I don't think that is necessary. But I think the spirit in the Ordinance, the spirit and intent of the Ordinance and of course, I don't agree with what Mr. Corey has just articulated to the Board. Because, if you would look at the record, in the entire five year history of the administration of this Ordinance, sub-goals for consultants have only be set like three or four times. So, Mr. Corey's arguments are rebutted and undermined and undercut by the fact that they never put the sub-goals in there."

Mr. Nilson: "Is there any one particular company that wanted to participate on this on contract that was excluded? Is there one company that you can name for us?"

Mr. Jolivet: "Of course."

Mr. Corey: "Who would that be?"

Mr. Jolivet: "It's a client and I would like to present that to you I don't want to --."

Mayor: "They would be useful, because that is where we are making the consideration is today."

## MINUTES

Mr. Jolivet: "Well, the point of the matter is that I have a client that represents as part of my association and as asked me to articulate this before the Board, but part of the purpose and benefits of having an association for the association to articulate the concerns and the injuries that the client is suffering."

Mayor: "The problem is you have an association and clients that you've named no individuals that you are claiming that there is harm."

Mr. Jolivet: "Of course it is."

Mayor: "But, you can't throw up a smoke screen and say that there is harm without identifying who's been harmed."

Mr. Jolivet: "I don't agree with that."

Mayor: "We are not here for a theoretical harm discussion."

Mr. Jolivet: "I don't agree with that."

City Solicitor: "Madam Mayor ---."

Mayor: "We are here for specific damage."

Mr. Jolivet: "I don't agree with that."

City Solicitor: "Okay. But you --."

Mayor: "Well, we can disagree all day."

Mr. Jolivet: "I don't agree with that."

City Solicitor: "Yeah."

## MINUTES

Mayor: "It is continuously frustrating when you bring these theoretical arguments about specific contracts. This is not theory; give us the name of a client who has been wronged by this process. One name."

Mr. Jolivet: "Well the Solicitor is uniquely and keenly aware that the law of associations allow the association to articulate the injury and the interest of the member.'

City Solicitor: "Understood. But, the law also allows us to go ahead and act as we must on a specific contract that is before us without the information that the Mayor has asked you to provide, because you have declined to provide it. So, I would suggest respectively that that matter is ready for a Motion. Mr. President."

Mr. Jolivet: "Mr. President, let me, Mr. Solicitor, the problem with your argument is that it goes completely, totally against the purpose and functions of associations, and if the Board in its wisdom decides that what I have presented here this morning is not a violation then we've got a real problem in the City. African American firms are never going to get a piece of the pie. We are never going to get a piece of the pie."

City Solicitor: "If there is a -- the Mayor has simply said to you appropriately, if there is a firm that has been harmed by the action that we are being asked to take, if you will identify

## MINUTES

to us that firm, it will assist us in making our decision. You have declined to do so, that's your right."

Mr. Jolivet: "No - No. Don't put words in mouth. I have not declined. What I asserted to you, that I have a client who has not authorized me to disclose publicly their name and identity."

City Solicitor: "We are going to have to go ahead, because we have an item on the agenda and act on the item, and if you want to bring the identity of that client forward after you have gotten the client's authorization then you can bring it forward to my attention."

Mr. Jolivet: "I think that's fair."

City Solicitor: "Okay."

President: "I will entertain a Motion."

City Solicitor: "I would MOVE the approval of the denial of this particular bid process and the approval of the item as requested by the agency."

Director of Public Works: "Second."

President: "All those in favor say AYE. Those opposed NAY. Please **NOTE** that I **ABSTAIN**. The Motion carries."

\* \* \* \* \*

## MINUTES

UPON MOTION duly made and seconded, the Board approved and authorized execution of the consultant agreement with O'Brien & Gere Engineers, Inc., for Project SC 921, Improvements to the Gwynns Falls Sewershed Collection System - Area B. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter. The President **ABSTAINED**.

- (2) the level of utilization of these firms in past contracts awarded by the City;
- (3) the contract specifications;
- (4) the adverse impact on non-MBEs and -WBEs; and
- (5) any other relevant factors.

(b) *Minimum availability.*

For a goal to be applicable to a contract, at least 2 MBEs or WBEs must be available for that goal.

\* (c) *Construction contracts of \$1,000,000 or more.*

On construction contracts for which the estimated cost is \$1,000,000 or more, the Office may, in consultation with the contracting agency, set goals for MBEs divided into subgoals for African American-, Hispanic American-, Asian American-, or Native American-owned firms.

\* (d) *Architectural or engineering contracts.*

On architectural or engineering contracts, the Office may, in consultation with the contracting agency, set goals for MBEs divided into subgoals for African American-, Hispanic American-, Asian American-, or Native American-owned firms.

(e) *Consultation.*

In establishing goals on each contract, the Office must consult with the contracting agency, the City Purchasing Agent, or both.

(Ord. 00-098; Ord. 07-606.)

**§ 28-23. Publication.**

The contract goals must be clearly published as part of the contract specifications in the invitation to bid or request for proposals.

(Ord. 00-098.)

**§ 28-24. Applicability to alternates, modifications, etc.**

The contract goals apply to the initial contract amounts, to any alternates, and to all subsequent amendments, supplements, extra work orders, change orders, or other modifications that, whether individually or in the aggregate, increase the dollar value of the contract by more than 10%.

(Ord. 00-098.)

**§ 28-25. Office review and report.**

(a) *Office to evaluate.*

Annually, the Office must review MBE and WBE participation on all contracts and procurement to evaluate the effect of the Program and the City's progress towards meeting the annual goals.

**MINUTES**

Bureau of Water and Wastewater - Amendment No. 6 to Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of amendment no. 6 to agreement with Louis Berger Water Service, Inc. for Project 1014, Program Management Services for Consent Decree Wet Weather Program. The amendment extends the period of the agreement through December 23, 2012 or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$0.00

**BACKGROUND/EXPLANATION:**

On May 24, 2006, the Board approved an agreement with Louis Berger Water Service, Inc. to provide program management services for the Consent Decree Wet Weather Program. This amendment will allow the consultant to continue providing these engineering and sampling services through December 23, 2012, at no additional cost to the City.

**MBE/WBE PARTICIPATION:**

The MBE/WBE participation in the original contract will continue to apply.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS NOTED THE TIME EXTENSION.**

**(FILE NO. 55986A)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 6 to agreement with Louis Berger Water Service, Inc. for Project 1014, Program Management Services for Consent Decree Wet Weather Program. The President **ABSTAINED**.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |  |             |         |
|--|-------------|---------|
| 1. LAWREN SUPPLY COMPANY<br>OF NEW JERSEY, INC.  | \$28,244.50 | Low Bid |
| Solicitation No. B50002120 - Rifles for M-4 Pilot Program -<br>Police Department - Req. No. R583348                                  |             |         |
| 2. SHERWIN-WILLIAMS AUTOMOTIVE<br>FINISHES CORPORATION   | \$ 0.00     | Renewal |
| Solicitation No. B50000843 - Automotive Paint & Supplies -<br>Department of General Services, Fleet Management - P.O. No.<br>P507774 |             |         |

On March 4, 2009, the Board approved the initial award in the amount of \$500,000.00. The award contained two 1-year renewal options. This renewal is for the period March 4, 2012 through March 3, 2013, with one 1-year renewal option remaining.

**MWBOO GRANTED A WAIVER.**

- |   |         |         |
|---|---------|---------|
| 3. AMERICAN TRUCK AND<br>BUS, INC.  | \$ 0.00 | Renewal |
| Solicitation No. 08000 - OEM Parts and Service for the Senior<br>Citizen Bus - Department of General Services, Fleet<br>Management - P.O. No. P502447 |         |         |

On June 4, 2008, the Board approved the initial award in the amount of \$100,000.00. The award contained two 1-year renewal options. On March 23, 2011, the Board approved the first 1-year renewal. This final renewal is for the period May 15, 2012 through May 14, 2013.

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



## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |  |              |         |
|--|--------------|---------|
| 4. INTERSTATE TRUCK EQUIPMENT<br>INC.  | \$100,000.00 | Renewal |
| Solicitation No. 06000 - OEM Parts & Service for Seagrave<br>Fire Apparatus - Department of General Services, Fleet<br>Management - P.O. No. P502097 |              |         |

On April 30, 2008, the Board approved the initial award in the amount of \$114,000.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$100,000.00 is for the period May 1, 2012 through April 30, 2013.

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

**MWBOO GRANTED A WAIVER.**

- |   |         |         |
|---|---------|---------|
| 5. ELKIN MANUFACTURING,<br>INC.   | \$ 0.00 | Renewal |
| Solicitation No. 08000 - OEM Parts for Elkin Cement Mixers -<br>Department of Public Works, Fleet Management Division - P.O.<br>No. P502444 |         |         |

On May 28, 2008, the Board approved the initial award in the amount of \$45,000.00. The award contained two 1-year renewal options. On February 23, 2011, the Board approved the first one 1-year renewal option in the amount of \$45,000.00. This final renewal is for the period June 1, 2012 through May 31, 2013.

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

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
--------	-----------------	-------------

Bureau of Purchases

6. UNDERCAR SPECIALISTS, INC.		
d/b/a MEINEKE CAR CARE CENTER		
HERITAGE HONDA	\$ 0.00	Renewal
Solicitation No. 06000 - OEM Parts and Service for Honda Vehicles - Department of General Services, Fleet Management - P.O. Nos. P510907 and P510294		

On April 30, 2008, the Board approved the initial award in the amount of \$150,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This final renewal is for the period May 1, 2012 through April 30, 2013.

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

**MWBOO GRANTED A WAIVER.**

7. SEFAC, INC.	\$117,600.00	Sole Source
Solicitation No. 08000 - SEFAC Portable Lifts - Department of General Services, Fleet Management - Req. No. R590361		

The City's fleet is comprised entirely of SEFAC manufactured portable lifts. The vendor is the sole importer and sole supplier of parts in the United States for SEFAC manufactured products. The above amount is for four sets of lifts.

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

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

8. THE BEST BATTERY		
CO., INC.	\$250,000.00	
D.D. & M., INC.	50,000.00	
P&H AUTO-ELECTRIC, INC.	.00	
P&H	<u>\$300,000.00</u>	Renewal

Solicitation No. B50000933 - Automotive Starters and Alternators - Department of General Services, Fleet Management - P.O. Nos. P506992, P506993 and P506994

On February 22, 2009, the Board approved the initial award in the amount of \$1,115,000.00. The award contained two 1-year renewal options. This renewal in the amount of \$300,000.00 is for the period March 13, 2012 through March 12, 2013, with one 1-year renewal option remaining.

**MWBOO GRANTED A WAIVER.**

9. TENNANT SALES AND SERVICE		
COMPANY	\$ 25,000.00	Renewal

Solicitation No. B50001931 - PM Maintenance for Tennant Machines - Convention Center P.O. No. P516995

On May 11, 2011, the Board approved the initial award in the amount of \$30,000.00. The award contained three 1-year renewal options. This renewal in the amount of \$25,000.00 is for the period May 9, 2012 through May 8, 2013, 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>
---------------	------------------------	--------------------

Bureau of Purchases

- |   |              |          |
|---|--------------|----------|
| 10. SHANNON-BAUM SIGNS, INC.  | \$100,000.00 | Increase |
| Solicitation No. B50000543 - "U" Channel Sign Posts -<br>Agencies - Various - Req. Nos. Various |              |          |

On September 3, 2008, the Board approved the initial award in the amount of \$102,180.00. Subsequent actions have been approved. An increase is necessary due to increased usage of the contract. This increase in the amount of \$100,000.00 will make the award amount \$267,170.00.

**MWBOO GRANTED A WAIVER.**

- |  |              |             |
|--|--------------|-------------|
| 11. HERSEY METERS COMPANY, LLC   | \$ 85,000.00 | Sole Source |
| Solicitation No. 08000 - EDC IV Detector Check and FM3<br>Fireline Meters - Department of Public Works, Bureau of Water<br>and Wastewater - Req. No. R592301 |              |             |

This requirement is specific for items which must be purchased from the authorized distributor of the original manufacturer. The vendor is the sole authorized distributor for these items.

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

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

12. POINT BLANK BODY ARMOR, INC.	\$331,400.00	Selected Source
Solicitation No. 06000 - Body Armor - Police Department - Req. No. R595195		

On October 5, 2011 all bids for B500002047 were rejected because the specifications provided by the user agency were flawed.

In order to meet the ongoing need for these items until this requirement can be re-bid, a term purchase order is needed. It will be issued with the same terms and conditions as the previous contract, B50000179 - Personal Ballistic Soft Body Armor, which has expired. There are no outstanding invoices to be paid.

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.

UPON MOTION duly made and seconded, the Board approved the foregoing informal awards, renewals and increases and extensions to contracts. The Mayor **ABSTAINED** on item no. 9. The President **ABSTAINED** on item no. 11.

**MINUTES**

Department of Real Estate - Agreement of Sale

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement of sale with Mr. Ruthven Young, purchaser, for the sale of the property located at 1062 W. Fayette Street.

**AMOUNT OF MONEY AND SOURCE:**

\$604.00 - Purchase price

**BACKGROUND/EXPLANATION:**

The authority to sell this property, as approved by City Council Ordinance No. 477, was approved on December 6, 1973. The property will be sold pursuant to the Baltimore City Side Yard Policy approved by the Board on August 17, 2011. The purchaser will be using private funds to pay for the acquisition and maintenance of the property.

In accordance with the City Side Yard Policy, the City has agreed to convey the property known as 1062 W. Fayette Street (Block 0185, Lot 032) to the owner of the adjacent, owner-occupied property. As a condition of the conveyance, Mr. Young has agreed to the terms of this agreement of sale which, prohibit development of the parcel for a minimum of ten years.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement of sale with Mr. Ruthven Young, purchaser, for the sale of the property located at 1062 W. Fayette Street.

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

The Board is requested to approve and authorize execution of an amendment to the lease agreement with Jowita Wyszomirska and Chad W. Tyler, lessee, for the relocation from Studio No. 105 to Studio No. 202 (2<sup>nd</sup> floor), located at School 33 Art Center, 1427 Light Street.

**AMOUNT OF MONEY AND SOURCE:**

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

**BACKGROUND/EXPLANATION:**

The lessee will be relocating from Studio No. 105 to Studio No. 202. The effective date of the relocation was October 1, 2011. The original term of the lease agreement is February 1, 2011 through January 31, 2012, with the option to renew automatically for two 1-year terms.

It is agreed by all parties that all other rentals, conditions, provisions, and terms of the original lease agreement will remain unchanged.

**(FILE NO. 56338)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to the lease agreement with Jowita Wyszomirska and Chad W. Tyler, lessee, for the relocation from Studio No. 105 to Studio No. 202 (2<sup>nd</sup> floor), located at School 33 Art Center, 1427 Light Street.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

\* \* \* \* \*

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

UPON MOTION duly made and seconded,  
awarded the formally advertised contracts  
listed on the following pages:

573 - 575

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

The Transfers of Funds were approved  
SUBJECT to receipt of favorable reports  
from the Planning Commission,  
the Director of Finance having reported favorably  
thereon, as required by the provisions  
of the City Charter.



MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

1. TR 12010, Conduit System Reconstruction at Various Locations Citywide JOC Allied Contractors, Inc. \$2,211,048.00

**MBE:** J.M. Murphy Enterprises, Inc. \$146,000.00 6.60%  
 Machado Construction Co., 31,000.00 1.40%  
**\$177,000.00 8.00%**

**WBE:** McCall Trucking, Inc. \$ 28,060.00 1.27%  
 Sunrise Safety Services, Inc. 16,200.00 .73%  
**\$ 44,260.00 2.00%**

**MWBOO FOUND THE VENDOR IN COMPLIANCE**

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$2,542,705.20	9962-941002-9563	
Other	Constr. Reserve	
	Conduit Replace-	
	ment Program	
\$2,211,048.00	-----	9962-907058-9562-6
		Struc. & Improv.
221,104.80	-----	9962-907058-9562-5
		Inspections
<u>110,552.40</u>	-----	9962-907058-9562-2
<b>\$2,542,705.20</b>		Contingencies -
		Conduit System
		Reconstruction

This transfer will cover costs associated with the award of TR 12010, Conduit System Reconstruction at Various Locations Citywide JOC, to Allied Contractors, Inc.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Public Works/Department of Recreation & Parks

3. RP 11862, Solo Allied Contractors, \$383,000.00  
 Gibbs Spray Park Inc.

**MBE:** Priority Construction Corp. \$49,000.00 12.79%

**WBE:** McCall Trucking, Inc. \$ 3,904.00 1.02%

**MWBOO FOUND THE VENDOR IN COMPLIANCE**

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 90,000.00 Rec. & Parks 24 <sup>th</sup> Series	9938-908764-9475 Reserve - Park & Playgrounds Reno- vation FY09	
100,000.00 State	9938-913001-9475 Reserve Unallotted	
200,000.00 Rec. & Parks <u>26<sup>th</sup> Series</u>	9938-905773-9475 Reserve - Neigh- borhood Swimming Pool Renovation	
<b>\$390,000.00</b>	-----	9938-907764-9474 Active Park & Play- grounds Reno- vation FY09

This transfer will provide funds to cover the costs associated with the award of Contract RP11862, Solo Gibbs Spray Park to Allied Contractors, Inc.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

5.	B50002210, Single Stream Recycling	WM Recycle America, LLC	Revenue Contract
----	------------------------------------	-------------------------	------------------

**MWBOO GRANTED A WAIVER.**

6.	B50002218, Snow Contractors II	Carroll Concrete Construction Co.	\$ 50,000.00
		A2Z Environmental Group, LLC	50,000.00
		Unified Solutions Services, LLC	50,000.00
		Consolidated Services, Inc.	<u>50,000.00</u>
			<b><u>\$200,000.00</u></b>

**MWBOO GRANTED A WAIVER.**

7.	B50002254, Dive Equipment for the Police Department	American Dive Supply, LLC	\$ 74,465.34
----	---	---------------------------	--------------

**MBWOO GRANTED A WAIVER.**

**MINUTES**

Office of the State's Attorney - Grant Award Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant award agreement with the Governor's Office of Crime Control and Prevention (GOCCP). The period of the grant award agreement is January 1, 2012 through May 31, 2013.

**AMOUNT OF MONEY AND SOURCE:**

\$89,484.00 - 4000-401412-1150-118000-601001

**BACKGROUND/EXPLANATION:**

The grant award agreement is for the Cell Phone Interdiction Program. The program prosecutes the illegal possession of cell phones by incarcerated individuals in the City's jails and prisons. The program helps thwart other illegal activities initiated by the use of such phones. The grant funds will provide salary support for a Prosecutor and blackberry service.

**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 Governor's Office of Crime Control and Prevention.

## MINUTES

PERSONNEL MATTERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

578 - 579

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

## MINUTES

PERSONNELHealth Department

	<u>Hourly Rate</u>	<u>Amount</u>
1. <b>KYLE M. WHITT</b>	\$17.50	<b>\$ 7,000.00</b>

Account: 1001-000000-2401-258300-601009

Mr. Whitt, retiree, will work as an Administrative Coordinator for the Bureau of Animal Control. He will be responsible for entering records into the Customer Service Request (CSR) system and assisting citizens with their animal complaints and concerns. Mr. Whitt will also record and distribute all incoming and outgoing mail, input and print all Animal Facility Permits, inform citizens on different matters concerning animal abuse and animal cruelty within their community, and maintain all Animal Hearing Board files and records.

In addition, he will assist with scheduling and coordinating Animal Hearing Board hearings, maintain all Animal Hearing Board decisions, notify all owners and other interested parties of these decisions, and assist the Director of Animal Control in daily operations. The period of the agreement is effective upon Board approval through June 30, 2012.

Department of General Services

2. <b>LISA R. LITTLE</b>	\$34.84	<b>\$41,808.00</b>
--------------------------	---------	--------------------

Account: 2030-000000-1890-189900-601009

Ms. Little, retiree, will work as an Information Systems and Network Specialist. Her duties will include, but not be limited to providing sole system administration and overseeing the implementations and technical support of the Fleet License Plate Recognition System. This is a video camera-based system that will be programmed to recognize all vehicles registered to the Mayor and City

## MINUTES

PERSONNELDepartment of General Services - cont'd

Council of Baltimore, Baltimore City Public School Systems, and the Housing Authority of Baltimore City by reading tag numbers of City vehicles when fueling transactions are initiated. Ms. Little will also perform as Project Manager and Technical Support Specialist for the modification of Fleet Management's EJ Ward Fuel System, in order to import commercial credit card fuel transactions. She will make recommendations regarding IT and Network upgrades with emphasis on improvements that would benefit the Department and City as a whole.

## MINUTES

PROPOSAL AND SPECIFICATIONS

Bureau of Water and Waste Water - SC 917, On Call Television  
Inspection, Cleaning and  
Lining Sanitary Sewers using  
Cured-In-Place Pipe  
**BIDS TO BE RECV'D: 03/21/2012**  
**BIDS TO BE OPENED: 03/21/2012**

There being no objections, the Board, UPON MOTION duly made and seconded, approved the Proposal and Specifications to be advertised for receipt and opening of the bid on the date indicated. The President **ABSTAINED**.

President: "The Board is in recess until twelve o'clock noon for the opening and receiving 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 Purchases

- B50002230 Repair Services for  
Level 300 Skylights  
**BIDS TO BE RECV'D: 03/07/2012**  
**BIDS TO BE OPENED: 03/07/2012**

## MINUTES

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

Department of Transportation - TR 08046, Rehabilitation of  
Broening Highway - From Holabird  
Avenue to Colgate Creek

Potts & Callahan, Inc.  
Civil Construction, LLC  
P. Flanigan & Sons, Inc.  
Concrete General, Inc.  
The Lane Construction  
Corporation  
American Infrastructure

Department of Transportation - TR 05045, Key Highway Shared Use  
Trail and Landscaping Project  
from Interstate I-95 to West of  
Lawrence Street

Monumental Paving &  
Excavating, Inc.  
Allied Contractors, Inc.  
P. Flanigan & Sons, Inc.

Bureau of Water and  
Wastewater - SC 845R, Nitrification Filters  
& Related Work Patapsco  
Wastewater Treatment Plant

Archer Western Contract-  
ors, Inc.  
PC Construction Company  
The Whiting-Turner Cont-  
racting Co.  
Fru-Con Construction, LLC

## MINUTES

- Department of Recreation and Parks - RP 11869, Henry H. Garnet Park Improvements
- Allied Contractors, Inc.  
Potts and Callahan, Inc.  
K & K Adams Trucking, Inc.
- Department of General Services - GS 11846, Stabilization of Read's Drugstore
- Andrews Construction, Inc.  
P&J Contracting Co., Inc.  
JAK Construction Co., Inc.  
Broughton, Construction Co., LLC  
JA Argetakis Contracting, Co., Inc.  
Whiting Turner Contracting, Co.  
Trionfo Builders, Inc.
- Bureau of Purchases - B50002277, Provide Shuttle Bus/Van Service
- Woodlawn Motor Coach  
KD's Transportation  
STAR Associates, Inc.  
Blue Ridge Limosine & Tour Service  
Higher Ground Transportation, Inc.  
Just4U Transit, LLC  
Durham School Services
- Bureau of Purchases - B50002284, Weatherization Assistance and Lead Abatement at Low Income Residences II
- Living Classrooms Foundation  
Civic Works, Inc.
- Bureau of Purchases - B50002286, Lead Abatement II at Low Income Residences
- John Ware & Son, Inc.  
JLN Construction Services, LLC  
DeVeau Construction

## MINUTES

There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, February 22, 2012.

JOAN M. PRATT  
Secretary