

NOTICES

1. PROTESTS

ALL PROTESTS MUST BE RECEIVED NO LATER THAN 12:00 NOON ON TUESDAY, PRECEDING THE BOARD OF ESTIMATES' MEETING.

ALL PROTESTS MUST BE IN WRITING AND STATE:

1. whom you represent,
2. what the issues are, and
3. how the protestant will be harmed by the proposed Board of Estimates' action.

Please submit all protests to Board of Estimates, Attn: Clerk, Room 204 City Hall, 100 N. Holliday Street, Baltimore, Maryland 21202.

2. APRIL 7, 2010, AGENDA - DEADLINE

The deadline for submission of items for the Board of Estimates' Agenda for April 7, 2010, is no later than 11:00 a.m. on Tuesday, March 30, 2010.

BOARD OF ESTIMATES' AGENDA - MARCH 17, 2010

BOARDS AND COMMISSIONS

1. Prequalification of Contractors

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

Abel Recon, LLC	\$	6,984,000.00
Boblits Enterprises, LLC	\$	3,996,000.00
DC 10 Landscaping, Inc.	\$	747,000.00
K-O Construction, Inc.	\$	1,660,000.00

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:

Brasher Design, Inc.	Architect, Landscape Architect
Bryant Associates	Engineer
Engineering & Software Consultants, Inc.	Engineer
Kumi Construction Management Corporation	Engineer
McKissack & McKissack of Washington, Inc.	Architect Engineer
Urban Engineers, Inc.	Engineer

AGENDA

BOARD OF ESTIMATES

3/17/10

Law Department - Claim Settlement

The Board is requested to approve the settlement of the following claim. The settlement has been reviewed and approved by the Settlement Committee of the Law Department.

1. Kimberley Harris v. \$145,000.00
Mayor and City Council
of Baltimore City et al.

Account: 2036-000000-1750-177199-603070

AGENDA

BOARD OF ESTIMATES

3/17/10

Space Utilization Committee - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with Colin Campbell, lessee, for rental of the property located at 1427 Light Street, known as School 33, Studio No. 106. The period of the agreement is February 1, 2010 through January 31, 2011, with an automatic renewal of one year, unless the lease is terminated during the renewal term by the City giving a 60-day notice to lessee.

AMOUNT OF MONEY AND SOURCE:

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

BACKGROUND/EXPLANATION:

The demised premises will be utilized as an artist's studio. The lessor will be responsible for heat, electricity, and water.

The lessee will be responsible for content insurance, janitorial, trash receptacles, and security. The rent paid will include lessee's share of air conditioning, heat, electricity, and water.

The Space Utilization Committee approved this lease at its meeting on March 9, 2010.

This lease is late because of the delay in getting the lessee's signature, notary, and personnel changes at School 33.

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

AGENDA

BOARD OF ESTIMATES

3/17/10

Space Utilization Committee - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with Ryan Murray, lessee, for rental of the property located at 1427 Light Street, known as School 33, Studio No. 201. The period of the agreement is February 1, 2010 through January 31, 2011, with an automatic renewal of one year, unless the lease is terminated during the renewal term by the City giving a 60-day notice to lessee.

AMOUNT OF MONEY AND SOURCE:

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

BACKGROUND/EXPLANATION:

The demised premises will be utilized as an artist's studio. The lessor will be responsible for heat, electricity, and water.

The lessee will be responsible for content insurance, janitorial, trash receptacles, and security. The rent paid will include lessee's share of air conditioning, heat, electricity, and water.

The Space Utilization Committee approved this lease at its meeting on March 9, 2010.

This lease is late because of the delay in getting the lessee's signature, notary, and personnel changes at School 33.

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

AGENDA

BOARD OF ESTIMATES

3/17/10

Space Utilization Committee - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with Laurie Flannery, lessee, for rental of the property located at 1427 Light Street, known as School 33, Studio No. 205. The period of the agreement is February 1, 2010 through January 31, 2011, with an automatic renewal of one year, unless the lease is terminated during the renewal term by the City giving a 60-day notice to lessee.

AMOUNT OF MONEY AND SOURCE:

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

BACKGROUND/EXPLANATION:

The demised premises will be utilized as an artist's studio. The lessor will be responsible for heat, electricity, and water.

The lessee will be responsible for content insurance, janitorial, trash receptacles, and security. The rent paid will include lessee's share of air conditioning, heat, electricity, and water.

The Space Utilization Committee approved this lease at its meeting on March 9, 2010.

This lease is late because of the delay in getting the lessee's signature, notary, and personnel changes at School 33.

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

AGENDA

BOARD OF ESTIMATES

3/17/10

Space Utilization Committee - License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with Crown Atlantic Company, LLC, a Delaware Limited Liability Company, licensee, for rental of tower and storage space located at 6201 E. Lombard Street. The period of the license agreement is effective upon Board approval for five years.

AMOUNT OF MONEY AND SOURCE:

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Rent</u>
1	\$48,000.00	\$4,000.00
2	\$49,920.00	\$4,160.00
3	\$51,916.80	\$4,326.40
4	\$53,993.47	\$4,499.46
5	\$56,153.21	\$4,679.43

The rent will continue to escalate annually by 4% over the amount of the rental payments for the proceeding year. In addition, the City will receive 10% of the revenue received by the licensee from any subtenants added to the site after execution of the agreement.

BACKGROUND/EXPLANATION:

The demised premises will be utilized for cellular telephone communication. The licensor will be responsible for the maintenance of the site. The licensee will be responsible for liability insurance, utilities, maintenance and repairs to their equipment and compliance with all FCC and FAA rules and regulations.

The Space Utilization Committee approved this license agreement at its meeting on March 9, 2010.

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

AGENDA

BOARD OF ESTIMATES

3/17/10

PROPOSALS AND SPECIFICATIONS

Department of Transportation

- TR 09302, Construction of
Traffic Signals Citywide - JOC
BIDS TO BE RECV'D: 04/14/2010
BIDS TO BE OPENED: 04/14/2010

AGENDA

BOARD OF ESTIMATES

3/17/10

Space Utilization Committee - Second Amendment to Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a second amendment to a lease agreement with APC Realty and Equipment Company, LLC, a Delaware Limited Liability Company, Lessee, for rental of a portion of tower and storage space located at 6201 E. Lombard Street.

AMOUNT OF MONEY AND SOURCE:

Annual Rent

\$4,200.00

BACKGROUND/EXPLANATION:

The initial agreement was approved for five years on April 17, 2002 with a commencement date of July 1, 2002. The lessee has an option to renew for two additional five year terms. The lease was amended on September 2, 2009 allowing lessee to add two microwave antennas in return for additional yearly rent of \$4,800.00.

This second amendment to agreement allows the lessee to install an additional antenna for a total of three at an existing site not-to-exceed two and one half feet in diameter, along with mounting hardware and coaxial cables. During the period of time the microwave equipment is installed on the tower, the lessee will pay the lessor additional yearly rent of \$4,200.00. All other terms and conditions of the lease and first amendment will remain unchanged.

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

AGENDA

BOARD OF ESTIMATES

3/17/10

PERSONNEL MATTERS

* * * * *

The Board is requested to approve
all of the Personnel matters
listed on the following page:

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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.

AGENDA

BOARD OF ESTIMATES

3/17/10

PERSONNEL

Department of Finance

	<u>Hourly Rate</u>	<u>Amount</u>
1. TIMOTHY KRUS	\$45.07	\$78,873.00

Account: 1001-000000-1440-162102-601001

Mr. Krus, a retiree, will continue to work as a Special Project Assistant. His duties will include, but are not limited to doing project management tasks in relation to upcoming financial systems implementation, serving as a liaison with system vendors and perform special management analysis studies. The period of the agreement is March 19, 2010 through March 18, 2011.

THE DEPARTMENT OF FINANCE IS REQUESTING A WAIVER OF THE SALARY CAP AND OF THE NUMBER OF HOURS A RETIREE MAY WORK AS STIPULATED IN AM 212-1 OF THE ADMINISTRATIVE MANUAL TO ALLOW MR. KRUS TO WORK FULL-TIME. MR. KRUS WILL NOT RECEIVE SICK LEAVE, COMPENSATORY TIME, PERSONAL LEAVE, OR HEALTH INSURANCE, BUT WILL RECEIVE WORKER'S COMPENSATION COVERAGE. THE DEPARTMENT OF HUMAN RESOURCES DEFERS A RECOMMENDATION ON THIS PORTION OF THE EMPLOYMENT CONTRACT.

Baltimore City Fire Department

2. MARY G. LESSER	\$30.00	\$18,390.00
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Accounts: 4000-453908-2010-210702-601009
4000-454208-2010-210702-601009

Ms. Lesser, a retiree, will continue to work as a Special Advisor. She will be responsible for assisting and coordinating documentation and analyzing information for Homeland Security and various government agencies associated with emergency planning operations. The period of the agreement is effective upon Board approval for one year.

EXTRA WORK ORDERS

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The Board is requested to approve
all of the
Extra Work Orders
as listed on the following page:

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The EWOs have been reviewed and approved
by the Department of
Audits, CORC, and MWBOO
unless otherwise indicated.

AGENDA

BOARD OF ESTIMATES

3/17/10

EXTRA WORK ORDERS

<u>Contract</u>	<u>Prev. Apprvd.</u>	<u>Contractor</u>	<u>Time</u>	<u>%</u>
<u>Awd. Amt.</u>	<u>Extra Work</u>		<u>Ext.</u>	<u>Compl.</u>
<u>Bureau of Water and Wastewater</u>				
1. EWO #028, \$ 28,883.04 - WC 1156, Locust Point Area Infrastructure Rehabilitation				
\$ 7,883,300.00	\$ 4,321,141.27	Spiniello Companies	5	91
2. EWO #030, \$210,875.00 - WC 1156, Locust Point Area Infrastructure Rehabilitation				
\$ 7,883,300.00	\$ 4,373,191.99	Spiniello Companies	0	98
3. EWO #002, \$ 92,232.93 - WC 1195, Water Appurtenance Installations				
\$ 3,986,701.00	\$ 0.00	R.E. Harrington Plumbing & Heating	0	30.55
4. EWO #016, \$393,629.49 - SC 843, Improvements to Lower Portion of Moore's Run Interceptor-Phase II				
\$16,974,770.00	\$ 746,459.11	Corman Construction	0	99

Department of Transportation

5. EWO #001, \$ 31,948.34 - Project No. 1011, Wilkens Avenue Streetscape from Dukeland Street to Fulton Avenue				
\$ 278,183.02	-	STV, Inc.	-	-

This authorization provides for engineering design services for resurfacing Wilkens Avenue from West of Brunswick Street to Fulton Avenue. The design service includes, but is not limited to, providing traffic improvements, landscaping, design of three additional traffic signal replacements, additional milling and resurfacing and preparation of pavement marking plans.

The Transfer of Funds for Change Order No. 1, Project No. 1011 was approved by the Board on February 3, 2010.

AGENDA

BOARD OF ESTIMATES

3/17/10

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 14** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on February 24 and March 3, 2010.

AGENDA

BOARD OF ESTIMATES

3/17/10

Circuit Court - Cooperative Reimbursement Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a cooperative reimbursement agreement with the State of Maryland, Department of Human Resources, Child Support Enforcement Administration. The period of the agreement is October 1, 2009 through September 30, 2010.

AMOUNT OF MONEY AND SOURCE:

\$183,564.00 - 66% Federal participation
94,564.00 - 34% Local participation
\$278,128.00 - 4000-401510-1100-116800-404001

BACKGROUND/EXPLANATION:

The Domestic Relations Cooperative Reimbursement Grant Agreement will continue to provide funds for operational costs and salary/OPC expenditures for the Domestic Relations Masters Program on a 34% to 66% basis. Prior to Fiscal Year 1998, the City provided all funding for child support and custody enforcement, as required under spousal support obligations under this program.

APPROVED FOR FUNDS BY FINANCE

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

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

AGENDA

BOARD OF ESTIMATES

3/17/10

Fire Department - Matching Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a matching grant agreement with the Maryland Institute for Emergency Medical Services System (MIEMSS). The period of the grant agreement is effective upon Board approval through May 21, 2010.

AMOUNT OF MONEY AND SOURCE:

\$21,192.00 - 5000-558610-3190-309500 (State Funds)
21,192.00 - 1001-000000-3190-308700 (City Matching Funds)
\$42,384.00 - Total

BACKGROUND/EXPLANATION:

The grant funding will allow the Medical Bureau to purchase four 12-Lead Monitor Defibrillators. All purchases must be completed by May 14, 2010 and invoices must be submitted to the MIEMSS for reimbursement by May 21, 2010.

APPROVED FOR FUNDS BY FINANCE

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

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

AGENDA

BOARD OF ESTIMATES

3/17/10

TRAVEL REQUESTS

Fire & Police Employees' Retirement System (F&P)

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1. Milton Skopinski Veronica Stull	PRISM Annual Conference Louisville, KY (April 17 - 21, 2010) (Reg. - \$550.00 ea.)	Special Funds F&P	\$2,915.80
2. Thomas P. Taneyhill David A. Randall	104 th Annual Government Finance Officers Conf. Atlanta, GA (June 4 - 9, 2010) (Reg. - \$370.00 ea.)	Special Funds F&P	\$3,230.80

TRAVEL REIMBURSEMENTS

Department of Transportation

3. Justin Reynolds	Traffic Safety Program	\$873.29
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On September 13 through 17, 2009 Mr. Reynolds attended the Maryland Chiefs of Police Association, Inc. Annual Training Seminar in Ocean City, Maryland. The subsistence rate for this location is \$245.00 per day. The hotel cost was \$134.00 per night not including occupancy taxes. The travel expenses incurred for this employee included lodging, meals and registration fees.

Hotel	\$592.28
Meals	31.01
Registration	<u>250.00</u>
	\$873.29

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of General Services - Right-of-Entry Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a right-of-entry agreement with Ms. Marian E. Harris.

AMOUNT OF MONEY AND SOURCE:

This right-of-entry is being granted to the City at no cost.

BACKGROUND/EXPLANATION:

The City is proposing to make repairs and replacement of a sanitary connection located at 3025 Wolcott Avenue on the property of Ms. Harris as part of Sanitary Contract 873, Repair and Replacement of Existing Sanitary Sewers at Various Locations. The right-of-entry will allow the City's contractor to enter on to Ms. Harris' property to complete the construction.

MBE/WBE PARTICIPATION:

N/A

(The right-of-entry agreement has been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of General Services - Minor Privilege Permit Applications

The Board is requested to approve the following applications for a Minor Privilege Permit. The applications are in order as 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. 325 Park Avenue	Chinese Merchants Assn. of Baltimore City, Inc.	Retain one canopy with staunches, two flat signs 10'2" x 2', 30'x 2', and 2 fluorescent tubes, four spot reflectors

Annual Amount: \$783.40

2. 5115 Roland Ave.	Roland Park Roads and Maintenance Corp.	Neighborhood identification sign 4'x 6'4"
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Annual Amount: \$0.00

Roland Park Roads and Maintenance Corp. is requesting permission to install an identification sign in the median in University Parkway, near the north side of 40th Street. The Association is a non-profit entity and it has been the Department's practice not to charge for these signs.

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

AGENDA

BOARD OF ESTIMATES

3/17/10

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 amendment no. 1 to the agreement with EBA Engineering, Inc./Kennedy, Porter & Associates, a joint venture, for Project 1099E, Civil/Structural Engineering Services.

AMOUNT OF MONEY AND SOURCE:

\$250,000.00 - Various accounts depending on assigned tasks.

BACKGROUND/EXPLANATION:

On July 29, 2009, the Board approved the original agreement in the amount of \$750,000.00.

The amendment to the agreement is necessary and will increase the agreement by \$250,000.00. With the increase the upset limit will be \$1,000,000.00. The on-call consultant will be assigned additional extra work. All other terms and conditions of the agreement will remain unchanged.

APPROVED FOR FUNDS BY FINANCE

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

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

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Audits - Board of Liquor License Commissioners
Status Report

On September 2, 2009, Board **NOTED** receipt of the Audit of the Board of Liquor License Commissioners for Baltimore City (Liquor Board), for fiscal years ending 2005, 2006 and 2007. The Board requested that the Liquor Board report back with a Status Report on the audit findings and recommendations presented in the Audit. The Liquor Board was to present a Status Report after meeting with representatives of the Office of the Labor Commissioner, the Department of Law, the Department of Human Resources and the Department of Finance, Bureau of Accounting and Payroll Services.

On January 13, 2010, the Board received and **NOTED** a Letter of Understanding with the Liquor Board which, when implemented would address the Department of Audits audit findings and recommendations. Per the Letter of Understanding, the Liquor Board needed to meet with the Department of Human Resources (DHR), the Department of Finance, Bureau of Accounting and Payroll Services (BAPS) to finalize the implementation of the understanding.

The Department of Audits and the Labor Commissioner were to report back to the Board in 60 days from January 13, 2010 on the status of reaching an agreement regarding part-time inspectors, appellate counsel and Commissioners on how E-Time has been updated to accommodate the terms of the Letter of Agreement.

While significant progress has been made, the Department of Audits and the Labor Commissioner request a three-week extension to allow the Liquor Board, DHR and BAPS to reach a final agreement and complete this process.

AGENDA

BOARD OF ESTIMATES

3/17/10

OPTIONS/CONDEMNATIONS/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.	Carol Joan Jacobs	515 Robert St.	G/R \$80.00	\$ 533.33
2.	Marc Grosman	1925 Etting St.	G/R 36.00	\$ 240.00
3.	Joan Merowitz Jacobs	1926 Etting St.	G/R \$25.00	\$ 166.66

In the event that the option agreement/s fail/s and settlement cannot be achieved, the Department will cancel the acquisition.

Funds will be transferred prior to settlement into Account no. 9910-907079-9588-900000-704040, Scattered Site Ground Rent Acquisition Project.

4.	The Marion I. and Henry J. Knott Foundation	321 E. 24 th St.	G/R \$75.00	\$ 625.00
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Funds will be transferred prior to settlement into Account No. 9912-910713-9591-900000-704040, Barclay Project.

5.	Mark B. Lapidus	934 W. Lexington St.	G/R \$25.00	\$ 229.00
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Funds will be transferred prior to settlement into Account No. 9910-901780-9588-900000-704040, Poppleton Project.

6.	Helen Sinkler	2038 E. Eager St.	L/H	\$51,700.00
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Funds are available in Account No. 9910-904415-9588-900000-704040, EBDI Project, Phase II.

AGENDA

BOARD OF ESTIMATES

3/17/10

OPTIONS/CONDEMNATIONS/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
DHCD - <u>Options</u> - cont'd			
7. Charles Warren, Jr.	1800 E. Chase St.	F/S	\$57,200.00

Funds are available in Account No. 9910-904415-9588-900000-704040, EBDI Project, Phase II.

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 for an amount equal to or lesser than the option amounts.

DHCD - Condemnations and Quick-Takes

8. Henry Caplan, deceased and Arnold Caplan Personal Representative	936 N Castle St.	L/H	\$ 6,800.00
9. David Kuperhand	2024 Ashland Ave.	L/H	\$24,000.00

Funds are available in Account No. 9910-904415-9588-900000-704040, EBDI Phase IIF Project.

10. Rose L. Stanley	2019 E. Eager St.	F/S	\$12,000.00
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Funds are available in Account No. 9910-904415-9588-900000-704040, EBDI Phase II Project.

AGENDA

BOARD OF ESTIMATES

3/17/10

Police Department - Memorandum of Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of agreement (MOA) with the Maryland Emergency Management Agency (MEMA). The period of the agreement is July 1, 2007 through June 30, 2010.

AMOUNT OF MONEY AND SOURCE:

\$50,000.00 - 4000-413910-2010-680700-600000

BACKGROUND/EXPLANATION:

The FY 2007 Homeland Security Grant Program, Award No. 2007-GE-T7-0040 is one tool among a comprehensive set of measures to help strengthen the nation and Maryland against risks associated with potential terrorist attacks. The Emergency Health Preparedness and Response program is a regionally collaborative UASI Project that allocates homeland security grant funds to local jurisdictions, including Baltimore City for the purpose of preparing for, responding to, and recovering from the effects of a biological emergency event, such as H1N1 or other flu virus.

Under this program, MEMA awarded the Baltimore City grants funds in the amount of \$50,000.00 for "Regional Emergency Health Preparedness and Response."

This MOA is late because it was recently received from the grantor.

APPROVED FOR FUNDS BY FINANCE

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

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

AGENDA

BOARD OF ESTIMATES

3/17/10

Police Department - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Mr. Earl W. Maisel. The period of the agreement is effective upon Board approval through March 31, 2011.

AMOUNT OF MONEY AND SOURCE:

\$35,000.00 - 1001-000000-2000-195600-603026

BACKGROUND/EXPLANATION:

It has been the policy of the Department to polygraph every applicant before completing their hiring process. Mr. Maisel is retired from the National Security Agency as Chief of the Polygraph Division.

The Department is currently sharing his services with the United States Capital Police and he has been with Personnel Section of the Department since October 30, 2002. He has been helping the Department tremendously in accomplishing its hiring goals this year. The Department wishes to continue his services.

Mr. Maisel will be paid based upon the number of examinations performed, at the rate of \$200.00 per scheduled examination, \$100.00 for each scheduled examination that does not occur because of "no show."

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

AGENDA

BOARD OF ESTIMATES

3/17/10

Police Department - No-Cost Time Extensions

The Board is requested to approve the no-cost time extensions for grants from the Governor's Office of Crime Control and Prevention for the indicated services. The no-cost time extension extends the grant awards through December 31, 2010.

<u>SERVICES</u>	<u>AMOUNT</u>
1. CRIME ANALYSIS EXPANSION-LETR	\$0.00

On September 2, 2009, the Board approved the original award in the amount of \$119,600.00, for the period August 1, 2009 through June 30, 2010.

The grant provides for enhancement of law enforcement efficiency and/or capability by providing two crime analyst positions.

2. CRIME CAMERA EXPANSION-LETR	\$0.00
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On September 2, 2009, the Board approved the original award in the amount of \$332,943.00, for the period August 1, 2009 through June 30, 2010.

This grant funds are used to provide CCTV technology in East Baltimore and uses crime analysis to direct camera monitoring services.

On September 2, 2009, the Board approved the original award in the amount of \$119,600.00, for the period August 1, 2009 through June 30, 2010.

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THIS NO-COST TIME EXTENSIONS.

AGENDA

BOARD OF ESTIMATES

3/17/10

Police Department - Payment of Back Salary

The Board is requested to approve and authorize payment of back salary for Mr. Hikeen D. Crampton. Pursuant to Article 16(A)(2) of the Memorandum of Understanding between the Baltimore Police Department and the Fraternal Order of Police Lodge No. 3, Mr. Crampton is entitled to receive back pay for the period he was suspended without pay.

1. Hikeen D. Crampton	\$11,435.96
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Account: 1001-000000-2010-197600-601062

The back pay represents the amount of salary that Mr. Crampton would have earned for the period September 9, 2009 through November 30, 2009.

APPROVED FOR FUNDS BY FINANCE

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Transportation - Amendment No. 3 to
On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 3 with EA Engineering, Science and Technology, Inc. for Project No. 1058, On-Call Construction Management Services for the Conduit Division. The period of the agreement is effective upon Board approval for one year or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 - Upset limit

BACKGROUND/EXPLANATION:

On March 26, 2008, the Board approved the original agreement with EA Engineering, Science and Technology, Inc. to provide conduit services under Project No. 1058, in the amount of \$200,000.00. On February 25, 2009 the Board approved amendment no. 1 to extend the period of the agreement for one additional year and increase the upset by \$100,000.00.

On April 22, 2009, the Board approved amendment no. 2 to increase the upset limit by \$300,000.00 to fully complete the conduit work and repairs on various manholes on Lombard Street, between President Street and Martin Luther King Boulevard.

This amendment no. 3 will extend the period of the agreement for one additional year and increase the upset by \$100,000.00 to allow additional time to continue work and repairs on the various manholes in Baltimore City.

MBE/WBE PARTICIPATION:

The consultant will continue to adhere to the established goals of 21.26% for MBE and 7.00% for WBE.

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

(The amendment no. 3 to the on-call agreement has been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Transportation - Amendment No. 2 to the
Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 2 to the memorandum of understanding (MOU) with the Maryland Department of Transportation for the development of the East Baltimore Biotechnology Park (Life Science Park), Phase IC.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On May 16, 2007 the Board approved a MOU for the design and reconstruction of roads and utility upgrades within the Phase IC limits, to support the new East Baltimore Biotechnology Park. On February 6, 2008 the Board approved amendment no.1 for the revisions to the project description that included the design and reconstruction of roads and utility upgrades within East Baltimore Biotechnology Park, which is contained in the blocks bordered by North Broadway, Madison Street, North Patterson Park Avenue and the Amtrak right-of way north of Preston Street. This amendment no. 2 to the MOU will add sidewalk reconstruction, lighting and landscaping within the project.

MBE/WBE PARTICIPATION:

(The amendment no. 2 to the memorandum of understanding has been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Transportation - Partial Release of Retainage Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a partial release of retainage agreement to M. Luis Construction Company, Inc. for Contract No. TR 08037.

AMOUNT OF MONEY AND SOURCE:

\$91,378.69 - 9950-514-779

BACKGROUND/EXPLANATION:

All work on Contract No. TR 08037 is substantially completed, except items on the punch list. The contractor has requested a partial release of retainage in the amount of \$91,378.69. The City holds \$93,378.69 in retainage. The remaining \$2,000.00 is sufficient to protect the interests of the City. Pursuant to Section 10.04-81 of the Specifications, a "Conditional Inspection" for the Contract No. 08037 - Resurfacing Various Locations, Southwest JOC CC was held on April 15, 2009.

MBE/WBE PARTICIPATION:

M. Luis Construction Company, Inc. has demonstrated a good faith effort towards achieving both the MBE and WBE goals. MWBOO approved this release of retainage.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(The partial release of retainage agreement has been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Transportation - Rescission of Second Amendment
No. 3 to On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to rescind the second submission of an amendment numbered as amendment no. 3 to agreement with Gannett Fleming, Inc. for Project No. 976, On-Call Bridge Design Engineering Services.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On March 23, 2005 the Board approved an agreement with Gannett Fleming Inc., in the amount of \$500,000.00. On December 20, 2006, the Board approved amendment no. 1 to extend the period of the agreement for an additional year through March 23, 2008 or until the upset limit of \$500,000.00 is reached, whichever comes first, at no additional cost to the City. This amendment allowed for the completion of the Howard Street Arch Removal Project and the investigation of the Fells Landing Bulkhead failure.

On April 4, 2007, the Board approved amendment no. 2 to extend the period of the agreement for an additional year through March 23, 2009 and increase the upset limit by \$250,000.00. On August 6, 2008, the Board approved amendment no. 3 to increase the upset limit by \$250,000.00 to complete ongoing design tasks.

On March 25, 2009, a second amendment numbered as no. 3 for a two-year time extension through March 23, 2011 and an increase to the upset limit by \$300,000.00 was submitted in error by the Department of Transportation. The Board is requested to rescind its approval of March 25, 2009.

The total upset limit of this contract at this time will be \$1,000,000.00.

MBE/WBE PARTICIPATION:

Gannett Fleming, Inc. will continue to adhere to the established goals of MBE 13% and WBE 4%.

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Transportation - Traffic Impact Study Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a traffic impact study (TIS) agreement with Proutt Consulting. The period of the agreement is effective upon Board approval for 60 business days after the initial payment is made, unless the parties agree in writing that additional time is needed.

AMOUNT OF MONEY AND SOURCE:

\$44,465.79

BACKGROUND/EXPLANATION:

Baltimore City Ordinance 06-345, approved on November 11, 2006, requires a TIS before permits may be approved for projects, as determined by the Director of the Department of Transportation.

Under the terms of this agreement, a TIS will be performed for the development of the parcel at 5700 Loch Raven Boulevard, for the Huber Memorial Church. The applicant has applied for or intends to apply for a building permit in Baltimore City to perform the scope of work for a new 1,500 seat Church with 427 parking spaces.

MBE/WBE PARTICIPATION:

N/A

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Transportation - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement among the City acting through the Department of Transportation (DOT), the Mayor's Office of Employment Development (MOED), and the Federal Highway Administration (FHA). The period of the agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$357,915.00 - 4000-418410-2300-249600-600000
89,479.00 - 3001-000000-2300-249600-603026
\$447,394.00

BACKGROUND/EXPLANATION:

The DOT, in conjunction with the FHA has agreed to fund the MOED's Youth Opportunity Urban Youth Corps Program. This program is designed to provide high-risk inner City youth with job training experience in highway maintenance and construction. The program also provides academic assistance, life skills training and positive social outlets to assist youth in their development. The program primarily benefits disadvantaged youth in Sandtown-Winchester by providing approximately 20 teenagers with on-the-job training conducted by personnel from the DOT.

APPROVED FOR FUNDS BY FINANCE

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

AGENDA

BOARD OF ESTIMATES

3/17/10

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Patton Harris Rust and Associates, Inc., for WC 1199, Study of Ashburton Pumping Station Improvements. The period of the agreement is effective upon Board approval for one year or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$ 313,407.64 - Baltimore City Water Revenue Bonds
226,950.36 - Baltimore County
\$ 540,358.00 - 9960-901918-9557-900020-703031

BACKGROUND/EXPLANATION:

The consultant will provide engineering services for the study of Ashburton Pumping Station Improvements. The consultant will investigate and evaluate the current condition of the existing facility, prepare a design report for the necessary improvements and costs associated with it. The consultant will also manage and implement community outreach activities in concert with the City's Public Information Office. The consultant has been approved by the Office of Boards and Commission and the Architectural Awards and Engineering Commission.

MWBOO SET GOALS OF 27% MBE AND 10% WBE:

MBE:	Shah & Associates, Inc.	\$ 82,087.00	15.19%
	C.C. Johnson & Malhotra, P.C.	42,042.00	7.78%
	Savin Engineers, P.C.	<u>21,907.00</u>	<u>4.05%</u>
		\$146,036.00	27.02%
 WBE:	Prime Engineering & Architecture, Inc.	\$ 38,760.00	7.17%
	The Robert B. Balter Co.	20,847.00	3.86%
	Mahan Rykiel Associates, Inc.	13,246.00	2.45%
	C.L. Warfield & Associates, Inc.	<u>12,560.00</u>	<u>2.32%</u>
		\$ 85,413.00	15.80%

MWBOO FOUND VENDOR IN COMPLIANCE.

AGENDA

BOARD OF ESTIMATES

3/17/10

BW&WW - cont'd

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

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 375,588.20	9960-902917-9558	
Revenue Bonds	Constr. Res.	
	Water Pumping	
	Station Improv.	
274,411.80	" "	
Counties		
\$ 650,000.00		
\$ 575,000.00	-----	9960-901918-9557-3
		Engineering
75,000.00	-----	9960-901918-9557-9
\$ 650,000.00		Administration

The transfer will provide funds to cover the costs associated with WC 1199, Study of Ashburton Pumping Station Improvements and to alleviate the current account deficit.

(In accordance with Charter requirements, a report has been requested from the Planning Commission, the Director of Finance having reported favorably thereon.)

AGENDA

BOARD OF ESTIMATES

3/17/10

Bureau of Water and Wastewater - Amendment to On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an amendment to the agreement with EA Engineering, Science, and Technology, Inc. for Project No. 1084E, Environmental Restoration Design and Engineering Services. The amendment extends the period of the agreement through January 27, 2012.

AMOUNT OF MONEY AND SOURCE:

\$500,000.00 - Various depending on individual tasks assigned.

BACKGROUND/EXPLANATION:

On January 28, 2009 the Board approved the original agreement in the amount of \$500,000.00 for two years or until the upset limit was reached. The consultant has exhausted the \$500,000.00 upset limit under the agreement. The amendment will increase the upset limit by \$500,000.00. The consultant will provide On-Call Environmental Restoration Design and Engineering Services. Additional support services will be needed to assist the City in implementing the new requirements of its next storm water permit which will at least triple the number of restoration projects over the next five-year permit term.

Additional work will include providing post award services for Powder Mill Run Environmental Restoration Project #1, stream restoration design review and emergency stream assessments. All other terms and conditions of the agreement remain in effect.

MBE/WBE PARTICIPATION:

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

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

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Recreation and Parks - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Memorandum of Understanding (MOU) with the Maryland Transportation Authority (MDTA). The period of the MOU is effective upon Board approval for two years.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

In order to satisfy the Maryland Reforestation Law Mitigation requirement for forest impacts incurred during highway construction, the MDTA has agreed to plant individual trees throughout five City parks. The park sites include, Carroll, Druid Hill, Farring-Baybrook, Joseph Lee and Patterson Parks.

This MOU will allow right-of-entry access to the MDTA and its contactor to complete the planting over the next ten months and perform maintenance as required for an additional one-year.

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

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

The Board is requested to approve award of
the formally advertised contracts
listed on the following pages:

38 - 40

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

In connection with the Transfer of Funds,
pursuant to Charter provisions, a report
has been requested from the Planning
Commission, the Director of Finance
having reported favorable thereon.

AGENDA

BOARD OF ESTIMATES

3/17/10

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Bureau of Purchases

- | | | | |
|----|-----------------------------------|---------------------------------|---------------|
| 1. | B50001330, Tactical
Face Masks | National Safety
Supply, Inc. | \$ 337,566.11 |
|----|-----------------------------------|---------------------------------|---------------|

MWBOO GRANTED A WAIVER.

**A LETTER OF PROTEST HAS BEEN RECEIVED FROM FEDERAL RESOURCES
SAFE MEASURES.**

- | | | | |
|----|---------------------------------|---|--------------|
| 2. | B50001346, Asphalt
Compactor | Road Machinery, Inc.
d/b/a Volvo Construc-
tion Equipment &
Services | \$ 88,806.00 |
|----|---------------------------------|---|--------------|

MWBOO GRANTED A WAIVER.

- | | | | |
|----|---|-------------------------------------|--------------|
| 3. | B50001324, Cisco Wire-
less Hardware | En Pointe Technology
Sales, Inc. | \$ 46,061.37 |
|----|---|-------------------------------------|--------------|

MWBOO GRANTED A WAIVER.

- | | | | |
|----|------------------------------------|--|--|
| 4. | B50001353, Concrete
Mixer Truck | REJECTION - On February 24, 2010,
five proposals were received and
opened. A change in requirements
has resulted in bids that will not
meet the City's needs. Therefore,
it is recommended that all bids be
rejected as not being in the best
interest of the City. The
specifications will be revised and
this requirement will be re-bid at
a later date. | |
|----|------------------------------------|--|--|

AGENDA

BOARD OF ESTIMATES

3/17/10

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Recreation and Parks

5. RP 08835R, Edgewood Recreation Center Gym Expansion	JLN Construction, Services, Inc.	\$1,289,995.00
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MBE: Harvey Harris Contractors, Inc.	\$128,999.50	10.00%
Bey Refrigeration & Heating Co., Inc.	219,299.15	17.00%
	\$348,298.65	27.00%

WBE: Design Plus Sprinkler Systems, Inc.	\$38,699.85	3.00%
Amaric Interiors, LLC	38,699.85	3.00%
	\$77,399.70	6.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

6. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 125,000.00	9938-913001-9475	
State	Reserve - Unallotted	
794,000.00	9938-903695-9475	
Rec & Parks	Reserve - Lyndhurst	
24 th Series	Edgewood Recreation	
	Center Gymnasium	
482,000.00	" " "	
State		
<u> </u>		
\$1,401,000.00	-----	9938-903695-9474
		Active - Lyndhurst
		Edgewood Recreation
		Center Gymnasium

This transfer will cover the cost associated with the award of RP 08835R, Edgewood Recreation Center Gymnasium Expansion to JLN Construction Services, Inc.

Department of Transportation

- 7. TR 08318, Installation of Fiber Optic & Copper Communications Systems Citywide JOC

REJECTION - On February 3, 2010, the board opened six bids for this project. Bids ranged from a low of \$2,164,095.85 to a high of \$3,598,961.97. In order to amend the scope of the project, the Department has decided to re-advertise at a later date. Therefore, the Department recommends that all bids be rejected.

A PROTEST HAS BEEN RECEIVED FROM LAI CONSTRUCTION SERVICES, INC.

AGENDA

BOARD OF ESTIMATES

3/17/10

Bureau of Purchases - Acceptance of Technical Proposals and
Opening of Price Proposals for B50001328

ACTION REQUESTED OF B/E:

The Board is requested to accept the technical proposals and authorize the opening of the price proposals and WBE/MBE packages from the bidders that have met or exceeded the minimum technical score for solicitation B50001328, Provide Electrical, Compressed Air, and Water Services for Baltimore Convention Center. It is also requested that the price proposals and WBE/MBE packages from the vendors that did not score the minimum required points, be returned unopened.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On February 03, 2010, the Board opened four technical proposals for contract B50001328. The technical proposals received were evaluated, and it is recommended that the technical bids from the following three bidders be accepted:

Edlen Electrical Exhibition Services, Inc.;
Hi-Tech Electric, LLC; and
Freeman.

Having met or exceeded the minimum technical score, it is recommended that the three price proposals and WBE/WBE packages submitted from the three bidders listed above be opened.

The technical proposal from GES did not score the minimum required points. Therefore, it is requested that the price proposal and MBE/WBE package from GES be returned unopened.

AGENDA

BOARD OF ESTIMATES

3/17/10

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Poly-Seal Corporation, Inc. The period of the agreement is February 15, 2010 through May 1, 2010.

AMOUNT OF MONEY AND SOURCE:

\$25,000.00 - 4000-805310-6310-462005-603051

BACKGROUND/EXPLANATION:

The Poly-Seal Corporation, Inc. will provide 164 hours of training for 37 incumbent employees of the Poly-Seal Corporation, Inc. through an initiative known as Maryland Business Works.

The incumbent employees will receive the following training: Process Optimization, Husky GRS Runner, Master Molder, RJS System and Injection Molding On-Line.

The amount of the agreement will not exceed \$25,000.00 of federal funds. The cost represents 50% of the total cost of the training.

The agreement is late due to an extended negotiation process.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

AGENDA

BOARD OF ESTIMATES

3/17/10

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

The Board is requested to approve and authorize execution of the intergovernmental agreements with the Maryland State Department of Human Resources, Baltimore City Department of Social Services for the following services:

<u>SERVICES</u>	<u>AMOUNT</u>
1. TEMPORARY CASH ASSISTANCE (TCA)	\$1,188,436.00

Account: 4000-808410-6390-456000-404001

Under the New Beginnings Program, the funds will be used to enhance the employability skills and job readiness of TCA customers. The period of the agreement is July 1, 2009 through June 30, 2010.

2. TEMPORARY CASH ASSISTANCE (TCA)	\$5,155,878.00
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Account: 4000-808210-6390-456000-404001

The purpose of this employment continuum agreement is to assist enrolled TCA applicants and recipients to actively participate in programs and services leading to full-time unsubsidized employment. The period of the agreement is July 1, 2009 through June 30, 2011.

The intergovernmental agreements are late because they were recently received from the State of Maryland.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(The intergovernmental agreements have been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

03/17/10

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | | |
|----|---|-------------|-----------------|
| 1. | SHI | \$ 7,155.28 | Low Bid |
| | Solicitation No. 07000 - SQL Server 2008 Software - Mayor's Office of Information Technology - Req. No. R541639 | | |
| 2. | GALLS | \$21,821.50 | Low Bid |
| | Solicitation No. 07000 - USAR Rescue Uniforms - Fire Department - Req. No. R539994 | | |
| 3. | IMACS | \$ 5,830.00 | Selected Source |
| | Solicitation No. 06000 - Configure Server and Workstations to Existing SCADA System - Department of Public Works - Req. No. R534636 | | |
| | The vendor was responsible for the programming code and installation of the existing system and is best positioned to perform this service. | | |
| 4. | GEIGER PUMP &
EQUIPMENT CO. | \$ 6,214.00 | Low Bid |
| | Solicitation No. 07000 - Vacuum Regulator - Department of Public Works - Req. No. R540481 | | |
| 5. | PC MALL GOV, INC. | \$ 8,832.69 | Low Bid |
| | Solicitation No. B50001399 - Lenovo ThinkPad SL510 Notebook Computers - Department of Transportation - Req. No. R515752 | | |
| 6. | AMERICAN WORDATA | \$ 5,296.00 | Low Bid |
| | Solicitation No. B50001365 - Computer Hardware and Peripherals - Police Department - Req. No. R541136 | | |

AGENDA

BOARD OF ESTIMATES

03/17/10

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

7.	<u>GIESERLAB, INC. \$18,000.00</u>	<u>Sole Source</u>
	Solicitation No. 08000 - Evidence Drying Cabinets - Police Department - Req. No. R542067	

The vendor is the manufacturer and sole distributor of these cabinets needed by the Police Department.

8.	<u>AMERICAN WORDATA \$ 5,491.00</u>	<u>Low Bid</u>
	Solicitation No. B50001357 - Microsoft and ArcServe Licenses - Police Department - Req. No. R539904	

9.	<u>ZENMAR POWER TOOL & HOIST SYSTEMS \$11,389.10</u>	<u>Low Bid</u>
	Solicitation No. 07000 - Rock Drill Shank - Department of Public Works - Req. No. R541324	

10.	<u>STANLEY CONVERGENT SECURITY SOLUTIONS, INC. \$11,740.00</u>	<u>Sole Source</u>
	Solicitation No. 08000 - Fire Alarm System Upgrade - Mayor's Office of Employment Development - Req. Nos. R542731/R542735	

The vendor is the sole provider of upgrades to this proprietary system.

11.	<u>EDRICH LUMBER, INC. \$ 7,998.00</u>	<u>Low Bid</u>
	Solicitation No. 07000 - Mulch - Department of Recreation and Parks - Req. No. R542043	

12.	<u>W.W. GRAINGER, INC. \$13,125.00</u>	<u>Low Bid</u>
	Solicitation No. 07000 - First Alert Carbon Monoxide Detectors - Health Department - Req. No. R539956	

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|--|-------------|-------------------------------------|
| 13. ALTY CLEANING SERVICE INC. | \$11,880.00 | Ratification
Term Purchase Order |
| Solicitation No. 06000 - Janitorial Services - Enoch Pratt
Free Library - Req. Nos. Various | | |

On January 17, 2007, the Board approved the initial award in the amount of \$11,880.00. The award contained renewal options at the sole discretion of the City. Subsequent renewals have been approved. Janitorial Services for Branch #4 expired on January 31, 2010 with a one-year renewal option remaining. The vendor was not in good standing with the Maryland Department of Assessment and Taxation. The vendor continued to meet the City's needs and has brought his status to good standing with the State of Maryland. The Board is requested to ratify the expenditures for the services provided for the period February 1, 2010 through March 16, 2010 and approve a term purchase order for the period March 17, 2010 to January 31, 2011.

- | | | |
|--|-------------|--------------------------------------|
| 14. ALTY CLEANING SERVICE, INC. | \$ 5,941.04 | Ratification/
Term Purchase Order |
| Solicitation No. 06000 - Janitorial Services - Enoch Pratt
Free Library - Req. Nos. Various | | |

On January 17, 2007, the Board approved the initial award in the amount of \$5,941.04. The award contained renewal options at the sole discretion of the City. Subsequent renewals have been approved. The vendor was not in good standing with the Maryland Department of Assessment and Taxation, but continued to meet the City's needs and has brought his status to good standing with the State of Maryland. The Board is requested to ratify the expenditures for the services provided for the period February 1, 2010 through March 16, 2010 and approve a term purchase order for the period March 17, 2010 through January 31, 2011.

AGENDA

BOARD OF ESTIMATES

03/17/10

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

15.	<u>THE GARRISON COMPANY</u>	<u>\$ 17,079.00</u>	<u>Low Bid</u>
	Solicitation No. B50001317 - Mowing and Landscaping Service - Enoch Pratt Free Library - Req. No. R536562		

16.	<u>MODERN EQUIPMENT SALES & RENTAL CO.</u>	<u>\$ 17,900.00</u>	<u>Selected Source</u>
	Solicitation No. 06000 - Reconditioned/Used Fork-Lift - Department of Finance - Req. No. R537404		

The Digital Documents Division is renting a forklift and does not have the funds to purchase a new one. By purchasing a reconditioned model, the Department will save approximately \$20,000.00 over the cost of a new forklift, as well as the rental costs currently being incurred. The price is considered fair and reasonable by the Fleet Management Division.

17.	<u>RENOLD, INC.</u>	<u>\$10,928.00</u>	<u>Sole Source</u>
	Solicitation No. 08000 - Renold Carter Parts - Department of Public Works - Req. No. R539617		

This is for the procurement of miscellaneous Renold Carter parts. The vendor is the original equipment manufacturer and only authorized supplier and distributor of parts listed. Authority is requested for this sole source procurement.

18.	<u>CITRIX SYSTEMS, INC.</u>	<u>\$ 7,500.00</u>	<u>Sole Source</u>
	Solicitation No. 08000 - Technical Support - Mayor's Office of Information Technology - Req. No. R543569		

This is for the procurement of technical support. The vendor is the sole provider of technical support for the Enterprise Citrix Server System. The period of the award is March 17, 2010 through March 16, 2011.

19.	<u>HD SUPPLY</u>	<u>\$13,692.00</u>	<u>Low Bid</u>
	Solicitation No. 07000 - Roadway Boxes - Department of Public Works - Req. No. R540909		

AGENDA

BOARD OF ESTIMATES

03/17/10

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | | |
|---|--|---------------------|--------------------|
| 20. | <u>GEIGER PUMP & EQUIPMENT COMPANY</u> | <u>\$ 13,218.15</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Pulsar Chemical Feed Pump Parts - Department of Public Works - Req. No. R542884 | | | |
| 21. | <u>PC MALL GOV, INC.</u> | <u>\$ 7,920.00</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - 2GB Flash Drives - Enoch Pratt Free Library - Req. No. R541354 | | | |
| 22. | <u>PITNEY BOWES</u> | <u>\$ 16,000.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Pitney Bowes Lease - Sheriff's Department - Req. No. R541666 | | | |
| <p>This request will provide the remainder of funds for the Pitney Bowes Inserting Mailing System for the duration of the original 60-month lease that began in October 2007. The equipment and service is available only from Pitney Bowes. The period of the award is March 17, 2010 through November 30, 2011.</p> | | | |
| 23. | <u>OBVERSE, INC.</u> | <u>\$ 24,901.14</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Licensed Clinical Social Worker (Certified, Supervisor) - Health Department - Req. No. R539912 | | | |
| 24. | <u>CITIZENS PHARMACY SERVICES</u> | <u>\$ 8,861.44</u> | <u>Low Bid</u> |
| Solicitation No. 07000 - Smoking Cessation Products (Commit Lozenges) - Health Department - Req. No. TBDL | | | |
| 25. | <u>DUROBAG MANUFACTURING COMPANY</u> | <u>\$ 60,265.00</u> | <u>Increase</u> |
| B50000414 - Paper Lawn and Leaf Bags - Agencies - Various - PO No. P502286 | | | |

On May 21, 2008, the Board approved the initial award in the amount of \$120,530.00. Because of the higher than anticipated demand for these products, an increase in the amount of \$60,265.00 is necessary, making the total award amount \$180,795.00.

MWBOO GRANTED A WAIVER.

AGENDA

BOARD OF ESTIMATES

03/17/10

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | | |
|--|----------------------------|--------------|-------------|
| 26. | SALAMANDER
TECHNOLOGIES | \$ 45,578.00 | Sole Source |
| Solicitation No. 08000 - Asset Management and Tracking System - Fire Department - Req. No. R542535 | | | |

This system is used to identify and track equipment during emergency situations. The Baltimore Urban Area Security Initiative has recommended this system for all seven jurisdictions, including Baltimore City. Salamander Technologies is the sole provider of this proprietary software.

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.

- | | | | |
|--|----------------------------|--------------|---------|
| 27. | SWARCO INDUSTRIES,
INC. | \$ 38,750.00 | Renewal |
| Solicitation No. B50001075 - Glass Beads Used in Traffic Paints to Reflecterize - Department of Transportation - Req. Nos. Various | | | |

On June 17, 2009, the Board approved the initial award in the amount of \$38,750.00. The award contained two one-year renewal options at the sole discretion of the City. Authority is requested to exercise the first one-year renewal option in the amount of \$38,750.00. The period of the award is July 1, 2010 through June 30, 2011.

MWBOO GRANTED A WAIVER.

AGENDA

BOARD OF ESTIMATES

03/17/10

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | | |
|-----|--|--------------|---------|
| 28. | ITRON INCORPORATED | \$ 43,257.60 | Renewal |
| | Solicitation No. 08000 - Technical Support/Maintenance for the Hardware and Software Updates - Department of Public Works, Revenue Measures and Billing - Req. No. R542167 | | |

On August 30, 2006, the Board approved an agreement in the amount of \$40,194.00. The agreement contained two 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$43,257.60 is for the period July 1, 2010 through June 30, 2011.

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.

- | | | | |
|-----|---|---------------------|---------|
| 29. | TRIDENT BUILDING SERVICES | \$100,000.00 | |
| | VIP SPECIAL SERVICES, LLC | 100,000.00 | |
| | | \$200,000.00 | Renewal |
| | Solicitation No. BP-07137 - Requirements for Windows and Trusses Cleaning, Washing, and Related Work - Agencies - Various - Req. Nos. Various | | |

On April 18, 2007, the Board approved the initial award in the amount of \$350,000.00. The award contained two 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$200,000.00, is for the period April 16, 2010 through April 15, 2011.

MWBOO SET MBE AND WBE GOALS AT 0%.

AGENDA

BOARD OF ESTIMATES

03/17/10

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD AWARD BASIS

Bureau of Purchases

30.	MAGOTHY TECHNOLOGY, LLC	\$875,000.00	Agreement/ Selected Source
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Solicitation No. 06000 - IT Services Agreement - Fire and Police Employees' Retirement System (F&PERS) - Req. No. R537703

The Board is requested to approve and authorize execution of an agreement with Magothy Technology, LLC. The period of the agreement is effective upon Board approval through March 9, 2015.

Magothy Technology, LLC served as a minority subcontractor during the previous IT contract with the F&PERS and took the lead on several projects, including the development and implementation of F&PERS's website, implementation of its state-of-the-art Cisco firewalls, security, and IT assessments, and a due-diligence risk assessment of its current IT local area network. As a result, Magothy Technology, LLC is uniquely positioned to assist in maintaining continuity of the existing systems and supporting the planning, transition and installation of the integrated IT records management and benefits administration packages.

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

MBE:	Platinum Integrated Solutions, LLC	\$140,000.00	16%
WBE:	Plexus Installation, Inc.	\$ 52,500.00	6%

MWBOO FOUND VENDOR IN COMPLIANCE.

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

AGENDA

BOARD OF ESTIMATES

03/17/10

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|--|--------------|---------|
| 31. WOODLAWN MOTOR COACH
SIVELS TRANSPORTATION,
INC.
FUTRANET, INC. | \$750,000.00 | Renewal |
| B50000406 - General Charter Bus Transportation - Various
Agencies - Req. Nos. Various | | |

On June 25, 2008, the Board approved the initial award in the amount of \$1,500,000.00. The Board is requested to approve the first one-year renewal in the amount of \$750,000.00 for the period of June 26, 2010 through June 25, 2011.

MWBOO GRANTED A WAIVER.

- | | | |
|---|--------------|-----------|
| 32. LONG FENCE COMPANY | \$150,000.00 | Extension |
| BP 07103 - Requirements to Furnish and Install Various Types
of Fence Systems - Various Agencies - Req. Nos. Various | | |

On March 14, 2007, the Board approved the initial award in the amount of \$427,868.24. Subsequent actions have been approved.

Although a one-year renewal option remains, the Bureau of Purchases recommends that the renewal not be granted because of the vendor's failure to meet its MBE/WBE goals. Instead, the Board is requested to approve the final renewal option in the amount of \$150,000.00 to cover the period of March 26, 2010 to June 30, 2010 to allow time for this requirement to be re-bid.

MWBOO SET MBE GOALS AT 15% AND WBE GOALS AT 3%

MBE: Pioneer Contracting Co., Inc. 15%

WBE: Warwick Supply & Equipment Co., Inc. 3%

THE CONTRACTOR HAS NOT SHOWN GOOD FAITH EFFORTS TO UTILIZE MBE AND WBE FIRMS.

MWBOO FOUND VENDOR NON-COMPLIANT

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

33. HERBERT ELECTRIC COMPANY	No additional funds are required	Term Order
Solicitation No. 06000 - Provide Alteration and Repair to City-Owned Lighting System - Various Agencies - Req. Nos. Various		

On March 14, 2007, the Board approved the original award in the amount of \$336,250.00. Subsequent actions have been approved. Solicitation No. BP 07123-Alterations and Repair to City Owned Lighting Systems expired on March 07, 2010, with a one-year renewal option remaining because of delays in confirming MBE/WBE compliance. As a result, the Board is requested to approve a term order, under the same terms and conditions as BP 07123, for the period of March 17, 2010 through 03/07/2011 to insure an uninterrupted supply of services.

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

MWBOO SET MBE GOALS AT 17% AND WBE GOALS AT 8%

MBE: Mace Electric Co., Inc. 17%

WBE: Electric Masters Services, Inc. 8%

MWBOO FOUND VENDOR IN COMPLIANCE.

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Housing and - Head Start Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Head Start agreement with the Associated Catholic Charities, Inc., delegate agency for the St. Jerome Head Start Program. The period of the agreement is October 1, 2009 through September 30, 2010.

AMOUNT OF MONEY AND SOURCE:

\$44,998.00 - 5000-586810-6050-449900-603051

BACKGROUND/EXPLANATION:

Under the terms of this agreement, the St. Jerome Head Start Program will institute a six-week summer program that will provide a continuum of services for 54 children from June 7, 2010 through July 16, 2010. Education Coordinators will be responsible for monitoring the outcomes of each summer program classroom. Two teachers and two assistant teachers, as well as a custodian will be hired to ensure the successful implementation of the program.

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

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Housing and - Amendment to Head Start
Community Development Consultant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the amendment to the Head Start consultant agreement with Ms. Marilyn Stack-Gill.

AMOUNT OF MONEY AND SOURCE:

\$15,000.00 - 4000-486310-6050-452399-603018

BACKGROUND/EXPLANATION:

On September 23, 2009, the Board approved an agreement, in the amount of \$23,985.00, with Ms. Stack-Gill to provide screening and special services to children with disabilities in the Head Start Program. This amendment to the agreement will provide funds to cover the additional hours of service provided by Ms. Stack-Gill. All other terms and conditions remain unchanged.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(The amendment to the Head Start consultant agreement has been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Housing and Community
Development/Baltimore Homeless
Services (BHS)

- Grant Agreements,
Amendment No. 2 to Grant
Agreement, Memoranda of
Understanding

The Board is requested to approve and authorize execution of the grant agreements, amendment no. 2 to grant agreement, and memoranda of understanding (MOU).

GRANT AGREEMENTS

1. **MARYLAND FOOD BANK, INC.** **\$ 150,000.00**

Accounts: 1001-000000-1220-146500-607001 \$ 50,000.00
5000-585210-5750-649824-603051 \$ 100,000.00

The organization will provide food to homeless shelters in Baltimore City. The period of the agreement is October 1, 2009 through September 30, 2010.

2. **AIDS INTERFAITH RESIDENTIAL SERVICES, INC. T/A AIRS** **\$1,299,561.00**

Account: 4000-496311-3570-591243-603051

AIRS will provide housing to 111 homeless clients, in conjunction with supportive services. These services will include monthly rental subsidies, security deposits and/or payment for damage to the property/ies (if applicable). AIRS will meet with the eligible clients and conduct a site visit when the housing is located. The period of the agreement is February 1, 2010 through January 31, 2011.

3. **GOVANS ECUMENCAL DEVELOPMENT CORPORATION (GEDCO)** **\$ 279,558.00**

Account: 4000-496311-3570-591250-603051

GEDCO will provide housing, in conjunction with supportive services to 25 homeless clients and will provide monthly rental assistance payments for rental subsidies, security deposits and/or payment for damage to the property/ies (if applicable). The period of the agreement is April 1, 2010 through March 31, 2011.

AGENDA

BOARD OF ESTIMATES

3/17/10

DHCD - cont'd

4. HOUSE OF RUTH MARYLAND, INC. \$ 196,972.00

Accounts: 5000-529110-3570-333718-603051
5000-525610-3570-333718-603051

The House of Ruth Maryland, Inc. will provide 45 emergency shelter beds to homeless women and children in Baltimore City. Under the terms of this agreement, the funds will be used to offset the cost of providing sleeping accommodations for three to 24 months and case management services to help homeless individuals achieve stable, permanent housing and self-sufficiency. The period of the agreement is July 1, 2009 through June 30, 2010.

**5. HOMELESS PERSONS REPRESENTATION \$ 110,760.00
PROJECT, INC. (HPRP)**

Account: 4000-496210-3570-591445-603051

The HPRP will provide legal assistance services to approximately 24 families and 51 individuals, who have been referred from other homeless services providers and through outreach places where homeless individuals congregate. The period of the agreement is January 1, 2010 through December 31, 2010.

6. MARIAN HOUSE, INC. \$ 200,947.00

Account: 4000-496311-3570-591219-603051

Marian House, Inc. will provide housing, in conjunction with supportive services to 15 homeless clients. The services will include, but will not be limited to monthly rental assistance payments for rental subsidies, security deposits and/or payment for damage to the property/ies (if applicable). The period of the agreement is April 1, 2010 through March 31, 2011.

AGENDA

BOARD OF ESTIMATES

3/17/10

DHCD - cont'd

7. **WOMEN'S HOUSING COALITION, INC.** **\$ 107,404.00**

Account: 4000-496311-3570-591235-603051

The Women's Housing Coalition, Inc. will provide housing, in conjunction with supportive services to eight homeless and disabled clients. The services will include monthly rental assistance payments for monthly rental subsidies, security deposits and/or payment for damage to the property/ies (if applicable). The period of the agreement is March 15, 2010 through March 14, 2011.

8. **PROJECT PLASE, INC.** **\$ 72,239.00**

Account: 4000-496210-3570-591426-60351

Project Plase, Inc. will provide housing and supportive services to approximately ten homeless men and women with HIV/AIDS related illnesses and/or dually diagnosed. Housing will be provided in ten Single Room Occupancy units at the permanent housing facility located at 1814 Maryland Avenue. The services will include, but not be limited to teaching, supporting, and reinforcing daily living skills, and providing medication.

In addition, Project Plase, Inc. will provide behavior management for particular problem behaviors that could affect the client's relationship with a housemate or the client's ability to work or live in independent housing and assist the client in procuring employment and/or training. The period of the agreement is October 1, 2009 through September 30, 2010.

9. **PROJECT PLASE, INC.** **\$ 170,955.00**

Account: 4000-496210-3570-591426-60351

Project Plase, Inc. will provide transitional housing and supportive services to approximately 12 single, medically fragile homeless individuals at the transitional housing facility located at 1814 Maryland Avenue. The services

AGENDA

BOARD OF ESTIMATES

3/17/10

DHCD - cont'd

will enable these individuals to become stable, connect with resources in the community and access long-term or permanent housing. The targeted population will be men and women, who in addition to having HIV/AIDS related illnesses, also have a history of substance abuse and/or chronic mental illness. The period of the agreement is October 1, 2009 through September 30, 2010.

AMENDMENT NO. 2 TO GRANT AGREEMENT

10. **JOBS, HOUSING AND RECOVERY, INC.** **\$ 33,994.00**
(JHR)

Account: 5000-585210-5750-649858-603051

On July 1, 2009, the Board approved the one-year grant agreement, in the amount of \$2,580,667.00, with the JHR to provide overnight accommodations and supportive services for the homeless at 210 Guilford Avenue.

On January 27, 2010, the Board approved amendment no. 1 to the grant agreement, in the amount of \$93,898.00, to provide funds for 60 overflow beds at the Walter P. Carter Center, located at 630 W. Fayette Street.

This amendment no. 2, in the amount of \$33,994.00, will increase the funding to provide 20 additional overflow beds at the Walter P. Carter Center for homeless men, women, and families. These accommodations were necessary because of the unusually harsh winter conditions. The period of amendment no. 2 is December 18, 2009 through March 31, 2010.

AGENDA

BOARD OF ESTIMATES

3/17/10

DHCD - cont'd

MEMORANDA OF UNDERSTANDING

11. **CARROLL COUNTY** **\$ 58,677.00**

Account: 4000-490911-3570-333677-603051

Carroll County, through its Department of Health, will be responsible for direct client assistance services. The services will include, but will not be limited to short term rent, mortgage, security deposits, utilities, food vouchers, and funds for transportation. The period of the MOU is July 1, 2009 through June 30, 2012.

12. **CARROLL COUNTY** **\$ 59,346.00**

Account: 4000-490910-3570-333677-603051

Carroll County, through its Department of Health, will provide comprehensive diagnostic and treatment services, education and intensive case management services to approximately 10-15 clients with HIV/AIDS related illnesses. In addition, the organization will provide direct client assistance that will include, but will not be limited to short term rent, mortgage, security deposits, utilities, food vouchers, and funds for transportation, and nutritional supplements. The period of the MOU is July 1, 2008 through June 30, 2011.

The grant agreements, the amendment to agreement, and the MOU are late because of delays at the administrative level.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED (EXCEPT ITEM NOS. 11-12) AND HAD NO OBJECTION.

(The grant agreements, the amendment no. 2 to grant agreement, and the memoranda of understanding have been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Housing and Community Development - American Recovery and Reinvestment Act of 2009 (ARRA), Community Development Block Grant Recovery (CDBG-R) Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an ARRA, CDBG-R agreement with the Marian House, Inc. The period of the agreement is October 1, 2009 through September 30, 2010.

AMOUNT OF MONEY AND SOURCE:

\$85,350.00 - 4000-485710-5750-643800-603051

BACKGROUND/EXPLANATION:

The ARRA of 2009 made over \$6,200,000.00 in one-time funding of additional CDBG funds available to the City to carry out, on an expedited basis, eligible activities under the CDBG program in order to stimulate the local economy.

Under the terms of this agreement, the Marian House, Inc. will use the funds to acquire 939 Gorsuch Avenue, a vacant property in the Waverly area. Upon the completion of the rehabilitation of the property, the organization will provide housing for homeless women with substance abuse addiction.

On May 27, 2009, the Board approved a Resolution authorizing the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to accept American Recovery and Reinvestment Act of 2009 (ARRA) funds for the Community Development Block Grant Recovery (CDBG-R) Program.

AGENDA

BOARD OF ESTIMATES

3/17/10

DHCD - cont'd

Upon receipt of the Housing and Urban Development grant agreement for the CDBG-R funds on July 24, 2009, the DHCD's Contract Section began negotiating and processing CDBG-R agreements as awarded in the Substantial Amendment to the 2008 Annual Action Plan to be effective beginning October 1, 2009 and beyond. Consequently, the agreement was delayed due to final negotiations and processing.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(The American Recovery and Reinvestment Act of 2009, Community Development Block Grant Recovery agreement has been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

3/17/10

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the leasehold interest of 1510 N. Port Street as a gift from William Seruck Herriott **SUBJECT** to municipal liens, accrued interest, and penalties, other than water bills through settlement.

AMOUNT OF MONEY AND SOURCE:

No City funds will be expended.

BACKGROUND/EXPLANATION:

The owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total.

The DHCD's 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.

Mr. Herriott will pay all current water bills up through the date of settlement. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 1510 N. Port St. are itemized as follows:

Cumulative Real Property Taxes 2007-2010

\$	214.20	- Total Tax
	70.89	- Interest/Penalties
	52.45	- Other
	0.00	- Tax Sale Interest
	11,454.48	- Miscellaneous Bills
	0.00	- Metered Water (Tax Sale)
	120.30	- Rental Registration
	<u>\$11,912.32</u>	- Total Municipal Liens

AGENDA

BOARD OF ESTIMATES

3/17/10

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement and release with the following Arabbers: Mr. James Chase, Mr. Donald Savoy, Jr. and Mr. Dante Miller, The Humane Society of the United States (HSUS), and Days End Farm Horse Rescue, Inc. The period of the agreement is effective upon Board approval for one year, unless terminated earlier in writing by the parties.

AMOUNT OF MONEY AND SOURCE:

\$20,000.00 - 1001-000000-1770-179999-603070

BACKGROUND/EXPLANATION:

On November 9 and 10, 2009 the City, with the assistance of the HSUS, seized and impounded 19 horses from certain Arabbers in Baltimore City due to allegations of neglect and improper care (lack of food, water, veterinary care, and waste removal) and other alleged violations. The City notified the five horse owners of the removal of these horses. The three Arabbers who are a party to this agreement own 17 of the horses and responded to the City's notifications. Negotiations followed which resulted in this mutual agreement. The other two Arabbers, Mr. Tyrone Burgess and Mr. Antwan Dunaway who own the other two horses have not responded to the City's notifications; and thus, their two horses are considered abandoned and shall be transferred and become the property of the HSUS.

In return for the 17 horses Messrs. Chase, Savoy and Miller agreed to certain corrective actions such as monthly reporting and quarterly meetings with the HSUS, training, and inspections of the horses. The City and the HSUS agreed to share the costs of care for the horses during the impound, which

AGENDA

BOARD OF ESTIMATES

3/17/10

DHCD - cont'd

was over \$40,000.00. The City will hold in abeyance certain environmental citations against Messrs. Chase, Savoy, and Miller related to the subject matter of this agreement during the term of this Agreement unless there is a future breach/violation by the Arabbers. The parties have agreed to mutually release each other from all claims, liabilities, and actions related to the removal and retention of the horses.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Housing and
Community Development (DHCD)

- Memorandum of Understanding

ACTION REQUESTED OF B/E:

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

AMOUNT OF MONEY AND SOURCE:

\$5,000,000.00 - 9910-906416-9588

BACKGROUND/EXPLANATION:

This MOU identifies activities that will be funded by 2009 State Revitalization Funds, provides a budget for the State Funds, and delineates responsibilities.

The EBDI is managing the redevelopment of an 88-acre site in East Baltimore. The site includes new biotech space, commercial and retail space, and over 2,100 units of mixed-income housing. The State of Maryland has played a critical role in realizing this vision through its approval of State Revitalization Funds, which support acquisition of properties by the DHCD, site improvements, and private acquisition of property by the EBDI.

The 2009 General Assembly approved \$5,000,000.00 to advance development efforts within the EBDI's boundaries. These are matching funds and require that the City provide a one-for-one match before State funds are made available.

The entire \$5,000,000.00 will be used by the DHCD to acquire property on behalf of the EBDI within Phase II of the EBDI footprint, predominantly on the proposed site for the new Department of Health and Mental Hygiene headquarters. These properties have been identified and approved for acquisition in the Land Disposition and Development Agreement (LDDA). The LDDA was approved by the Board on April 28, 2004 and amended on December 19, 2007.

AGENDA

BOARD OF ESTIMATES

3/17/10

DHCD - cont'd

Under the MOU that the Board of Estimates is requested to approve, the DHCD will acquire properties using temporary staff provided by the EBDI. The properties may be acquired through settlement, tax sale, or under the power of eminent domain when appropriate. The EBDI is responsible for all relocation activities and for all relocation costs.

MBE/WBE PARTICIPATION:

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

(The memorandum of understanding has been approved by the Law Department as to form and legal sufficiency.)

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$5,000,000.00	9910-904979-9587	9910-906416-9588
State Revit. Funds FY 2007	East Baltimore Redevelopment	EBDI - Acquisition

This transfer will provide State Revitalization funding for acquisition of costs for the East Baltimore Development Initiative for fiscal year 2010.

(In accordance with Charter requirements, a report has been requested from the Planning Commission, the Director of Finance having reported favorably thereon.)

AGENDA

BOARD OF ESTIMATES

3/17/10

Department of Housing and Community Development (DHCD) - Estoppel Certificate and Mortgagee's Rights Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve the Estoppel Certificate and Mortgagee's Rights Agreement (estoppel) between the City, the Bank of America, N.A. (Bank), and Penn North Partners, LLLP for the properties located at Block 3400 Lot 129; 2645, 2650, 2652, 2655 Bruce Street; 1601, 1603, 1605, 1607, 1609, 1611, 1613, 1615, 1617 Clifton Avenue; 2632, 2638, 2644, 2648, 2652, 2656, 2662, 2668, 2674, and 2676 Pennsylvania Avenue (properties).

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On October 10, 2007, the Board approved the land disposition agreement (LDA) by and between Mayor and City Council of Baltimore, a body corporate and politic, and a political subdivision of the State of Maryland (City), acting by and through the DHCD, and Penn North Developers, LLC (developer) conveying the above listed properties to be developed into 91 units of affordable housing.

The LDA allowed the developer to create a separate company to do the actual construction. Subsequently, the developer created Penn North Partners, LLLP (builder) to construct the buildings. The builder will construct three apartment buildings totaling 91 units, in accordance with the LDA.

The bank has agreed to lend the builder \$2,000,000.00 for a construction loan. In the event the builder defaults under the LDA after settlement, this estoppel will give the bank 120 days to cure the builder's defaults, before the City re-enters the property and takes possession, in order to re-vest title in the City.

AGENDA

BOARD OF ESTIMATES

3/17/10

DHCD - cont'd

The bank requires this estoppel because of the risk of a default and the City's reversioning rights. This estoppel will give the bank added security and confidence in providing the builder with the construction loan. The DHCD recommends that the Board approve this estoppel because of this project's tremendous benefits to the community, which include:

- creation of 91 units of affordable housing;
- elimination of long-term blighting factors;
- further stabilization of housing available in the community;
- construction job opportunities; and
- a substantial increase in property taxes.

(The estoppel certificate and mortgagee's rights agreement has been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

3/17/10

Baltimore Development Corporation - Fifth Modification Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Fifth Modification Agreement with the Baltimore Children's Museum, Inc. This fifth modification to agreement will extend the maturity on the two remaining City Notes to December 31, 2012.

The Board is also requested to authorize the Director of Finance to execute certificates, affidavits, consents and ancillary documents as set forth in the Promissory Note; none of which will impose any obligation upon the City.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND AND EXPLANATION

Baltimore Children's Museum, Inc. is a not-for-profit corporation that operates a children's museum at 35 Market Place, known as Port Discovery (the Museum). The \$32,000,000.00 facility for the education and entertainment of children and their families opened in December 1998, funded by a combination of Federal, State, City, Foundation and private resources.

The City provided \$5,000,000.00 under three separate City loans (City Notes) as part of the total project financing, which was approved by the Board of Estimates on April 1, 1998.

The repayment plan for Note I permitted the principal balance and accrued interest to be forgiven, on a dollar for dollar basis, provided that the Museum raised new capital or endowment funds from non-City sources.

AGENDA

BOARD OF ESTIMATES

3/17/10

BDC - cont'd

Since June 2005, the Museum has collected approximately \$984,000.00, which was used to retire the balance of Note I, effective September 25, 2009.

The City loans are summarized below:

	Note I	Note II	Note III
Origination Date	04/01/98	04/01/98	04/01/98
Original Amount	\$2,000,000	\$2,500,000	\$500,000
Current Balance	-0-	\$2,500,000	\$500,000
Interest Rate	--	Non-Interest bearing	Non-Interest Bearing
Repayment Schedule	--	Principal Due at maturity	Principal due at maturity
Maturity Date (or Payoff Date)	09/25/09	12/31/09	12/31/09

Under the Fifth Modification the City will extend the maturity on the two remaining City Notes to December 31, 2012. All outstanding principal will be due at that time. All other terms and conditions of the City Loan Documents will remain unchanged.

MBE/WBE PARTICIPATION:

N/A

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

AGENDA

BOARD OF ESTIMATES

3/17/10

CITY COUNCIL BILL

08-0055 - For the purpose of expressly authorizing the establishment of 1 or more continuing, non-lapsing funds to be used for promoting sustainability and a clean and safe environment in the City and for related purposes; and submitting this amendment to the qualified voters of the City for adoption or rejection.

Environmental Sub-Cabinet

THE ENVIRONMENTAL SUB-CABINET (ESC) CANNOT SUPPORT THIS BILL AT THIS TIME. THE ESC HAS TAKEN INTO ACCOUNT ALL RELEVANT AGENCY RESPONSES IN ITS DETERMINATIONS. THE PRINCIPLE CONCERNS RAISED ABOUT THE BILL INCLUDE THE POTENTIAL THAT:

- SPECIFIC FUND DESIGNATION THAT COULD LIMIT THE ALLOCATION OF FUNDS FOR CURRENT OR FUTURE ADMINISTRATION PRIORITIES AND POSSIBLY IMPERIL THE CITY'S FUTURE OPERATING BUDGET;
- IT CONFLICTS WITH THE POWER OF THE BOARD OF ESTIMATES TO PREPARE THE ANNUAL ORDINANCE OF ESTIMATES BY AUTHORIZING THE CITY COUNCIL AUTHORITY TO DESIGNATE FUNDS.

ADDITIONALLY, THE COMMISSION ON SUSTAINABILITY HAS DEFERRED COMMENT ON THE BILL FOR THE TIME BEING. WITHOUT THE COLLECTIVE INPUT OF THE SUSTAINABILITY COMMISSION AND THE DEVELOPMENT OF THE CITY SUSTAINABILITY PLAN, IT SEEMS PREMATURE FOR THE ESC TO LEND SUPPORT BILL #08-0055.

Department of Finance

THE DEPARTMENT OF FINANCE DOES NOT SUPPORT BILL NUMBER 08-0055 FOR TWO PRIMARY REASONS. FIRST, THE DESIGNATION OF FUNDS FOR A PARTICULAR PURPOSE, IN THIS CASE TO SUPPORT SUSTAINABILITY EFFORTS, LIMITS THE FLEXIBILITY OF CURRENT OR FUTURE ADMINISTRATIONS TO ALLOCATE RESOURCES ACCORDING TO CURRENT PRIORITIES.

AGENDA

BOARD OF ESTIMATES

3/17/10

CITY COUNCIL BILL

Department of Finance - cont'd

THE DEPARTMENT OF FINANCE BELIEVES THAT DECISIONS REGARDING THE ALLOCATION OF RESOURCES AMONG PRIORITIES, INCLUDING SUSTAINABILITY EFFORTS, OUGHT TO BE PART OF THE ANNUAL BUDGET PLANNING PROCESS RATHER THAN ADDING LANGUAGE TO THE CITY CHARTER OR CODE TO COMMIT FUNDS TO ONE PURPOSE OR ANOTHER FOR THE PRESENT AND YEARS INTO THE FUTURE. SECOND, TO THE EXTENT, THIS BILL PROVIDES THE CITY COUNCIL THE AUTHORITY TO DEDICATE PROCEEDS FROM FINES, FEES, AND PROGRAMS TO THIS FUND BY ORDINANCE, THIS COULD POTENTIALLY PUT THE CITY'S OPERATING BUDGET AT RISK DURING THE COURSE OF A GIVEN FISCAL YEAR. FOR THESE REASONS, THE DEPARTMENT OF FINANCE OPPOSES BILL NUMBER 08-0055.

ABOVE REPORTS RECEIVED WERE UNFAVORABLE

Commission on Sustainability

THE COMMISSION ON SUSTAINABILITY (COMMISSION) DEFERS COMMENT ON THIS BILL. THE COMMISSION WAS SWORN-IN BY MAYOR DIXON ON APRIL 2, 2008 AND WILL CONVENE ITS FIRST OFFICIAL MEETING ON APRIL 22, 2008. AS THE COMMISSION HAS YET TO MEET, ANY RESPONSE TO CITY COUNCIL BILL # 08-0055 WOULD BE PREMATURE. THE COMMISSION ANTICIPATES REVIEWING AND COMMENTING ON PROPOSED LEGISLATION AFTER HAVING MADE A SUFFICIENT AMOUNT OF PROGRESS IN DEVELOPING THE LARGER BALTIMORE SUSTAINABILITY PLAN RECOMMENDATIONS, INCLUDING ADEQUATE PUBLIC INPUT ON MAJOR ENVIRONMENTAL ISSUES.

THE COMMISSION REOPENED DISCUSSION ON BILL #08-0055 AT THE JANUARY 26, 2009 MEETING. CITY COUNCIL BILL # 08-0055 ESTABLISHES A CONTINUING, NON-LAPSING FUND TO SUPPORT THE GOALS OF THE SUSTAINABILITY PLAN THROUGH THE OFFICE OF SUSTAINABILITY. IN ORDER TO BROADEN THE ELIGIBLE USES OF THE FUNDS, THE COMMISSION SUGGESTED CHANGING THE WORD "ADMINISTERING" IN ARTICLE 1. §11. A(1) TO "SUPPORTING". IT WAS THE CONSENSUS OF THE COMMISSION TO SUPPORT CITY COUNCIL BILL #08-0055, WITH THE PROPOSED VERBIAGE CHANGE, AT THE JANUARY 26, 2009 MEETING.

FAVORABLE REPORT

AGENDA

BOARD OF ESTIMATES

3/17/10

CITY COUNCIL BILL

Law Department

THE LAW DEPARTMENT'S FIRST CONCERN ABOUT THE BILL HAS BEEN ADDRESSED BY THE AMENDMENTS THAT MORE CLEARLY DEFINE THE USES OF THE FUND AND THAT STRIKES THE GENERAL LANGUAGE ON PAGE 2, LINE 2. THE LAW DEPARTMENT RECOMMENDS THAT DUE THE DELETION OF PAGE 2, LINE 2 THAT THE LANGUAGE "AND FOR RELATED PURPOSES" ON PAGE 1, LINE 5 BE STRICKEN AS WELL.

THE LAW DEPARTMENT'S SECOND CONCERN HAS ALSO BEEN ADDRESSED BY THE REMOVAL OF THE LANGUAGE PAGE 2, LINES 7-8. THIS PORTION OF THE BILL APPEARS TO AUTHORIZE THE CITY COUNCIL TO, BY ORDINANCE, DEDICATE THE PROCEEDS FROM FINES, FEES, AND PROGRAMS TO A SUSTAINABILITY FUND. THE LANGUAGE CAN BE INTERPRETED AS GIVING THE CITY COUNCIL THE AUTHORITY TO DESIGNATE THE PROCEEDS FROM ANY FINES, FEES, OR PROGRAMS COLLECTED BY THE CITY TO SUCH A FUND. THIS AUTHORITY WOULD CONFLICT WITH THE POWER OF THE BOARD OF ESTIMATES TO PREPARE THE ORDINANCE OF ESTIMATES WHICH PROVIDES FOR THE FINANCIAL NEEDS OF CITY AGENCIES AND PROGRAMS FOR THE FISCAL YEAR AND FOR THE SOURCE OF FUNDS TO MEET THOSE NEEDS. AS ALREADY STATED IN THE BILL, MONEY CAN BE APPROPRIATED FOR A SUSTAINABILITY FUND IN THE ANNUAL ORDINANCE OF ESTIMATES. TO ALLOW THE CITY COUNCIL TO ENACT AN ORDINANCE DIVERTING FUNDS WHICH ARE ALREADY DEDICATED TO ANOTHER CITY AGENCY OR PROGRAM UNDER THE ORDINANCE OF ESTIMATES TO A SUSTAINABILITY FUND WILL CREATE A DEFICIT IN THE ACCOUNT TO WHICH THE MONEY WAS ORIGINALLY APPROPRIATED. DEPENDING ON THE AVAILABILITY OF SURPLUS FUNDS, THE CITY MAY OR MAY NOT BE ABLE TO REMEDY SUCH A DEFICIT. THE AMENDMENT IS SUFFICIENT TO ADDRESS THIS PROBLEM. IF THE AMENDMENTS ARE APPROVED, THE LAW DEPARTMENT WOULD APPROVE THE CITY COUNCIL BILL 08-0055 FOR FORM AND LEGAL SUFFICIENCY.

THE LAW DEPARTMENT WOULD APPROVE CITY COUNCIL BILL 08-0055 FOR FORM AND LEGAL SUFFICIENCY, IF AMENDMENTS ARE APPROVED.

12:00 NOON

ANNOUNCEMENT OF BIDS RECEIVED

AND

OPENING OF BIDS, AS SCHEDULED