

**MINUTES****REGULAR MEETING**

Honorable Bernard C. "Jack" Young, President  
Honorable Stephanie Rawlings-Blake, Mayor  
Honorable Joan M. Pratt, Comptroller and Secretary  
George A. Nilson, City Solicitor - **ABSENT**  
Rudolph S. Chow, Director of Public Works  
David E. Ralph, Deputy City Solicitor  
S. Dale Thompson, Deputy Director of Public Works  
Bernice H. Taylor, Deputy Comptroller and Clerk

President: "Good Morning, the March 16, 2016, meeting of the Board of Estimates is now called to order. In the interest of promoting the order and efficiency of these hearings, persons who are disruptive to the hearings will be asked to leave the hearing room immediately. Meetings of the Board of Estimates are open to the public for the duration of the meeting. The hearing room must be vacated at the conclusion of the meeting. Failure to comply may result in the charge of trespassing. I will direct the Board members attention to the memorandum from my office dated March 14, 2016, identifying matters to be considered as routine agenda items together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a Motion to approve all of the items contained on the routine agenda."

## MINUTES

Deputy City Solicitor: "I MOVE approval of the items on the routine agenda."

Comptroller: "Second."

President: "All those in favor say AYE. All opposed, NAY. The Motion carries, the routine agenda has been adopted."

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**MINUTES****BOARDS AND COMMISSIONS**1. Prequalification of Contractors

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

Alason Electrical Contractors, Inc.	\$ 8,000,000.00
CPE, Inc.	\$ 1,500,000.00
Interlock Steelworkers, Inc.	\$ 8,000,000.00
Jeffrey Brown Contracting, LLC	\$ 7,110,000.00
Richmond Construction Group, LLC	\$ 1,500,000.00
Santos Construction Company, Inc.	\$ 4,293,000.00
Weber Steel Service & Associates, LLC	\$ 954,000.00

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:

Alpha Construction and Engineering Corporation	Engineer
Buchart - Horn, Inc.	Land Survey Engineer Architect

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

EBA Engineering, Inc.

Engineer

Land Survey

JRS Architects, Inc.

Architect

There being no objection, the Board, UPON MOTION duly made and seconded, approved the Prequalification of Contractors and the Prequalification of Architects and Engineers for the above-listed firms.

**MINUTES**

Office of the State's Attorney - Service Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Service Agreement with Washington/Baltimore High Intensity Drug Traffic Area (W/B HIDTA) - Mercyhurst University. The period of the agreement is January 1, 2016 through December 31, 2016.

**AMOUNT OF MONEY AND SOURCE:**

\$177,562.00 - 4000-403716-1150-118100-601001

**BACKGROUND/EXPLANATION:**

The W/B HIDTA will reimburse the Office of the State's Attorney for the salary and benefits for two prosecutors to support initiatives in targeting the most violent drug gangs in the City.

The Service Agreement is late because the Office of National Drug Control Policy submitted the documents to the wrong person and address.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Service Agreement with Washington/Baltimore High Intensity Drug Traffic Area (W/B HIDTA) - Mercyhurst University.

**MINUTES**

Mayor's Office on Criminal Justice - Amendment to Memorandum of Understanding \_\_\_\_\_

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the amendment to Memorandum of Understanding with Fusion Partnerships, Inc.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On September 9, 2015, the Board approved a Memorandum of Understanding with Fusion Partnerships, Inc. The aim of the program is to improve community safety by designing and implementing effective, comprehensive approaches to addressing crime within a targeted neighborhood.

The amendment will change the Scope of Services. There is no change in the total award amount and all other terms and conditions of the Memorandum of Understanding remain the same.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to Memorandum of Understanding with Fusion Partnerships, Inc.

**MINUTES**

Mayor's Office on Criminal - Ratification of Amendment  
Justice (MOCJ) to Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Amendment to the Grant Award with Living Cities, Inc. The amendment extends the period of the grant award to April 30, 2016.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On December 9, 2015 the Board approved the original grant award with Living Cities, Inc. for the period of July 1, 2015 through December 31, 2015. This Amendment to the Grant Award will extend the period through April 30, 2016.

The MOCJ is participating in Living Cities City Accelerator Cohort on Community Engagement. This participation is supported with a grant award of \$25,000.00 for Phase I of the project. The MOCJ's project is focused on improving the communication and connectivity of services available to individuals returning from incarceration.

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment to the Grant Award with Living Cities, Inc.

**MINUTES**

Mayor's Office of Employment Development - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Agreement with Sinai Hospital of Baltimore, Inc. The period of the agreement is October 1, 2015 through September 30, 2016.

**AMOUNT OF MONEY AND SOURCE:**

\$161,977.00 - 4000-806416-6313-497805-603051

**BACKGROUND/EXPLANATION:**

The purpose of this agreement is to secure the services of the Sinai Hospital of Baltimore, Inc. to design and deliver innovative programming and comprehensive services resulting in academic achievement and employment success for Baltimore City out-of-school youth ages 16 to 24 years old. Sinai Hospital of Baltimore, Inc. will increase employment and education prospects for participants through skills training, leadership development, and the provision of life and workplace readiness skills.

The Agreement is late because additional time was necessary to reach a comprehensive understanding between the parties.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Sinai Hospital of Baltimore, Inc.



**MINUTES**

Health Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an expenditure of funds and authorize the purchase of gift cards.

**AMOUNT OF MONEY AND SOURCE:**

\$2,000.00 - 100 Domino's Pizza Gift Cards @ \$20.00 each  
1,500.00 - 75 Subway Gift Cards @ \$20.00 each  
1,500.00 - 60 Target Gift Cards @ \$25.00 each  
**\$5,000.00** - 4000-428516-3160-271400-604051

**BACKGROUND/EXPLANATION:**

The Dating Matters Program has been awarded grant funds to purchase gift cards to be used as incentives for student/parent curricula implementation at Baltimore City Public Schools.

The Health Department adopted a consolidated policy for the purchase, distribution, and documentation of all incentive cards. The central tenets of this policy provide for: 1) a single means of procuring all incentive cards through the Board of Estimates; 2) the documentation of each incentive card and its recipient; 3) a monthly reconciliation for all purchases that account for all distributed and non-distributed cards, and; 4) periodic internal reviews of programs' activity vis-à-vis the internal policy, which are to be shared with the Department of Audits.

This policy has been reviewed by both the Solicitor's Office and by the Department of Audits. Consistent with the original Board of Estimates approval, all requests for payment for the above incentive cards will be subject to the Department of Audits approval.

**MINUTES**

Health Department - cont'd

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay for the purchase of gift cards.

## MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various Agreements. The period of the agreement is July 1, 2015 through June 30, 2016, unless otherwise indicated.

1. **PACT: HELPING CHILDREN WITH SPECIAL NEEDS, INC.** **\$ 46,124.00**

Account: 4000-427116-3080-294300-603051

PACT will provide a Service Coordinator to assist children from ages birth to three who are suspected of having developmental delay(s) and their families in accessing a full range of early intervention services and/or creating linkages with community agencies and institutions.

The agreement is late because the Grant Award from the MSDE was approved late in the fiscal year.

2. **INSTITUTES FOR BEHAVIOR RESOURCES, INC.** **\$ 15,000.00**

Account: 4000-422716-3030-279200-603051

The organization will provide clinical reproductive health care services, counseling, and education for each individual client in order to assure that well informed decisions are made about family planning and reproductive health care.

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

3. **FAIR FUND, INC.** **\$ 25,000.00**  
**d/b/a "FAIR GIRLS", INC.**

Account: 4000-494416-3030-279200-603051

The organization will implement a human trafficking health education component within the foster youth (Power through the Choices) curriculum for child welfare workers and foster care providers training.

## MINUTES

Health Department - cont'd

The goals of this component are to educate out of home placed youth and significant adults on human trafficking and prevention.

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

4. **MARYLAND INSTITUTE COLLEGE OF ART (MICA)** **\$ 24,010.00**

Account: 5000-570316-3041-605800-603051

MICA's Center for Social Design will work with the BCHD to foster creative, innovative and breakthrough design and communication solutions to address youth tobacco use in the City. The period of the agreement is November 1, 2015 through June 30, 2016.

The agreement is late because the budget submission to the Department of Health and Mental Hygiene was not approved until late in the fiscal year.

5. **PROGRESSUS THERAPY, LLC** **\$209,175.00**

Account: 4000-427116-3080-294300-603051	132,996.00
4000-428216-3080-294300-603051	26,179.00
4000-427115-3080-294300-603051	50,000.00

The organization will provide occupational, speech-language pathology therapy, and special education services for the Baltimore Infants & Toddlers Program. The organization will also provide school readiness orientation, training, documentation, and reporting. The period of the agreement is July 1, 2015 through September 30, 2016.

The agreement is late because the Grant Award was received late in the fiscal year.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Department - cont'd

6. **THE JOHNS HOPKINS UNIVERSITY** **\$ 5,917.00**

Account: 5000-569716-3023-274447-603051

The Johns Hopkins University, School of Medicine will provide services for Women, Infants, Children and Youth-Medical Case Management for the HIV/AIDS State Special Fund to accommodate the increasing number of uninsured and underinsured HIV infected clients, from childhood to age 24 years to access needed health and supportive services.

The agreement is late because the Prevention and Health Promotion Administration programmatically manages HIV/AIDS State Special services. The providers are asked to submit a budget, budget narrative, and scope of services. The BCHD thoroughly reviews the entire package before preparing a contract and submitting it to the Board. These budgets are many times revised because of inadequate information from the providers. This review process is required to comply with grant requirements.

7. **HEALTHY TEEN NETWORK, INC. (HTN)** **\$124,900.00**

Account: 4000-480616-3030-284600-404001

The HTN will work with the BCHD to update the 2010 teen pregnancy prevention needs assessment. The Strategic Plan to Reduce Teen Births in Baltimore City, and provide technical assistance to the project's core team in executing the Getting to Outcomes approach in planning and implementation, and provide training and technical assistance for the project's curricula.

The agreement is late because there was a delay in receiving required documentation.

**MWBOO GRANTED A WAIVER.**

**MINUTES**

Health Department - cont'd

INTERGOVERNMENTAL AGREEMENT

8. **BEHAVIORAL HEALTH SYSTEM BALTIMORE, INC. (BHSB)** **\$400,000.00**

Account: 5000-531116-3070-518500-603051

On January 13, 2016, the Board approved the FY15 Memorandum of Understanding (MOU) with the Maryland Department of Public Safety and Correctional Services, Division of Parole and Probation for Substance Abuse Treatment for Offenders.

The MOU established the terms and conditions of the award of \$400,000.00 from the Maryland Department of Public Safety and Correctional Services, Division of Parole and Probation, for the purpose of the BHSB, Inc. to provide alcohol/drug abuse treatment services. The BHSB, Inc., will administer treatment services to certain offenders in the criminal justice system. The period of the agreement is December 1, 2015 through June 30, 2016.

The agreement is late because the Department budget revisions delayed processing.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

## MINUTES

Health Department - Notices of Grant Awards

The Board is requested to approve and authorize acceptance of the Notices of Grant Awards (NGA).

1. **MARYLAND STATE DEPARTMENT OF AGING** **\$257,743.00**  
**(MDoA)**

Account: 6000-633516-3255-771700-406001

The original NGA was approved on February 10, 2016 in the amount of \$53,666.00. This NGA will increase the total by \$257,743.00, making the total amount \$311,409.00.

This NGA is based on the FY15 Nutrition Service Incentive program funding and reflects the Department's award based on actual FY15 meal counts and the final FY15 award notification.

2. **SENIOR MEDICARE PATROL - HEALTH CARE** **\$ 9,742.00**  
**FRAUD PROGRAM EXPANSION**

Accounts: 4000-436416-3255-316200-404001	8,190.00
4000-436416-3255-316200-404001	1,552.00

The NGA for FY16 reflects the award for the Senior Medicare Patrol (SMP) - Health Care Fraud Program Expansion (HCFPE) grant based upon the Health Department's approved budget. The approval of the NGA will allow the Department to provide funding for seniors under the SMP-HCFPE Program. The period of the Grant Award is June 1, 2015 through May 31, 2016.

**MINUTES**

Health Department - cont'd

The NGA 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 AWARDS.**

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the foregoing Notices of Grant Awards.



## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Option</u>			
1. Y Plus Mark, LLC	1522 McKean Ave.	F/S	\$ 8,800.00

Funds are available in account 9910-905507-9588-900000-704040, AG Demolition Project.

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

DHCD - Condemnation

2. Gussie Siegel	4654 Park Heights Ave.	G/R \$90.00	\$ 750.00
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Funds are available in account 9910-903183-9588-900000-704040 Park Heights Project.

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

Department of Law - Payment of Settlement

3. Fryer Development, LLC (Prior Owner)	4655 Park Heights Avenue	F/S	\$39,000.00
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On July 1, 2015, the Board approved the acquisition of the fee simple interest by condemnation, in the property located at

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Law - Payment of Settlement - cont'd</u>			
4655 Park Heights Avenue for the fair market value of \$17,000.00, based upon an independent appraisal report. The owner produced a report valuing the property at \$85,000.00. After negotiations, the parties agreed to settle the case for \$56,000.00. Therefore, the Board is requested to approve an additional \$39,000.00.			
Funds are available in account 9910-903183-9588-900000-704040, in the Park Heights Project Area.			
4. Ronald and Marilyn Carr	1812 E. Chase St.	G/R Reversionary	\$ 133.33

On July 23, 2014, the Board approved the acquisition of the reversionary interest (i.e. the ground rent), by condemnation, in the property located at 1812 E. Chase Street. The Board previously approved the fair market value of \$266.67, based upon an independent appraisal report. The property owner demanded \$500.00. The parties agreed to settle the case for an additional \$133.33 for a total of \$400.00. Therefore, the Board is requested to approve an additional \$133.33.

Funds are available in account 9910-906416-9588-900000-704040, EBDI Project Area.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Law - Rescission and Payment of Settlement</u>			
5. George and Karen Smith	929 N. Collington Ave.	G/R Reversionary	\$ 1,320.00

On January 13, 2010, the Board approved the acquisition of the reversionary interest (i.e. the ground rent), by condemnation, in the property located at 929 N. Collington Avenue. The Board previously approved the fair market value of \$1,500.00, based upon an independent appraisal report to acquire the property through an option contract. The option contract was never concluded. During the preparation for the condemnation case, it was discovered that the ground rent had been transferred from the prior owner, Posh Venture, LLC, to George and Karen Smith. The current owners agreed to settle the case for \$1,320.00. Therefore, the Board is requested to rescind the prior approval in the amount of \$1,500.00, so that the current owners can be paid.

Funds are available in account 9910-906416-9588-900000-704040, EBDI Project Area.

UPON MOTION duly made and seconded, the Board approved option, the condemnation, the payment of settlement, and the rescission and payment of settlement.

**MINUTES**Department of Transportation - Minor Privilege Permit Application

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

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 36 S. Paca Street	36 S. Paca Street, LLC	One awning with signage 1.66' x 4' on Paca Street, one awning with signage 6' x 3.83' on Lombard Street, and one ramp and stair 46' x 5'

Annual Charge: \$421.80

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

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

**MINUTES**

Department of Transportation - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 006 to KCI/STV Joint Venture, under Project 1190, On-Call Consultant Engineering, Design, Review and Evaluation Services-Conduits.

**AMOUNT OF MONEY AND SOURCE:**

\$112,475.57 - 9962-907066-9562-900020-703032

**BACKGROUND/EXPLANATION:**

Under Project 1190, the assignment of Task No. 006 provides authorization to KCI/STV Joint Venture to provide continued technical support for various conduit endeavors including permit contract document review and specification preparation.

**MBE/WBE PARTICIPATION:**

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

**MWBOO SET GOALS OF 27% MBE AND 10% WBE.**

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**APPROVED FOR FUNDS BY FINANCE**

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

**MINUTES**

Department of Transportation - cont'd

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 006 to KCI/STV Joint Venture, under Project 1190, On-Call Consultant Engineering, Design, Review, and Evaluation Services-Conduits. The President Voted **NO**.

**MINUTES**

Space Utilization Committee - Transfer of Building  
Jurisdiction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the transfer of building jurisdiction for the property known as 1200 E. Baltimore Street (Block 1339, Lot 1) from the inventory of the Department of Recreation and Parks to the inventory of the Department of Housing and Community Development/Baltimore Development Corporation (BDC).

**BACKGROUND/EXPLANATION:**

The BDC requested a change to the original site plan of McKim Park. On August 1, 2014, the Department of Recreation and Parks approved the new property line for the building and lot size of 20,686 square feet for the new Ronald McDonald House location and the upgrade to McKim Park.

The Ronald McDonald House was informed by the Maryland Department of Transportation (MDOT) of a proposed tunnel location which has impacted the Ronald McDonald House's original lot size. In a response to the MDOT, the Ronald McDonald House reconfigured its drawing of the original site plan to reflect the change of its building location to shift 29 feet north from the original location. The new property line for the Ronald McDonald building and lot size has been changed to 23,326 square feet.

The Space Utilization Committee approved this transfer of jurisdiction on March 8, 2016.

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

UPON MOTION duly made and seconded, the Board approved the transfer of building jurisdiction for the property known as 1200 E. Baltimore Street (Block 1339, Lot 1) from the inventory of the Department of Recreation and Parks to the inventory of the Department of Housing and Community Development/Baltimore Development Corporation.



**MINUTES**

Department of Real Estate - Agreement of Sale

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement of Sale with Charles A. Johnson, purchaser, for the sale of the descriptive lot in the rear of 3316 Burleith Ave. (Block 3262A, Lot 63).

**AMOUNT OF MONEY AND SOURCE:**

\$200.00 - Assessed Value

**BACKGROUND/EXPLANATION:**

The authority to sell this property was approved by City Council Ordinance No. 477 on December 6, 1973. The property is known as the descriptive lot in the rear of 3316 Burleith Ave. (Block 3262A, Lot 63). The purchaser intends to use the lot for landscaping and off street parking.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement of Sale with Charles A. Johnson, purchaser, for the sale of the descriptive lot in the rear of 3316 Burleith Ave. (Block 3262A, Lot 63).

**MINUTES**

Department of Real Estate - Lease Agreement Renewal

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the renewal of the Lease Agreement between 1410 Management, Inc., Landlord, and the Mayor's Office of Employment Development (MOED), Tenant, for the rental of a portion of the property known as 1410 Bush Street, being on the 1<sup>st</sup> floor, consisting of approximately 1,500 sq. ft. The period of the renewal is April 1, 2016 through March 31, 2017.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$18,000.00	\$1,500.00

Account - 2026-000000-6311-733900-603013

**BACKGROUND/EXPLANATION:**

The leased premises will be used for a small-scale career center for the MOED. The Landlord will provide all systems in working condition (heating, air conditioning, ventilation, elevators, and electrical and plumbing services) at all times and at no cost to the Tenant.

The Landlord will maintain the roof, exterior structural elements of the building, walls, gutters, downspouts, air conditioning (includes changing of air filters), ventilating and heating systems, the elevator, and all water, electrical and plumbing supply lines, except damage caused by the negligence of the Tenant. The Landlord will also be responsible for the payment of utilities, snow removal, real estate taxes, and fire insurance will also be the responsibility of the Landlord.

**MINUTES**

Department of Real Estate - cont'd

The Tenant will be responsible for the payment of computer, telephone, and cable services, if applicable. The Tenant will also be responsible for the installation and monitoring costs associated with the security system, if applicable, janitorial services, and liability insurance under the City's self-insured program. All other rentals, terms, and conditions of the original lease agreement remain unchanged.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement between 1410 Management, Inc., Landlord, and the Mayor's Office of Employment Development, Tenant, for the rental of a portion of the property known as 1410 Bush Street, being on the 1<sup>st</sup> floor, consisting of approximately 1,500 sq. ft.

**MINUTES**

Department of Real Estate - Lease Agreement Renewal

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a Lease Agreement Renewal with Leader Realty Company, Lessor, for the rental of a portion of the property known as 211 E. 25<sup>th</sup> Street, consisting of approximately 4,468 sq. ft. The period of the lease renewal is May 1, 2016 through April 30, 2017.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installment</u>
\$61,462.11	\$5,121.84

Accounts: 5000-524016-3150-271300-603013  
May 1, 2016 through June 30, 2016

5000-524017-3150-271300-603013  
July 1, 2016 through April 30, 2017

**BACKGROUND/EXPLANATION:**

The Board approved the Lease Agreement with Leader Realty Company, Lessor, on March 2, 2011, and an Amendment to the Lease Agreement on April 16, 2014. The property is being used by the Department of Health's School of Health. The Amendment was for 2 years with three one-year renewal options. The Lessor is responsible for maintenance and repairs, structural repairs, pest control, fire insurance and real estate taxes. The Lessee is responsible for utilities, janitorial, security, liability insurance, and snow removal. All other rentals, conditions and provisions of the Lease Agreement dated April 16, 2014, will remain in full force and effect.

**APPROVED FOR FUNDS BY FINANCE**

**MINUTES**

Department of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement Renewal with Leader Realty Company, Lessor, for the rental of a portion of the property known as 211 E. 25<sup>th</sup> Street, consisting of approximately 4,468 sq. ft.

**MINUTES**

Department of Real Estate - Lease Agreement Renewal

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a Lease Agreement Renewal between Washington 784, LLC and Baltic Gold, LLC, Landlord, for the rental of the two properties known as 782 Washington Blvd., consisting of approximately 1,600 sq. ft. and the parking lot known as 760 Eislen Street, consisting of approximately 2,100 sq. ft. The period of the lease renewal is March 1, 2016 through August 31, 2016.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installment</u>
\$7,200.00	\$1,200.00

Account: 2026-000000-2042-733000-603013

**BACKGROUND/EXPLANATION:**

The Board approved the Lease Agreement between Washington 784, LLC and Baltic Gold, LLC, Landlord, on September 9, 2015. The Agreement was for 6 months, commencing September 1, 2015, and terminating February 29, 2016, with the option to renew for an additional three 6-month periods. The leased premises, 782 Washington Blvd. will be used as a Police Substation for the Casino Mini District to conduct administrative duties and 760 Eislen Street will be used as parking lot for the Tenant's vehicles. The City has exercised their renewal option effective March 1, 2016 through August 31, 2016. All other rentals, conditions, and provisions of the Lease Agreement dated September 9, 2015 will remain in full force and effect.

**APPROVED FOR FUNDS BY FINANCE**

**MINUTES**

Department of Real Estate - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement Renewal between Washington 784, LLC and Baltic Gold, LLC, Landlord, for the rental of the two properties known as 782 Washington Blvd., consisting of approximately 1,600 sq. ft. and the parking lot known as 760 Eislen Street, consisting of approximately 2,100 sq. ft.

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

The Board is requested to approve and authorize execution of a Sublease Agreement with Poe Baltimore, Inc., for the rental of the property known as the Poe House Museum, located at 203 N. Amity Street, consisting of approximately 921.27 square feet. The period of the Sublease Agreement is effective upon Board approval for five years, with an option to renew for three 5-year periods at a negotiated rental rate for each term.

**AMOUNT OF MONEY AND SOURCE:**

\$1.00, if demanded

**BACKGROUND/EXPLANATION:**

The City entered into a Master Lease for 98 years with the Housing Authority of Baltimore City (HABC) on February 29, 1979 for the parcel of land, with the improvements thereon, known as the Poe House located at 203 N. Amity Street.

The City, Sublandlord, and Poe Baltimore, Inc., Subtenant, have negotiated a sublease agreement. The Subtenant will operate and manage the leased premises as a museum, educational institution, and attraction to the public.

The Sublandlord will correct and bear expenses of major interior and preservation including but not be limited to plumbing repairs and/or replacement, plaster repairs, interior fixture repairs and/or replacement, electric repairs and/or replacement, and heating plant operations. The Sublandlord will also be responsible for maintenance of exterior lighting of the leased premises. The Sublandlord will be responsible for 100% payment of electric utilities for year one, 50% for year two, and thereafter it will be the sole responsibility of the Subtenant for electric utilities to the leased premises.



## MINUTES

Space Utilization Committee - cont'd

The Subtenant accepts the leased premises in its current existing condition. The Subtenant will be responsible for all interior wear and tear maintenance, painting, minor repairs to fixtures, exhibits, lighting, cleaning, and general upkeep necessary to present the historic structure to the public as a professionally managed and operated museum. Any upgrades to the existing interior will be at the cost and expense of the Subtenant. The Subtenant will maintain the interior of the building, make minor repairs to the electrical and plumbing systems, including clogged drains, toilets, and sinks except damage caused by the sole negligence of the Sublandlord, its employees, guests, agents, invitees, and contractors.

The Subtenant will furnish janitorial services, pest control, cleaning the floors, security, telephone and computer services. The Subtenant will pay for interior lighting and be responsible for minor sewer/plumbing and electric repairs to leased premises. The Subtenant will be responsible for the payment of heat, water, and sewer being supplied. The Subtenant will pay Sublandlord \$900.00 annually, in equal monthly installments of \$75.00 for these services. The Subtenant will be responsible for snow removal and liability insurance. The Subtenant will be responsible to report at the end of each calendar year maintenance expenses of the leased premises to the Sublandlord.

The Space Utilization Committee approved this Sublease Agreement on March 8, 2016.

**MINUTES**

Space Utilization Committee - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Sublease Agreement with Poe Baltimore, Inc., for the rental of the property known as the Poe House Museum, located at 203 N. Amity Street, consisting of approximately 921.27 square feet.

## MINUTES

CITY COUNCIL BILLS:

- 15-0593 - An Ordinance concerning - Sale of Property - 225 North Franklinton Road for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 225 North Franklinton Road (Block 2215, Lot 001) and no longer needed for public use; and providing for a special effective date.
- 15-0594 - An Ordinance concerning - Sale of Property - 222 North Calverton Road for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property known as 222 North Calverton Road (Block 2215, Lot 007) and no longer needed for public use; and providing for a special effective date.

THE DEPARTMENT OF PUBLIC WORKS' RECORDS SHOW A SMALL SANITARY SEWER EXTENDING INTO THE PROPERTY ALONG THE NORTHWESTERLY PROPERTY LINE. IF THIS PUBLIC UTILITY IS NOT TO BE RELOCATED OR ABANDONED, A FULL WIDTH PERPETUAL EASEMENT WOULD NEED TO BE INCLUDED IN THE DEED OF SALE FOR THE PROTECTION OF THE UNDERGROUND INFRASTRUCTURE AND TO ENSURE THE DEPARTMENT'S CONTINUED ACCESS FOR MAINTENANCE PURPOSES. BASED ON THESE FINDINGS, THE DEPARTMENT OF PUBLIC WORKS HAS NO OBJECTION TO THE PASSAGE OF CITY COUNCIL BILL 15-0594 PROVIDED APPROPRIATE MEASURES ARE TAKEN DURING THE SALES PROCESS TO PROTECT AND PROVIDE CONTINUED ACCESS TO THE SANITARY SEWER SHOULD IT REMAIN WITHIN THE SUBJECT PROPERTY.

ALL REPORTS RECEIVED WERE FAVORABLE.

**MINUTES****CITY COUNCIL BILLS:**

UPON MOTION duly made and seconded, the Board approved Bill Nos. 15-0593 and 15-0594 and directed that the bills be returned to the City Council with the recommendation that they also be approved by that Honorable Body. The President **ABSTAINED**.



**MINUTES**

Department of Housing and - cont'd  
Community Development

On June 17, 2015, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2015 Annual Action Plan for the following formula programs:

1. Community Development Block Grant (CDBG)
2. HOME
3. Emergency Solutions Grant (ESG)
4. Housing Opportunities for Persons with AIDS (HOPWA)

Upon approval of the resolution, the DHCD's Contracts Section began negotiating and processing the CDBG agreements as outlined in the Plan to be effective July 1, 2015 and beyond. Consequently, these agreements were delayed due to final negotiations and processing.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Community Development Block Grant Agreements.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 1601 Normal Avenue, (Block 4165, Lot 060) by gift from Ms. Aisha Murray, Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

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

Ms. Murray has offered to donate to the City, title to the property located at 1601 Normal Avenue. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The DHCD will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through April 8, 2016, other than water bills, is as follows:

## MINUTES

DHCD - - cont'd

Tax Sale Cert. #291872	Date: 10/22/2014	\$21,269.31
Real Property Tax	2015-2016	77.70
Real Property Tax	2014-2015	94.26
Real Property Tax	2013-2014	122.20
Miscellaneous Bill-Demo	#7061526	24,656.00
Alley/Footway Bill	G950-504-433-10-135	365.82
	<b>Total Taxes Owed:</b>	<b>\$46,585.29</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 1601 Normal Avenue, (Block 4165, Lot 060) by gift from Ms. Aisha Murray, Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.



**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the fee simple interest in the property located at 706 N. Rose Street, (Block 1625, Lot 071) by gift from Mr. Collin Nole, Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owner agrees to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

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

Mr. Nole has offered to donate to the City, title to the property located at 706 N. Rose Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The DHCD will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through April 8, 2016, other than water bills, is as follows:

## MINUTES

DHCD - cont'd

Real Property Tax	2015-2016	\$ 274.22
Miscellaneous Bills	#7791445	224.13
Miscellaneous Bills	#7792880	122.96
Environmental Fine	Citation #54067657	1,500.00
Property Registration	Reg. #435476	<u>143.00</u>
	<b>Total Taxes Owed:</b>	<b>\$2,264.31</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 706 N. Rose Street, (Block 1625, Lot 071) by gift from Mr. Collin Nole, Owner, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the acquisition of the leasehold interest in the property located at 1815 Dover Street, (Block 0260, Lot 084) by gift from Mr. William Kearney and Ms. Tracey Kearney, Owners, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

**AMOUNT OF MONEY AND SOURCE:**

The Owners agree to pay for any title work and all associated settlement costs, not to exceed \$600.00 total. Therefore, no City funds will be expended.

**BACKGROUND/EXPLANATION:**

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

Mr. Kearney and Ms. Kearney have offered to donate to the City, title to the property located at 1815 Dover Street. With the Board's approval, the City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain.

The DHCD will acquire the property subject to all municipal liens, other than water bills, and all interest and penalties that may accrue prior to recording a deed. A list of open municipal liens accrued through April 8, 2016, other than water bills, is as follows:

## MINUTES

DHCD - cont'd

Tax Sale Cert. #284824	Date: 05/19/2014	\$ 5,690.93
Real Property Tax	2015-2016	129.55
Real Property Tax	2014-2015	1,131.63
Real Property Tax	2013-2014	1,382.09
Real Property Tax	2012-2013	1,552.73
Real Property Tax	2011-2012	1,743.49
Miscellaneous Bill	#6931703	151.72
Miscellaneous Bill	#6970438	153.13
Miscellaneous Bill	#6986384	146.14
Miscellaneous Bill	#7065253	357.00
Miscellaneous Bill	#7292832	133.58
Miscellaneous Bill	#7340110	164.80
Miscellaneous Bill	#7611536	145.71
Miscellaneous Bill	#7629603	143.86
Miscellaneous Bill	#7633118	215.94
Miscellaneous Bill	#7820657	264.21
Property Registration	#403320	<u>1,027.00</u>
<b>Total Taxes Owed:</b>		<b>\$14,533.51</b>

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold interest in the property located at 1815 Dover Street, (Block 0260, Lot 084) by gift from Mr. William Kearney and Ms. Tracey Kearney, Owners, **SUBJECT** to municipal liens, interest, and penalties, other than water bills.

**MINUTES**

Department of Housing and                    - Land Disposition and  
Community Development (DHCD)        Acquisition Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Land Disposition and Acquisition Agreement, which outlines the exchange of one property, located at 1524 McKean Avenue (Block 0020, Lot 090), owned by Ibrahim Abou-Taleb, Developer, for one comparable property, located at 2329 Linden Avenue (Block 3447, Lot 036), owned by the Mayor and City Council.

**AMOUNT OF MONEY AND SOURCE:**

The City agrees to pay for all settlement costs associated with the property acquired by the City, not to exceed \$600.00 total.

Account: 9910-908044-9588-900000-704044

**BACKGROUND/EXPLANATION:**

The DHCD's Land Resources Division, on behalf of the Mayor and City Council, strategically acquires, and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use and improving Baltimore's neighborhoods.

Mr. Abou-Taleb received notice of the City's intent to demolish the property located at 1524 McKean Avenue. Because Mr. Abou-Taleb intended to rehabilitate the property, a swap was proposed for the property located at 1524 McKean Avenue with a comparable Mayor and City Council-owned property located at 2329 Linden Avenue, an area better suited for redevelopment. Mr. Abou-Taleb will deliver good and marketable title and as a condition of the exchange, has agreed to rehabilitate the property he is receiving within 12 months from the date of settlement.

**MINUTES**

DHCD - cont'd

The City will receive clear and marketable title to 1524 McKean Avenue, subject to any municipal liens, in exchange for a comparable property.

The determination of comparability is based on a valuation for both 2329 Linden Avenue and 1524 McKean Avenue, which determined that the property located at 1524 McKean Avenue valued at \$6,000.00, while the property located at 2329 Linden Avenue valued at \$11,000.00.

The liens for 1524 McKean Avenue total approximately \$143.00 and are itemized as follows:

Real Estate Tax	\$ 0.00
Miscellaneous Bills	0.00
Property Registration	<u>143.00</u>
<b>Total Municipal Liens</b>	<b>\$143.00</b>

This exchange will allow the City to more expeditiously demolish the hazardous structure and take title to the property for a redevelopment project. The property exchange is less costly than acquiring the property through tax sale foreclosure or eminent domain. This action will further the City's effort to eliminate blight and protect the health and safety of its citizens. As such, the City has agreed to pay for all title work and associated settlement costs, on the property the City is receiving, not to exceed \$600.00.

**STATEMENT OF PURPOSE AND RATIONALE FOR TRANSFER OF PROPERTY BY MEANS OF COMPARABLE EXCHANGE:**

The property located at 1524 McKean was valued at \$6,000.00, while the property located at 2329 Linden Avenue was valued at \$11,000.00. Mr. Abou-Taleb has agreed to pay an additional \$2,000.00 toward the purchase of the property located at 2329 Linden Avenue. While the property at 2329 Linden Avenue was valued at \$11,000.00, it is being sold below the price determined by the Waiver Valuation Process.

**MINUTES**

DHCD - cont'd

The rationale for the exchange of properties is to ensure that the severity of blight at 1524 McKean Avenue would be successfully eliminated, while simultaneously ensuring that a willing and able developer could contribute to the revitalization of Baltimore City in an area better suited and poised for rehabilitation.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition and Acquisition Agreement, which outlines the exchange of one property, located at 1524 McKean Avenue (Block 0020, Lot 090), owned by Ibrahim Abou-Taleb, Developer, for one comparable property, located at 2329 Linden Avenue (Block 3447, Lot 036), owned by the Mayor and City Council.

**MINUTES**

Department of Housing and - Land Disposition and Development  
Community Development      Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Land Disposition and Development Agreement with Convergence Development, LLC, Developer, for the sale of the five City-owned properties located at 3402, 3406, 3410, 3416, Saint Ambrose Ave., and 4740 Beaufort Ave.

**AMOUNT OF MONEY AND SOURCE:**

\$1,500.00 - 3402 Saint Ambrose Ave.  
 1,500.00 - 3406 Saint Ambrose Ave  
 1,500.00 - 3410 Saint Ambrose Ave.  
 2,500.00 - 3416 Saint Ambrose Ave.  
2,500.00 - 4740 Beaufort Ave.  
**\$9,500.00** - Purchase price payable at the time of settlement

**BACKGROUND/EXPLANATION:**

The project will consist of the rehabilitation of five vacant houses into single family row homes for homeownership. The rehabilitation costs for the properties will be \$85,000.00 each, which will be privately financed.

The sale of these properties once fully developed would generate a considerable amount of revenue in real estate property taxes to the City. Once transferred and redeveloped the properties will be active on the tax rolls of the City preventing tax abandonment.



**MINUTES**

DHCD - cont'd

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

The properties were valued pursuant to the Appraisal Policy of Baltimore City through the Waiver Valuation Process at \$4,000.00 each. The properties at 3402, 3406, and 3410 Saint Ambrose Ave. will be sold for \$1,500.00 each. The properties at 3416 Saint Ambrose Ave., and 4740 Beaufort Ave. will be sold at \$2,500.00 each.

The properties are being sold to Convergence Development, LLC below the price determined by the Waiver Valuation Process because of the following reasons:

- the sale and rehabilitation of the properties will help to promote a specific benefit to the immediate community,
- the sale and rehabilitation will continue the elimination of blight, and
- the sale and rehabilitation will promote economic development through the placement of the subject properties on the City's tax rolls.

**MBE/WBE PARTICIPATION:**

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

**MINUTES**

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition and Development Agreement with Convergence Development, LLC, Developer, for the sale of the five City-owned properties located at 3402, 3406, 3410, 3416, Saint Ambrose Ave., and 4740 Beaufort Ave.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Land Disposition Agreement with Ms. Rosemary Azuaru, Developer, for the sale of a City-owned property located at 1627 W. Mulberry Street.

**AMOUNT OF MONEY AND SOURCE:**

\$6,500.00 - purchase price

**BACKGROUND/EXPLANATION:**

The project will involve the rehabilitation of the vacant building which the Developer plans to rehabilitate and sell. The property is located in the Franklin Square neighborhood.

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

The property was valued at \$7,500.00, pursuant to the Waiver Valuation Process.

The property is being sold to Ms. Azuaru below the price determined by the Waiver Valuation process because of the following reasons:

- The sale of this vacant property at a price below the waiver valuation price will be a specific benefit to the immediate community,
- eliminate blight, create jobs during reconstruction, and
- the property will be returned to the tax rolls of Baltimore City.

**MINUTES**

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Land Disposition Agreement with Ms. Rosemary Azuaru, Developer, for the sale of a City-owned property located at 1627 W. Mulberry Street.

MINUTES

EXTRA WORK ORDERS

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following pages:

915 - 916

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

MINUTES

EXTRA WORK ORDERS

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

Department of Public Works/Office of Engineering & Construction

1. EWO #001, \$0.00 - SC 923, Roof Replacement at Various Facilities at Patapsco Wastewater Treatment Plant  


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 \$3,393,400.00 - The Whiting-Turner 26 -  
 Contracting Co.,  
 Inc.

The contract documents required the removal of various roof curbs, and then plating be installed over each opening. The contractor requested confirmation whether the existing roof curbs were structural. The Department was unable to locate the as-built drawings for the original construction contract. Time was expended in this record search. Since the roof curbs could not be verified as structural it was decided the curbs remain in place. The plating to be installed over each opening now needed to have sides to cover the roof curbs and be secured to the curbs. Additional flashing had to be installed on each side of the roof curb to keep rain water from puddling against the roof curbs. This method was different than that shown in the original contract documents. The document search as well as the construction required additional time. The new contract end date will be November 23, 2015. This EAR explanation has been revised from the original for clarity and additional detail. This project is now in warranty phase.

MINUTES

EXTRA WORK ORDERS

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

Department of Public Works/Office of Engineering & Construction

2. EWO #001, \$0.00 - SDC 7789, Small Storm Drain and Inlet Repairs at Various Locations
- 
- |                |   |                         |     |
|----------------|---|-------------------------|-----|
| \$2,368,400.00 | - | Civil Construction, 180 | 73% |
|                |   | LLC                     |     |

This authorization is for a 180 day non-compensable time extension in order to complete various assigned work locations to the contract. The existing contract funding is sufficient for the completion of the contract. The current completion date is March 9, 2016. The new completion date will be September 05, 2016.

**MINUTES**

Mayor's Office of Human Services - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement with Dayspring Programs, Inc. The period of the Agreement is January 1, 2016 through December 31, 2016.

**AMOUNT OF MONEY AND SOURCE:**

\$304,097.00 - 4000-407016-3571-757601-603051

**BACKGROUND/EXPLANATION:**

Dayspring Programs, Inc. will provide housing assistance and support services to 18 households for its transitional housing program. The funds will be used for case management, education, mental health and substance abuse treatment services, and to offset the cost of electricity for the program.

The agreement is late because of delays at the administrative level.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Dayspring Programs, Inc.



**MINUTES**

Mayor's Office of Human Service (MOHS) - Advance of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the advance of funds to the listed sub-recipients of the U.S. Department of Housing and Urban Development's (HUD) Continuum of Care (CoC) grant program.

**AMOUNT OF MONEY AND SOURCE:**

\$2,457,883.00

**BACKGROUND/EXPLANATION:**

Due to unforeseen circumstances, HUD announced the renewal of Baltimore City's CoC grant in November of 2015. This nearly represents a five-month delay in the announcement causing the issuance of the official agreement to be delayed until April or May 2016. The MOHS uses this funding to provide rental assistance, supportive services, and operating support through contracts with non-profits throughout Baltimore City.

Due to the delay in receipt of an official agreement, several of these contracts will stop receiving payments effective January 31, 2016. The MOHS requests approval of up to three months of advance funding for rental assistance contracts to ensure that the supported citizens are not evicted from their housing. The MOHS also requests up to three months of advance funding for contracts that provide supportive services to the aforementioned citizens. Upon issuance of the official agreement from HUD, the MOHS will issue contracts that will cover the remainder of the agreements taking into account funds already disbursed with these advances. This request covers the following advances:

## MINUTES

MOHS - cont'd

Provider Name	Contract Number	Months	Advance Requested	Budget Account Number	New Award Start Date	New Award End Date	Assistance Type
Associated Catholic Charities, Inc.	37287	3	\$ 196,221.00	4000-407016-3571-757701-603051	4/1/16	3/31/17	Rental Assistance
The Women's Housing Coalition, Inc. Scattered Site	37285	3	73,875.00	4000-407016-3571-759011-603051	5/1/16	4/30/17	Rental Assistance
HealthCare Access Maryland, Inc.	37268	3	42,458.00	4000-407016-5940-754801-603051	4/1/16	3/31/17	Supportive
Associated Catholic Charities, Inc.(My Sisters Place Lodge)	37271	3	75,782.00	4000-407016-3572-755601-603051	2/1/16	1/31/17	Supportive
Associated Catholic Charities, Inc. (Christopher's Place)	37270	3	25,166.00	4000-407016-3572-755001-603051	2/1/16	1/31/17	Supportive
Manna House, Inc.	37275	3	20,063.00	4000-407016-3571-758201-603051	2/1/16	1/31/17	Supportive
Marian House, Inc.	37276	3	52,462.00	4000-407016-3572-755901-603051	2/1/16	1/31/17	Supportive
Mercy Medical Center	37277	3	85,368.00	4000-407016-3571-758601-603051	2/1/16	1/31/17	Supportive
St. Ambrose Housing Aid Center	37278	3	9,004.00	4000-407016-3571-759101-603051	2/1/16	1/31/17	Supportive

## MINUTES

MOHS - cont'd

Provider Name	Contract Number	Months	Advance Requested	Budget Account Number	New Award Start Date	New Award End Date	Assistance Type
<b>Associated Catholic Charities, Inc. (Project Believe)</b>	37280	3	29,269.00	4000-407016-3571-757301-603051	2/1/16	1/31/17	Supportive
<b>The Women's Housing Coalition, Inc. Family Scattered Site.</b>	37286	3	25,872.00	4000-407016-3571-759001-603051	5/1/16	4/30/17	Rental Assistance
<b>Jobs, Housing and Recovery, Inc.</b>	37274	3	124,490.00	4000-407016-3572-755802-603051	3/1/16	2/28/17	Supportive
<b>Marian House, Inc. (TAMAR 2 PHP)</b>	37279	3	23,407.00	4000-407016-3571-758341-603051	3/1/16	2/28/17	Supportive
<b>St. Vincent de Paul of Baltimore, Inc. Cottage Ave THP</b>	37284	3	14,100.00	4000-407016-3571-759401-603051	3/1/16	2/28/17	Supportive
<b>AIDS Interfaith Residential Services, Inc.</b>	37267	3	360,509.00	4000-407016-3571-757001-603051	4/1/16	3/31/17	Rental Assistance
<b>Project PLASE, Inc.</b>	37281	3	386,288.00	4000-407016-3571-756801-603051	4/1/16	3/31/17	Rental Assistance
<b>Dayspring Programs, Inc.</b>	37272	3	85,893.00	4000-407016-3571-757604-603051	4/1/16	3/31/17	Rental Assistance
<b>At Jacob's Well, Inc.</b>	37289	3	50,935.00	4000-407016-3571-757401-603051	4/1/16	3/31/17	Rental Assistance
<b>Marian House, Inc.</b>	37291	3	71,533.00	4000-407016-3571-758351-603051	4/1/16	3/31/17	Rental Assistance

## MINUTES

MOHS - cont'd

Provider Name	Contract Number	Months	Advance Requested	Budget Account Number	New Award Start Date	New Award End Date	Assistance Type
Dayspring Programs, Inc.	37290	3	204,776.00	4000-407016-3571-757603-603051	4/1/16	3/31/17	Rental Assistance
Behavioral Health Systems Baltimore	37269	3	21,655.00	4000-407016-3571-757501-603051	4/1/16	3/31/17	Rental Assistance
Govans Ecumenical Development Corporation	37273	3	79,046.00	4000-407016-3571-764400-603051	4/1/16	3/31/17	Rental Assistance
Behavioral Health Systems Baltimore	37288	3	353,576.00	4000-407016-3571-757510-603051	4/1/16	3/31/17	Rental Assistance
St. Ambrose Housing Aid Center-PHP II	37282	3	10,544.00	4000-407016-3571-759140-603051	4/1/16	3/31/17	Supportive
St. Ambrose Housing Aid Center S+C	37283	3	35,591.00	4000-407016-3571-759110-603051	4/1/16	3/31/17	Rental Assistance
Total			<u>\$2,457,883.00</u>				

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**MINUTES**

MOHS - cont'd

UPON MOTION duly made and seconded, the Board approved the advance of funds to the listed sub-recipients of the U.S. Department of Housing and Urban Development's Continuum of Care grant program.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |                                                        |             |         |
|--------------------------------------------------------|-------------|---------|
| 1. NORMAN EVAN HALL d/b/a<br>SPARKLE& SHINE<br>SERVICE | \$10,752.00 | Renewal |
|--------------------------------------------------------|-------------|---------|
- Solicitation No. B50002841 - Perform Janitorial Service at 1135 N. Gilmor Street - Department of Health Center for Diseases - Req. No. R622950

On March 7, 2013, the City Purchasing Agent approved the initial award in the amount of \$10,752.00. The award contained three 1-year renewal options. Two renewals have been exercised at \$10,752.00 each. This final renewal in the amount of \$10,752.00 is for the period April 1, 2016 through March 31, 2017.

- |                                    |             |         |
|------------------------------------|-------------|---------|
| 2. ALTY CLEANING SERVICES,<br>INC. | \$11,508.00 | Renewal |
|------------------------------------|-------------|---------|
- Solicitation No. B50002825 - Perform Janitorial Service at Dawson Safe Haven - Department of Health Center for Disease - Req. No. R623268

On March 7, 2013, the City Purchasing Agent approved the initial award in the amount of \$11,508.00. The award contained two 1-year renewal options at \$11,508.00 each. Two renewal options have been exercised. This final renewal in the amount of \$11,508.00 is for the period April 1, 2016 through March 31, 2017.

- |                      |            |         |
|----------------------|------------|---------|
| 3. JOHN M. DEBOY, II | \$7,200.00 | Renewal |
|----------------------|------------|---------|
- Solicitation No. B50002849 - Stat Survey for Labs - Health Department - Req. No. R625404

On March 21, 2013, the City Purchasing Agent approved the initial award in the amount of \$7,200.00.



## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |                                                                                                                               |              |         |
|-------------------------------------------------------------------------------------------------------------------------------|--------------|---------|
| 5. DISTRICT SAFETY PRODUCTS,<br>INC.                                                                                          | \$ 20,000.00 | Renewal |
| Contract No. B50003411 - Nitrile Gloves - Department of<br>Public Works, Bureau of Water and Wastewater - P.O. No.<br>P526683 |              |         |

On March 25, 2014, the City Purchasing Agent approved the initial award in the amount of \$9,257.74. The award contained two 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$20,000.00 is for the period March 24, 2016 through March 23, 2017. The above amount is the City's estimated requirement.

- |                                                                                                         |              |         |
|---------------------------------------------------------------------------------------------------------|--------------|---------|
| 6. N. HARRIS COMPUTER<br>CORPORATION d/b/a<br>SYSTEM INNOVATORS                                         | \$ 48,715.50 | Renewal |
| Contract No. 08000 - Cashier Windows Software Maintenance -<br>Department of Finance - P.O. No. P723238 |              |         |

On June 10, 2009, the Board approved the initial award in the amount of \$37,920.00. The award contained annual renewal options subject to agreement by the parties. This is the seventh renewal of an annually renewed software maintenance contract. The period of the renewal is July 1, 2016 through June 30, 2017, with additional renewals subject to agreement by the parties.

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



## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |                                                                                                                                             |              |         |
|---------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------|
| 7. FULL CIRCLE SOLUTIONS,<br>INC.                                                                                                           | \$733,771.88 | Renewal |
| Contract No. 08000 - Integrated Collection Systems (ICS) Upgrades, Licenses and Support Services - Department of Finance - Req. No. R721935 |              |         |

On April 30, 2014, the Board approved the initial award in the amount of \$1,467,543.84. The award contained three 1-year renewal options. The Bureau of Revenue Collections has engaged Full Circle Solutions, Inc. for upgrades, licenses, and support for various collection and tax systems. This renewal in the amount of \$733,771.88 is for the period April 1, 2016 through March 31, 2017, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

- |                                                                                                           |              |         |
|-----------------------------------------------------------------------------------------------------------|--------------|---------|
| 8. DENVER-ELEK, INC.                                                                                      | \$200,000.00 | Renewal |
| Contract No. B50002764 - Boiler Repair Services - Department of General Services, etc. - P.O. No. P522937 |              |         |

On March 6, 2013, the Board approved the initial award in the amount of \$302,600.00. The award contained two 1-year renewal options. On November 18, 2015, the Board approved an increase in the amount of \$100,000.00. This renewal in the amount of \$200,000.00 is for the period May 1, 2016 through April 30, 2017, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

**MWBOO SET GOALS OF 12% MBE AND 0% WBE.**



## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |                                                                                               |              |          |
|-----------------------------------------------------------------------------------------------|--------------|----------|
| 10. ATLANTIC TACTICAL,<br>INC.                                                                | \$200,000.00 | Increase |
| Contract No. B50003559 - Police Duty Gear - Baltimore<br>Police Department - Req. No. R662615 |              |          |

On July 16, 2014, the Board approved the initial award in the amount of \$111,366.00. The award contained two 2-year renewal options. Due to additional Police Duty Gear needed by the Police Department an increase in the amount of \$200,000.00 is necessary. This increase will make the award amount \$311,366.00. The contract expires on July 15, 2017 with two 2-year renewal options remaining.

**MWBOO GRANTED A WAIVER.**

- |                                                                                                                                                            |              |           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------|
| 11. GOVERNMENTJOBS.COM, INC.<br>d/b/a NEOGOV                                                                                                               | \$152,600.00 | Extension |
| Contract No. B50001787 State of Oregon Contract No. 107-<br>1815-09-E-Recruitment Management Systems - Department of<br>Human Resources - Req. No. R719261 |              |           |

On January 19, 2011, the Board approved the initial award in the amount of \$198,100.00. The award contained four 1-year renewal options. All renewals have been exercised and subsequent actions have been approved. This extension will allow the Department of Human Resources to evaluate replacement options without suspending the current program. The period of the extension is January 19, 2016 through January 18, 2017.

**MWBOO GRANTED A WAIVER.**



## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

On August 13, 2014, the Board approved the Bureau's request that the difference between the commitment and the utilization be waived, as the shortfall was due to the City's reduction in the need to physically relocate old servers. The goals were only applicable to the initial relocation during the first year of the contract.

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts, and extensions. The Board further approved and authorized execution of the Second Amendment to Agreement with Tierpoint Maryland, LLC. (Item no. 120).

**MINUTES**

Department of Law - Reimbursement of Expenses

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the reimbursement of expenses paid by Fred Smalkin, Assistant Solicitor, for the admission to the Bar of the United States Court of Appeals for the 4<sup>th</sup> Circuit.

**AMOUNT OF MONEY AND SOURCE:**

\$216.00 - 2036-000000-1752-175200-603026

**BACKGROUND/EXPLANATION:**

Attorneys must be admitted to practice law in each state and federal court where they represent their clients. Mr. Smalkin was representing the City in a lawsuit arising from the 26<sup>th</sup> Street collapse, which had been filed in the United States District Court for the District of Maryland and was then appealed to the 4<sup>th</sup> Circuit Court of Appeals. Mr. Smalkin submitted his application for admission to the 4<sup>th</sup> Circuit on July 6, 2015, so that he could continue to represent the City in that matter. The case was ultimately decided in the City's favor, and the plaintiff has appealed to the Supreme Court of the United States.

Mr. Smalkin paid the admission fee of \$216.00 on July 6, 2015, and was admitted to the Bar the next day.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

## MINUTES

Department of Law - cont'd

UPON MOTION duly made and seconded, the Board approved the reimbursement of expenses paid by Fred Smalkin, Assistant Solicitor, for the admission to the Bar of the United States Court of Appeals for the 4<sup>th</sup> Circuit.

## MINUTES

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

The Board is requested to approve a refund of real property taxes for Mr. James Fyffe:

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

<u>Claimant</u>	<u>Property</u>	<u>Taxable Year</u>	<u>Amount</u>
James Fyffe	1228 Patapsco Avenue	2014/2015	\$2,060.12
		2013/2014	1,986.60
		2012/2013	<u>1,977.22</u>
			<b>\$6,023.94</b>

Mr. Fyffe filed his application on February 9, 2016.

The Board NOTED and CONCURRED in the opinion of the Law Department.



## MINUTES

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

The Board is requested to approve a refund of real property taxes for Ms. Tamurra Green:

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

<u>Claimant</u>	<u>Property</u>	<u>Taxable Year</u>	<u>Amount</u>
Tamurra Green	4807 Pleasant	2014/2015	\$3,268.12
	View Avenue	2013/2014	<u>2,869.04</u>
			<b>\$6,137.16</b>

Ms. Green filed her application on January 14, 2016.

The Board NOTED and CONCURRED in the opinion of the Law Department.

**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**

\* \* \* \* \*

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

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

936 - 938

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

The Board further approved and authorized  
Execution of the Master Services and Purchasing  
Agreement, the Integration Agreement, and the  
Evidence.com Terms of Use with TASER International,  
Inc. (item no. 4).

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

- |                                                                                                                            |                                 |                |
|----------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------|
| 1. B50004211, Design,<br>Installation, Operation<br>and Maintenance of a<br>Bike Share System for<br>the City of Baltimore | Bewegen Tech-<br>nologies, Inc. | \$2,361,320.20 |
|----------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------|

(Dept. of Transportation)

**DBE:** 0%

**A PROTEST WAS RECEIVED FROM ZAGSTER, INC., AND MOTIVATE INTERNATIONAL, INC.**

- |                                                                                                        |                            |              |
|--------------------------------------------------------------------------------------------------------|----------------------------|--------------|
| 2. B50004448, Replace/<br>Retrofit Fixtures<br>with Energy Efficient<br>Lighting at Oliver<br>Building | Zerodraft Maryland,<br>LLC | \$ 69,882.00 |
|--------------------------------------------------------------------------------------------------------|----------------------------|--------------|

(Dept. of Public Works, Office of Sustainable Energy)

**MBE:** Delta Electrical Contractors, \$16,800.00 24.04%  
Inc.

**WBE:** Lighting Maintenance, Inc. \$ 3,750.00 4.0%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

(Dept. of Public Works, Office of Sustainable Energy)

**Dear Board of Estimates of Baltimore City,**

Description of protest:

On behalf of Zagster, Inc. I would like to officially submit in writing a protest of the recently published Request for Proposal for Bike Share, Solicitation Number **B50004211** on the grounds that the solicitation required the completion of documents that were not accessible to the proposers.

In this solicitation, the tools needed for a complete response were not fully provided in the proposal package. It was poorly structured, making a proposal very difficult to organize generally. More specifically, several times throughout the RFP, the instructions failed to provide adequate resources for proposers to provide a complete response. Forms that were required for submittal were not attached in the proposal package *and* were not accessible after contact was made with the procurement office.

The result of these circumstances is that four of five responding firms have been disqualified from the solicitation for failure to submit a required item. Our protest is that if these four firms are disqualified on this basis, then the fifth and final firm should also be disqualified, by the City's rules, for lack of adherence to the guidelines. The solicitation should be canceled.

Supporting evidence:

-On page 29 of part one of the proposal, the respondent is asked in section F. to supply a "*Solicitation for Participation and Commitment Form.*"

This form was not anywhere to be found in the RFP. On October 20<sup>th</sup>, Zagster connected by phone with Ms. Brennae Brooks, the Procurement Specialist and primary contact for this bid, to inquire about the location of this form. She confirmed that it was not included in the solicitation documents and that Zagster, Inc should simply write in pen on the RFP document "not applicable." No addendum was released. Given that this form was never supplied, all vendors submitted their proposals incompletely.

Furthermore, the solicitation asks for certain "Bid Documents" that must be signed by the firm. None of these forms were properly labeled to match the corresponding checklist, therefore none of these forms can be considered material requirements for the RFP. It was impossible for firms to know whether they were supplying the proper forms. For example:

B-7. Bid Check list asks for "*Signed and properly completed Bid Affidavit.*" There is no attachment, section, or document titled "*Bid Affidavit*" anywhere in the solicitation.

B-7. Bid Check list asks for "*Signed and Properly completed Bid Pages.*" There is no attachment, section, or document titled "*Bid Pages*" anywhere in the solicitation.

B-7. Bid Check list asks for “*Signed and Properly completed program forms.*” There is no attachment, section, or document titled “*program forms*” anywhere in the solicitation.

These solicitation instructions are obscure, and left the required documents up to interpretation by the respondents.

Harm to the firm:

Zagster, Inc was disqualified for not including a Bid Bond in the proposal. Zagster has spent over 5 months interacting with communities in Baltimore to build support for bike share for the purpose of submitting a strong bid for this bike share program solicitation. Zagster spent days of employee resources preparing the bid, and thousands of dollars for the preparation and submission of the bid. Lastly, as the bike sharing industry is a competitive industry, the winning bidder for this project will have an industry advantage in future proposals.

In conclusion:

Due to the incomplete and confusing nature of the solicitation, every firm has submitted a non-responsive bid. Through an arbitrary process of administration, all but one proposer was disqualified for non-responsive bids. This solicitation was initially designed to create fair competition, which is essential for an important public transportation service like bike sharing.

The City of Baltimore deserves to have the best service provider to be chosen through a non-discriminatory solicitation process. As this was not achieved for the supporting reasons above, we request the cancellation of **B50004211**.

**Sincerely,**

**Theodore Bronstein,  
Director of Sales, Zagster, Inc.**



Motivate International Inc.  
5202 Third Ave  
Brooklyn, NY, 11220  
917-723-9259

Tuesday, November 10th, 2015

Board of Estimates  
c/o Bernice H. Taylor, Clerk to the Board of Estimates  
Room 204, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: **Solicitation Number:** B50004211 – The Design, Installation, Operation and Maintenance of a Bike Share System for the City of Baltimore (the “RFP”)  
**Soliciting Agency:** Baltimore City Department of Transportation  
**Bureau of Purchasers’ Buyer:** Brennae Brooks, Procurement Specialist II

Dear Ms. Taylor:

I am writing on behalf of Motivate International Inc. (“Motivate”), to respectfully and formally protest Motivate’s disqualification from the City of Baltimore’s RFP for its bike share system under the RFP’s General Terms and Conditions (see RFP Part 2, Section G46) and request relief as described further below.

Motivate received a letter on October 22, 2015 declaring our response to the RFP non-responsive on the grounds that it did not include a bid bond (attached as [Exhibit A]). We protest this determination because: (a) instructions to include a bid bond were contradictory (b) requiring a bid bond for this particular solicitation is logistically problematic and (c) the result of enforcing the bid bond requirement for this solicitation is against the interests of the City of Baltimore.

*Instructions in the RFP were contradictory and ambiguous*

The RFP clearly states that “the [RFP] requests that *proposals*, not *bids*, be submitted,” implying that any requirements applicable to *bids*, including the requirement to include a bid bond, did not apply to this *proposal* (see RFP Part 1, Section SW3.C.i (emphasis added)). This interpretation was reinforced by Section B6, which indicates that a bid bond may not be required: “Also, clearly mark which package contains the ‘Original’ document and the ‘Bid Bond/Check’ (*if required*)” (see RFP Part 1, Section B6 (emphasis added)). The RFP was ambiguous in other places as well. For example, the RFP Part 2, Section GC3.A implies that not all Offers responsive to the RFP require a bid bond: “All Offers which require a bid guarantee...”.



*Requiring a bid bond for this particular RFP is logistically problematic*

Including a bid bond with any proposal to the RFP would be logistically difficult because, unlike a fixed-price proposal to build, for example, a school or a road, the RFP's price request is open-ended and requests information on user-generated revenue rather than capital and operating costs. To be responsive to that end, we provided a 500-bike proposal, an 850-bike proposal, two fare models, and a unique pricing model. The revenue and cost to the City of Baltimore, if any, is entirely unpredictable at this early stage, and what the RFP requested for pricing is not at all related to the cost of the system to the City's fisc (see page B-7 of RFP). As a result, were we to have provided a bid bond with our proposal it would have been impossible to calculate a bond amount. This further led us to believe that a bid bond was not required by the RFP.

*The result of enforcing the bid bond requirement for this solicitation is against the interests of the City of Baltimore*

A recent news article covering the RFP (attached as Exhibit B) indicates that three of six total respondents (i.e., Shift Transit, Bicycle Transit Systems, and B-cycle) were deemed non-responsive. Given that Motivate's proposal has now also been deemed non-responsive, more than half of the proposals submitted will not be considered. The City of Baltimore is now selecting between only two contractors, drastically reducing the benefit to the public of a competitive proposal process aimed at delivering the best service possible.

Motivate's proposal incorporated our institutional knowledge as the industry's leading bike share operator, an innovative business model, next-generation smart-bike technology, and most importantly an established presence in the region with our Capital Bikeshare project in Washington, DC. Our bid also offered our fundraising and sponsorship expertise, a key differentiator for Motivate and one that offers the project a reliable source of funding for expansion. These are the types of innovations and competitive advantages that a fair and competitive proposal process encourage, and those which most benefit the public. Now, however, none of them will be considered in the City's award.

*Motivate's interests will be harmed in the absence of the requested relief*

Motivate's interest in a fair and competitive assessment of its proposal as well as Motivate's interest in expanding its bike share operations will be harmed by its disqualification from the RFP. In order to avoid this harm, we request relief in the form of a waiver by the Board of Estimates of the bid bond requirement for any proposal otherwise responsive to the RFP. We believe the Board can find authority for this action in RFP Part 2, Section GC14, which grants the Board discretion to waive technicalities, or alternatively in its authority to amend the RFP as was indeed done once already by the City Purchasing Agent's letter on September 28, 2015. Alternatively, we request relief in the form of the Board's demand that all respondents who failed



to submit bid bonds do so promptly in order to be considered in the Board's award. We believe the Board can find authority for such a demand under RFP Part 2, Section GC16, which allows the Board to require respondents to clarify non-material portions of their proposals, because adding a bid bond would not materially change any portion of a proposal.

Thank you for considering Motivate's protest and the relief requested herein. Please feel free to contact my colleague, Justin Ginsburgh, who submitted the proposal on Motivate's behalf, or me if you have further questions.

Thank you,

A handwritten signature in blue ink that reads "Justin Ginsburgh". The signature is fluid and cursive.

Justin Ginsburgh  
VP of Business Development, Motivate International Inc.

cc: Brennae Brooks, Procurement Specialist II  
Bureau of Purchases  
231 East Baltimore Street, Suite 300  
Baltimore, MD, 21202  
brennae.brooks@baltimorecity.gov

Timothy Krus, CPPO  
City Purchasing Agent  
231 East Baltimore Street, Suite 300  
Baltimore, Maryland 21202  
timothy.krus@baltimorecity.gov



# EXHIBIT A

## CITY OF BALTIMORE

### BOARD OF ESTIMATES

Room 204, City Hall  
Baltimore, Maryland 21202  
410-396-4755



BERNARD C. "JACK" YOUNG  
PRESIDENT, CITY COUNCIL

STEPHANIE RAWLINGS-BLAKE  
MAYOR

JOAN M. PRATT  
COMPTROLLER

RUDOLPH S. CHOW, P.E.  
DIRECTOR OF PUBLIC WORKS

GEORGE A. NILSON  
CITY SOLICITOR

BERNICE H. TAYLOR  
DEPUTY COMPTROLLER  
AND CLERK TO THE BOARD

October 22, 2015

Mr. Justin Ginsburgh, VP of Business Development  
Motivate International, LLC  
5202 Third Avenue  
Brooklyn, NY 12220

Re: B50004211, Design, Installation, Operation, and Maintenance  
of a Bike Share System

Dear Mr. Ginsburgh:

Please be advised that your bid, opened on October 21, 2015 on the above-mentioned contract, was considered **NON-RESPONSIVE** due to your company's failure to proffer a bid guarantee as mandated by the solicitation instructions.

For this solicitation, bids that were in excess of \$100,000.00 must be accompanied by a bid bond, certified check, cashier check or other official bank check equal to two percent of the total bid. Your company failed to submit a bid guarantee for this contract. Since your bid guarantee was not received with your bid as outlined in the solicitation instructions, the City will not accept your submission.

Please make arrangements to pick-up your bid package, which will be available in City Hall, Room 204, until January 20, 2016. Materials not picked up by this time will be discarded.

For complete information on all procedures to follow when submitting a contract for the Bureau of Purchases, please contact them at 410 396-5700. For contracts other than the Bureau of Purchases, please contact the appropriate City Agency.

Sincerely yours,

JOAN M. PRATT, CPA

Comptroller

and

Secretary to the Board

# Baltimore Brew

STIRRING UP NEWS AND VIEWS

Read:

## Top bikeshare operator submits low bid to run city's proposed program

***BREW EXCLUSIVE: Motivate offers lowest cost to manage Baltimore's long-on-the-drawing-board bikeshare system. At best, the program is a year away from launching.***

[Mark Reutter](#)

October 22, 2015 at 4:58 pm

[Story Link](#)



The operator of Washington's, Chicago's and New York City's bikeshare systems has submitted the low bid to manage Baltimore's long-discussed and oft-delayed bike rental program.

Motivate International (formerly Alta Bicycle Shares) has offered to run the program for \$587,500.

The price was far below the prices of two competitors, Bewegen Technologies of Canada (\$2.1 million) and Zagster of Cambridge, Mass., (\$2.3 million) in bids opened yesterday in City Hall.

The low bidder for Baltimore's planned system operates the Capital Bikeshare network in D.C.

Photo by: Fern Shen

Bids submitted from three other companies were not opened and were referred to the Law Department as "non-responsive."



Yesterday's bid greatly favors Motivate, but the city's scoring system also examines technical matters. The highest score, yielding the winning bidder, consists of up to 30 points for cost considerations and up to 70 points for services provided by the vendor.

### **Years of Delays**

If all goes right – and, so far, it hasn't – the city could have a small system in place by fall 2016. The timing would allow Mayor Stephanie Rawlings-Blake to take credit for the start-up before she leaves office late next year.

She recently held a press conference lauding the bikeshare program as “a boon to our city's transportation network” and an economic development tool even as many local bike suppliers and advocates had little notice of the city's latest plans.

---

### **BREW'S PREVIOUS COVERAGE OF THE TRAVAILS OF BIKESHARE:**

- [Sharing bikes to curb cars – Baltimore gets ready for “smart bikes”](#) (3/28/11)
- [City puts brakes on bikeshare program, citing costs](#) (4/5/11)
- [Baltimore bikeshare program revived, 300-bike network possible by next fall](#) (11/9/11)
- [Bikeshare program inches forward](#) (5/8/13)
- [Will a bankruptcy in Canada take the spin out of Baltimore's bikeshare?](#) (1/22/14)

---

Baltimore will get the system underway with \$2.8 million of federal and state funds for bike trails and related programs.

The vendor will be part of a “public-private partnership” with the city Department of Transportation (DOT) in which the city will underwrite many of the initial costs for two years, at which time the program “is expected to be financially sustainable” through memberships, user fees and private sponsorships.

### **Similar to Zipcar**

In concept, bikeshare has a lot in common with Zipcars. You pick up a bike at an automated “parking station” and then drop it off at any of the other stations in the network. The bikes can be accessed through membership fees or a day pass.

The program is geared toward the short-term use of bikes as urban transportation, not weekend recreation. To encourage brief hops from place to place rather than leisurely pedals up a bike trail, the first 30 minutes is typically free to members. After one hour of use, fees tend to rise sharply.

The administration has been trying to launch such a program since 2010.

Back then, DOT had selected an operator, but the program was put on hold during the 2011 election because the mayor feared a backlash, with the program perceived as benefiting tourists at a time when she was proposing to close recreation centers and disband fire companies.

Since then, the program was revived two times, but failed to move forward after the first vendor failed to meet the contract deadline and a second company, which that was supposed to supply kiosks and “smartbike” software, went bankrupt.

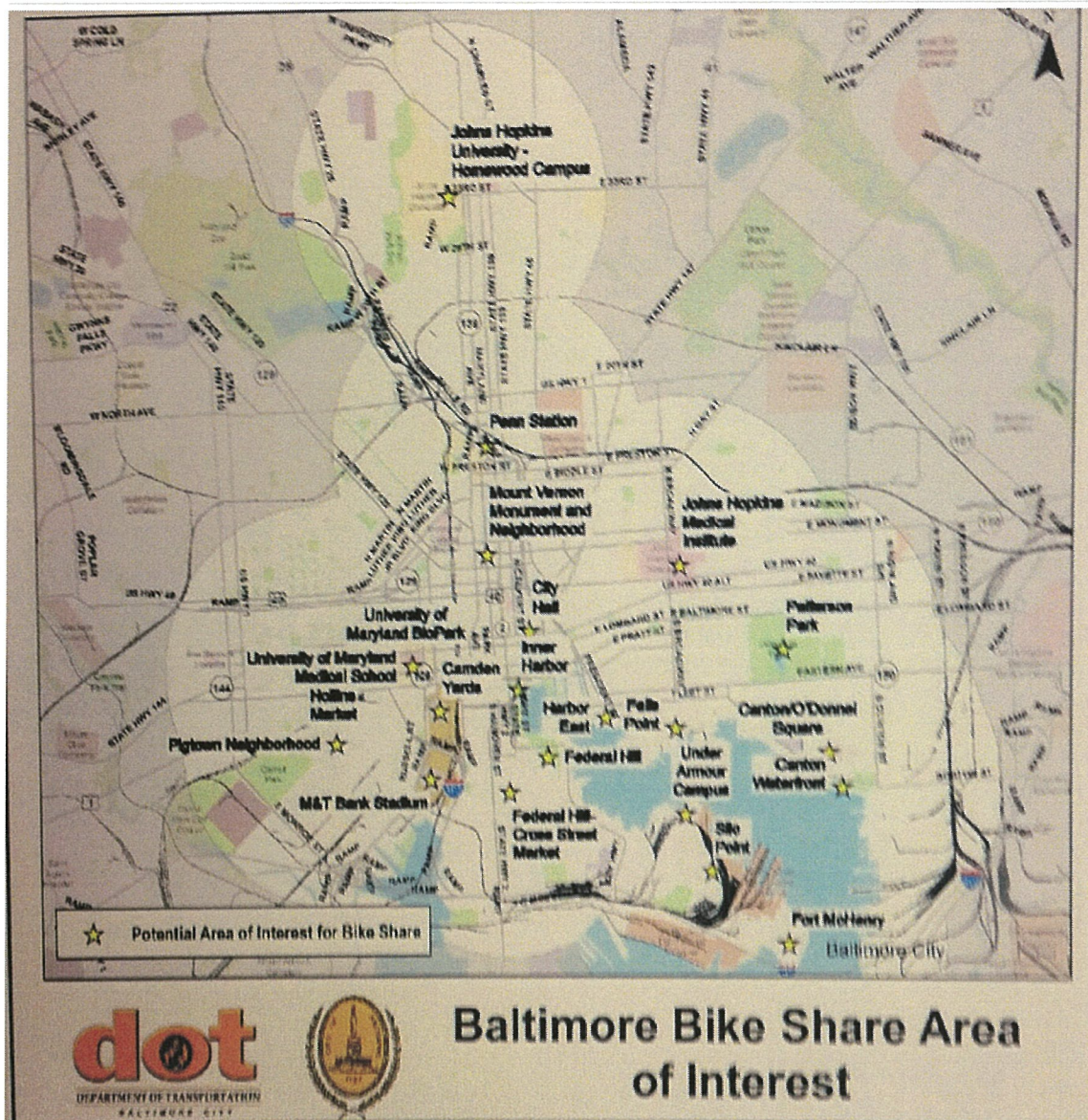
The latest attempt, outlined in a recent RFP (Request for Proposals), seeks a rollout of the system 6 to 9 months after the Board of Estimates selects the vendor.

The plan calls for between 25 and 50 parking stations and 250 and 500 bikes.

### **Question of “Equity”**



One change from the previous plans is that the geographic scope of the system has been expanded from its earlier focus on the waterfront, downtown, Mt. Vernon, Bolton Hill, Penn Station and Charles Village.



The boundaries of the network has been expanded beyond its previous waterfront-downtown-midtown focus. Here is the latest map. (Source: "The Design, Installation, Operation and Maintenance of a Bike Share System for Baltimore")

The "area of interest" would now include the Johns Hospital Hospital and Patterson Park in the east; Port Covington and the Horseshoe Casino in the south; Pigtown, Carroll Park and Harlem Park in the west; and Hampden and Waverly in the north.

The system is designed to "pay special emphasis on social and geographic equity," according to the RFP. "The bike-share service area represents a diverse cross section of central Baltimore in terms of age, race, income, and education. Nearly 60% of the service area's residents are between 15 and 45."

Even so, about two-thirds of the city would be excluded from the initial program.

Among those neighborhoods exempted: West and Southwest Baltimore beyond the MARC station; Westport, Cherry Hill and Brooklyn in South Baltimore; all of Northwest Baltimore (except for a sliver of Druid Hill Park); Woodberry; Mount Washington; Roland Park; Hamilton; Lauraville; Clifton Park; Herring Run Park; Frankford; Johns Hopkins Bayview; and Greektown.



Over time, the private vendor is expected to develop a market analysis of “the potential for expanding the system to different areas of the City,” the RFP states.

### **Operates Largest Networks**

Brooklyn-based Motivate has bikeshare partnerships in a dozen cities. It is currently expanding the popular Capital Bikeshares, with 350 parking stations in D.C., Arlington, Alexandria and Montgomery County, to 400 stations.

The two biggest systems, both operated by Motivate, also are enlarging.

Citi Bike in New York City plans to double its size from 6,000 to 12,000 bikes over the next two years. Bay Area Bike Share, serving San Francisco, Oakland and nearby communities, is expanding 10-fold, with its fleet of bikes increasing from 700 to 7,000.

Under city rules, the bidders cannot publicly discuss their proposals until after the Board of Estimates awards the contract, which may come as early as December.

**Baltimore Brew pretty  
much single-handedly  
saved Balto taxpayers  
\$100m, looks like.**

**Thanks, guys.**

**– Edward Ericson, *City Paper***

**CONTRIBUTE TODAY**

**Support independent accountability  
journalism in Baltimore.**

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

3. B50004450, Large Water Meter Testing, Repair and Replacement Services UWS, Inc. \$ 292,138.50

(Dept. of Public Works, Bureau of Water & Wastewater)

**MWBOO GRANTED A WAIVER.**

4. B50004050, Body Worn Cameras TASER International, Inc. \$11,690,668.53

(Baltimore Police Department)

**MWBOO GRANTED A WAIVER.**

The Board is requested to approve and authorize execution of the Master Services and Purchasing Agreement, the Integration Agreement, and the Evidence.com Terms of Use (State's Attorney Office of Baltimore City) with TASER International, Inc.

Ten proposals were received by the Board on July 29, 2015. One proposal was referred to the Law Department and found non-responsive. Out of nine proposals evaluated, three received sufficient technical scores to be included in the pilot phase of the evaluation. TASER International, Inc., Brekford Corp., and Atlantic Tactical, Inc. participated in the pilot phase. TASER International, Inc. was the only vendor to achieve the minimum technical score in the pilot phase required to open price proposals. TASER International, Inc.'s price proposal was opened on January 20, 2016.

**MINUTES****RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS**Bureau of Purchases

Thereafter, the City of Baltimore and TASER began discussions culminating in a TASER best and final offer which was found to be fair and reasonable. The Bureau of Purchases recommends award to TASER International, Inc. based on the TASER International, Inc. combined technical score, best and final offer responses and pricing as well as the terms negotiated and memorialized in the agreements.

**MINUTES**

Bureau of the Budget and            - Federal Fund Appropriation  
Management Research (BBMR)    Adjustment Order Transfer

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an Appropriation Adjustment Order (AAO) grant transfer within the Baltimore City Health Department from Service 715, (Health Administration) to Service 316 (Youth Violence Prevention). The transfer is based upon the grant award received from the Department of Justice, Office of Justice Programs, and Office for Victims of Crime.

**AMOUNT OF MONEY AND SOURCE:**

\$149,989.00 - From Account: 4000-400016-3001-568000-404001  
Service 715, Health Admin.

To Account: 4000-484516-3160-520900-404001  
Service 316, Youth Violence  
Prevention

This is a multi-year grant totaling \$999,564.00. The Fiscal 2016 portion of this award is \$149,989.00. The remainder of this grant will be put in the Fiscal 2017 budget.

**BACKGROUND/EXPLANATION:**

The Cooperative Agreement and Grant Award were approved by the Board on November 18, 2015.

The transfer is necessary in order to provide funding for the Safe Streets program; expanding existing services to more effectively reach male survivors of violence and their families. Initially, federal funding was appropriated within an unallocated federal fund account in the Fiscal 2016 Ordinance of Estimates. With this Appropriation Adjustment Order, funding will be moved from the unallocated grant source in accordance with the Fiscal 2016 portion of this grant award.

**APPROVED FOR FUNDS BY FINANCE**



**MINUTES**

BBMR - cont'd

UPON MOTION duly made and seconded, the Board approved the Appropriation Adjustment Order grant transfer within the Baltimore City Health Department from Service 715, (Health Administration) to Service 316 (Youth Violence Prevention).

**MINUTES**

Bureau of the Budget and           - Supplementary State Capital  
Management Research (BBMR)    Appropriation

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a Supplementary State Fund Capital Appropriation for roadway concrete slab repairs and resurfacing in local neighborhood streets.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000,000.00 - roadway concrete slab repairs  
1,000,000.00 - resurfacing in local neighborhood streets  
**\$2,000,000.00** - State Grant

**BACKGROUND/EXPLANATION:**

Chapter 310 of the 2015 Laws of Maryland (HB70-Budget Bill from Fiscal Year 2016) allocated a Special Fund appropriation of \$25,000,000.00 to the Maryland Department of Transportation for the purpose of providing transportation grants in the amount of \$2,000,000.00 to Baltimore City, \$4,000,000.00 to county governments, and \$19,000,000.00 to municipal governments. Funds may only be expended in accordance with Section 8-408 of the Transportation Article.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the Supplementary State Fund Capital Appropriation for roadway concrete slab repairs and resurfacing in local neighborhood streets. The President **ABSTAINED**.

**MINUTES**

Bureau of the Budget and - Supplementary Conduit Enterprise  
Management Research      Capital Appropriation

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a Supplementary Conduit Enterprise Fund Capital Appropriation to the Department of Transportation.

**AMOUNT OF MONEY AND SOURCE:**

\$20,000,000.00

**BACKGROUND/EXPLANATION:**

On September 23, 2015, the Board approved a rate increase from \$0.9785 per linear foot to \$3.33 per linear foot for conduit lease fees to become effective November 1, 2015.

The Fiscal 2016 Ordinance of Estimates was approved before this rate was implemented. The supplemental funds can only be used for expenditures related to maintenance of the conduit system.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the Supplementary Conduit Enterprise Fund Capital Appropriation to the Department of Transportation. The President **ABSTAINED**.

**MINUTES**

Bureau of the Budget and - Supplementary Conduit Enterprise  
Management Research      Operating Appropriation

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a Supplementary Conduit Enterprise Fund Operating Appropriation to the Department of Transportation.

**AMOUNT OF MONEY AND SOURCE:**

\$6,252,636.00

**BACKGROUND/EXPLANATION:**

On September 23, 2015, the Board approved a rate increase from \$0.9785 per linear foot to \$3.33 per linear foot for conduit lease fees to become effective November 1, 2015.

The Fiscal 2016 Ordinance of Estimates was approved before this rate was implemented. The supplemental funds can only be used for expenditures related to maintenance of the conduit system.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the Supplementary Conduit Enterprise Fund Operating Appropriation to the Department of Transportation. The President **ABSTAINED**.

**MINUTES**Department of Public Works/Office - Agreement  
Of Engineering and Construction

The Board is requested to approve and authorize execution of the Agreement with Hazen & Sawyer, a Joint Venture under Project No. W.C. 1173R, Post Award Services for Guilford Reservoir Finished Water Reservoir Improvements. The period of the Agreement is effective upon Board approval for five years or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$1,118,321.75 - Baltimore City  
2,032,386.25 - Baltimore County  
**\$3,150,708.00** - 9960-903710-9557-900020-703032

**BACKGROUND/EXPLANATION:**

Hazen & Sawyer, a Joint Venture will provide engineering and inspection assistance during construction of two new circular tanks within footprint of the existing Guilford Reservoir. The Consultant was approved by the Architectural and Engineering Awards Commission.

**MBE/WBE PARTICIPATION:****MWBOO SET GOALS OF 13% MBE AND 5% WBE.**

<b>MBE:</b> Savin Engineers, P.C.	\$281,645.00	8.94%
Shah and Associates, Inc.	<u>132,773.00</u>	<u>4.21%</u>
<b>TOTAL MBE:</b>	<b>\$414,418.00</b>	<b>13.15%</b>
<b>WBE:</b> Phoenix Engineering, Inc.	\$163,265.00	5.18%
Ruxton Design Corporation	<u>45,591.00</u>	<u>1.45%</u>
<b>TOTAL WBE:</b>	<b>\$208,856.00</b>	<b>6.63%</b>

**MINUTES**

Department of Public Works/Office - cont'd  
Of Engineering and Construction

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Hazen & Sawyer, a Joint Venture under Project No. W.C. 1173R, Post Award Services for Guilford Reservoir Finished Water Reservoir Improvements.

**MINUTES**

Department of Public Works/Office - Agreement  
of Engineering and Construction (DPW)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Agreement with the Maryland Port Administration (MPA). The period of the Agreement is effective upon Board approval for 20 years.

**AMOUNT OF MONEY AND SOURCE:**

\$500,000.00 - 9958-916701-9525-000000-490358 (State Funding)  
232,000.00 - 5000-674-695-00-000 (Legacy Account)  
 5000-500016-5181-675100-600000 (State Funding)

**\$732,000.00**

**BACKGROUND/EXPLANATION:**

This Agreement with the MPA is regarding the Carroll Park Trash Interceptor. The MS4 Permit requires the City to evaluate current trash and litter control efforts, develop strategies to reduce trash, floatables, and debris within the areas draining the Middle Branch and Northwest Branch of the Patapsco River and bolster public education. The Carroll Park Trash Interceptor (ER4016 Bush Street Debris Collector) project will help reduce debris to Middle Branch.

A mitigation package was created in response to the U.S. Army Corp of Engineers' permit and State approvals to construct a Dredged Material Containment Facility (DMCF) at a location known as Masonville. The mitigation package requires the MPA to install five trash interceptors in the Middle Branch. The MPA will provide up to \$500,000.00 for construction and \$232,500.00 for maintenance for a period of 20 years.

**MINUTES**

DPW - cont'd

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with the Maryland Port Administration.



**MINUTES**

Department of Public Works/ - Amendment No. 6 to Agreement  
Office of Eng. & Constr.

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of Amendment No. 6 to Agreement with MWH/Louis Berger Water Services. Inc., a Joint Venture under Project 1112. The Amendment No. 6 to Agreement extends the period of the agreement through March 08, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$3,802,685.57 - Consent Decree Bucket  
 300,883.26 - IPF Bucket  
2,412,281.25 - Office of Asset Management Bucket  
**\$6,515,850.08**

**CONSENT DECREE BUCKET**

\$	135,813.77	-	9956-903645-9551-900020-603018
	271,627.54	-	9956-903654-9551-900020-603018
	543,255.08	-	9956-904623-9551-900020-603018
	407,441.31	-	9956-905620-9551-900020-603018
	135,813.77	-	9956-905644-9551-900020-603018
	135,813.77	-	9956-905648-9551-900020-603018
	271,627.54	-	9956-905653-9551-900020-603018
	271,627.54	-	9956-905647-9551-900020-603018
	135,813.77	-	9956-906652-9551-900020-603018
	271,627.54	-	9956-917603-9551-900020-603018
	135,813.77	-	9956-907643-9551-900020-603018
	135,813.77	-	9956-907646-9551-900020-603018
	135,813.77	-	9956-907651-9551-900020-603018
	271,627.54	-	9956-918614-9551-900020-603018
	135,813.77	-	9956-909602-9551-900020-603018
	<u>407,341.32</u>	-	9956-918616-9551-900020-603018
	\$3,802,685.57		CD Tasks Total

## MINUTES

DPW - cont'd

**IPF BUCKET**

\$ 58,325.49	-	2070-000000	-5601	-398600-603018
39,178.65	-	2070-000000	-5601	-613600-603018
64,248.03	-	2071-000000	-5601	-398500-603018
78,831.41	-	2071-000000	-5601	-614000-603018
60,299.68	-	2072-000000	-5181	-390700-603018
<b>\$300,883.26</b>		<b>IPF Total</b>		

**OFFICE OF ASSET MANAGEMENT BUCKET**

\$ 244,131.50	-	2070-000000-5601-730222-603018
843,461.33	-	9956-907857-9551-900020-706063
843,461.33	-	9956-903551-9551-900020-706063
132,833.04	-	9956-907855-9551-900020-706063
14,647.88	-	2070-000000-5501-601302-603018
14,647.89	-	2070-000000-5501-604302-603018
66,280.93	-	9960-907132-9557-900020-703032
66,280.93	-	9960-907127-9557-900020-703032
37,616.21	-	9960-907128-9557-900020-706063
8,951.49	-	2071-000000-5601-730200-603018
52,081.38	-	2071-000000-5521-393204-603018
52,081.39	-	2071-000000-5521-393404-603018
35,805.95	-	2071-000000-5601-730200-603018
<b>\$2,412,281.25</b>		<b>OAM Total</b>

**MINUTES**

DPW - cont'd

**BACKGROUND/EXPLANATION:**

On March 8, 2011, the Board approved the original Agreement with MWH Americas/Louis Berger Water Service, Inc., a Joint Venture, under project No. 1112, Wet Weather Consent Decree Compliance and Program Management Services for a period of three years ending on March 7, 2014.

On December 19, 2012, the Board approved Amendment No. 1 in the amount of \$11,800,234.68. On March 5, 2014, the Board approved Amendment No. 2 to extend the period of the Agreement for one year through March 7, 2015 with no increase in the upset limit. On October 8, 2014, the Board approved Amendment No. 3 in the amount of \$6,469,599.67 to provide funds for Amendment No. 3.

On January 14, 2015, the Board approved Amendment No. 4 extending the period of the Agreement for one year through March 8, 2016 with no increase in the upset limit. On July 15, 2015, the Board approved Amendment No. 5 in the amount of \$5,398,410.08. The agreement expired on March 08, 2016.

This Amendment No. 6, for the sixth year of this of this contract through March 8, 2017, will allow the Joint Venture to continue to provide program management services for the Consent Decree. This Amendment No. 6 will make the total upset limit amount for the agreement \$42,021,275.45.

**MBE/WBE PARTICIPATION:**

The Consultant will continue to comply with all terms and conditions of the Minority and Women's Business Enterprise Program, in accordance with Baltimore City Code, Article 5, Subtitle 28.

**MINUTES**

DPW - cont'd

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 6 to Agreement with MWH/Louis Berger Water Services. Inc., a Joint Venture under Project 1112.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore City Fire Department</u>			
1. Brian Bovaird	National Hurricane Conference Orlando, FL March 21 - 25, 2016 (Reg. Fee \$350.00)	2014 Urban Area Security Initiative Grant Funds	\$1,917.38

The subsistence rate for this location is \$186.00 per night. The cost of the hotel is \$159.00 per night plus taxes of \$19.88 per night. The Department is requesting additional \$13.00 per day for meals and incidentals. The registration and transportation costs were prepaid using a City issued credit card assigned to Connor Scott. Therefore, the disbursement to Mr. Bovaird is \$1,154.38.

**RETROACTIVE TRAVEL REQUESTS**Department of Recreation & Parks

2. Darryl Sutton	Nat'l. Recreation and Parks Assn. Innovation Labs Philadelphia, PA Dec. 2 - 4, 2015 (Reg. Fee \$250.00)	Special Fund	\$ 755.43
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The registration was paid by a City-issued procurement card assigned to Ms. Andrea Rolley. Mr. Sutton incurred out-of-pocket expenses. Mr. Sutton used his subsistence to pay for the cost of the hotel, food and for parking that was in excess of the allowed amount for ground transportation. Mr. Sutton travelled to the event and incurred tolls in the amount of \$16.00. Therefore, the Department is requesting reimbursement to Mr. Sutton in the amount of \$505.43.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<b><u>REIMBURSEMENT</u></b> - Darryl Sutton - cont'd			
Hotel:			\$318.00
Hotel tax:			49.30
Food:			18.13
Ground Transportation:			60.00
Incidental (Parking):			44.00
Tolls:			16.00
			<b><u>\$505.43</u></b>

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

**RETROACTIVE TRAVEL REQUESTS**Office of the President

3. Sharon Middleton	2016 Nat'l. Assn. of Counties Legislative Conf. Washington, D.C. Feb. 19 - 23, 2016 (Reg. Fee \$515.00)	Elected Official Expense Account	\$1,928.88
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The subsistence rate for this location is \$248.00 per day. The hotel cost is \$251.00 per night plus hotel tax of \$36.40 per night. The Office of the President is requesting additional subsistence in the amount of \$3.00 per night for the hotel balance and \$40.00 per day for meals and incidentals.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<b><u>REIMBURSEMENT</u></b> - Sharon Middleton - cont'd			
Hotel:			\$1,004.00
Hotel tax:			145.60
Food:			160.00
Mileage:			44.28
Ground Transportation:			60.00
Registration:			515.00
			<b><u>\$1,928.88</u></b>

This request for reimbursement is late because there was not enough time to submit it to the Board for approval once registration fees were paid.

UPON MOTION duly made and seconded, the Board approved the travel requests, the retroactive travel requests, and the travel reimbursements. The President **ABSTAINED** on item no. 3.

## MINUTES

**A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART FOR ALL ITEMS ON THE AGENDA.**

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest.



# Kim A. Trueheart

March 15, 2016

Board of Estimates  
Attn: Clerk  
City Hall, Room 204  
100 N. Holliday Street,  
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration within the various boards, commissions, agencies and departments of the Baltimore City municipal government.

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

1. Whom you represent: Self

2. What the issues are:

a. Pages 1 - 73, City Council President and members of the Board of Estimates, BOE

Agenda dated March 16, 2016, if acted upon:

i. The proceedings of this board often renew business agreements without benefit of clear measures of effectiveness to validate the board's decision to continue funding the provider of the city service being procured;

ii. The Baltimore City School Board of Commissioners routinely requires submissions for board consideration to include details of the provider's success in meeting the objectives and/or desired outcomes delineated in the previously awarded agreement;

iii. The members of this board continue to fail to provide good stewardship of taxpayers' funds as noted by the lack of concrete justification to substantiate approval of actions presented in each weekly agenda;

iv. This board should immediately adjust the board's policy to ensure submissions to the board include measures of effectiveness in each instance where taxpayer funds have already been expended for city services;

v. In the interest of promoting greater transparency with the public this board should willing begin to include in the weekly agenda more details which it discusses in closed sessions without benefit of public participation.

vi. Lastly this board should explain to the public how, without violating the open meeting act, a consent agenda is published outlining the protocols for each week's meeting prior to the board opening its public meeting.

3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed what appears to be a significant dearth in responsible and accountable leadership, management and cogent decision making within the various agencies and

Email: [kimtrueheart@gmail.com](mailto:kimtrueheart@gmail.com)

5519 Belleville Ave  
Baltimore, MD 21207

departments of the Baltimore City municipal government which potentially cost myself and my fellow citizens excessive amounts of money in cost over-runs and wasteful spending.

4. Remedy I desire: The Board of Estimates should immediately direct each agency to include measures of effectiveness in any future submissions for the board's consideration.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on March 16, 2016.

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,  
Kim Trueheart, Citizen & Resident

5519 Belleville Ave  
Baltimore, MD 21207

## MINUTES

ACKNOWLEDGEMENT

President: "Before we close the meeting, I would like to wish the Mayor, who will be celebrating a birthday on tomorrow, a very Happy Birthday."

Mayor: "Thank you very much --"

President: "Alright."

Mayor: "-- I appreciate it."

President: "As there's no more business before the Board, the meeting will recess until bid opening at 12 noon. Thank you."

\* \* \* \* \*



## MINUTES

Department of Public Works

- SC 918S, Advanced Site  
Preparation for Headworks  
Improvements at the Back River  
Wastewater Treatment Plant

Allan Myers  
W.M. Schlosser Company, Inc.  
P&J Contracting, Co., Inc.  
Ulliman Schutte Construction, LLC


Bureau of Purchases

-B50004491, Requirements for  
Concrete Sidewalk and Other  
Structural Repairs and Various  
Locations

Santos Construction Company, Inc.  
Machado Construction Co., Inc.  
P&J Contracting, Co., Inc.  
Allied Contractors, Inc.  
Broughton Construction Company

\* \* \* \* \*

There being no objections, the Board, UPON MOTION duly made  
and seconded, adjourned until its next regularly scheduled  
meeting on Wednesday, March 23, 2016.

  
JOAN M. PRATT  
Secretary