

MINUTES**REGULAR MEETING**

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

The meeting was called to order by the President.

President: "Good morning. Uh, before we start I would like to take this time to pay honor to Dr. Martin Luther King, Jr. Today is his birthday. We also want to wish Comptroller Joan Pratt a Happy Birthday, today is her birthday. So, her and Martin Luther King shares birthdays together. Good morning. The January 15, 2014 meeting of the Board of Estimates is now called to order. I would direct the Board members attention to the memorandum from my office dated January 13, 2014, 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."

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

Comptroller: "Second."

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President: "All those in favor say AYE. All opposed NAY. The Motion carries. The routine agenda items have been adopted. In the interest of promoting the order and authenticity of these hearings the persons who are disruptive to the hearings will be asked to leave the hearing room immediately."

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MINUTES

BOARDS AND COMMISSIONS1. Prequalification of Contractors

In accordance with the Rules for Prequalification of Contractors, as amended by the Board on October 31, 1991, the following contractors are recommended:

American Paving Fabrics, Inc.	\$ 8,000,000.00
C.J. Miller, LLC	\$ 119,403,000.00
Casper Colosimo & Son, Inc.	\$ 59,139,000.00
DYNIS, LLC	\$ 109,143,000.00
EnerG Test, LLC	\$ 5,715,000.00
Goel Services, Inc.	\$ 46,305,000.00
Ground Loop Heating & Air Conditioning, Inc.	\$ 1,500,000.00
JRCRUZ Corp.	\$ 44,325,000.00
Overhead Door Company of Baltimore, Inc.	\$ 8,000,000.00
Richard E. Pierson Construction Company, Inc.	\$ 136,224,000.00
Sabre Demolition Corporation	\$ 22,725,000.00
Shade Construction Co., Inc.	\$ 8,000,000.00
Simon Development and Construction Corporation	\$ 6,318,000.00

MINUTES**BOARDS AND COMMISSIONS** - cont'd2. 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:

Arcadis U.S., Inc.	Engineer
CH2M Hill Engineers, Inc.	Engineer
EA Engineering, Science and Technology, Inc.	Engineer
Gaudreau, Inc.	Architect
Parsons Brinckerhoff, Inc.	Architect Engineer
STV, Inc.	Engineer Land Survey

There being no objections the Board, UPON MOTION duly made and seconded, approved the prequalification of contractors and architects and engineers for the listed firms. The Comptroller **ABSTAINED** on EA Engineering, Science and Technology, Inc. only.

MINUTES**CITY COUNCIL BILLS:**

13-0287 - An Ordinance concerning Tax Credits - Historic Restorations and Rehabilitations for the purpose of extending the period within which applications may be accepted for the tax credit for historic restorations and rehabilitations; and providing for a special effective date.

13-0291 - An Ordinance concerning the Sale of Property - 1114-1150 North Mount Street 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 1114-1150 North Mount Street (Block 0041, Lot 008) and no longer needed for public use; and providing for a special effective date.

ALL REPORTS RECEIVED WERE FAVORABLE.

UPON MOTION duly made and seconded, the Board approved bills 13-0287 and 13-0291 and directed that the bills be returned to the City Council with the recommendation that they also be approved and passed by that Honorable Body. The President **ABSTAINED**.

MINUTESParking Authority of Baltimore City - Expenditure of Funds**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an expenditure of funds to pay for repairs at the Little Italy Garage.

AMOUNT OF MONEY AND SOURCE:

\$44,000.00 - 2075-000000-5800-408500-603016

BACKGROUND/EXPLANATION:

In 2008, Hoffman Architects contracted with the Parking Authority of Baltimore City to provide an extensive conditions assessment of the Little Italy Garage located at 400 S. Central Avenue. The inspection by Hoffman Architects found that the welded flange connections between the double tee beams at the upper center ramp are broken and no longer allow the deck to act as one monolithic plate as intended. This is a structural defect that reduces the strength of the garage structure to resist forces from wind and seismic events. The center (east-west) shear walls are very large and butted tight to one another over a very large distance. The restraint caused by these conditions has caused the connections to fracture in line with joints between the shear walls and has caused the deck to measurably separate during cooler months.

As a result of the movement in the deck beams, the sealant joints between the tee beams have failed allowing water to flow through the joints to the levels below. The open joints no longer provide the waterproofing as originally intended. It is Hoffman Architect's opinion that the connections cannot be repaired to their original condition without a high probability of the connections re-fracturing in the future or causing adjacent connections to fracture. However, these connections are structurally significant and must be repaired to transmit loads as originally intended.

MINUTESParking Authority of Baltimore City - cont'd

To repair this condition Hoffman Architects recommends that specially designed undermounted brackets be installed that transfer required vertical, tensile, and shear forces, but which also allow for seasonal expansion across the joint. In addition to these repairs, Hoffman Architects recommends that the sealant joints in the affected areas be cut out to remove all existing joint materials and be properly prepared to receive new sealant joints. The new sealant joints would include appropriate bond breakers and primers. These repairs should be completed immediately to prevent safety issues to patrons and employees.

The Parking Authority of Baltimore City obtained six bids to perform the connections and sealant joint repairs and found that the bid of Northpoint Builders, Inc. was the lowest bid and as such represents the best value to the City.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay for repairs at the Little Italy Garage.

MINUTES

Office of Civil Rights & Wage Enforcement - Payment of Invoice

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize the payment of an invoice from Early Morning Software, Inc. for services provided.

AMOUNT OF MONEY AND SOURCE:

\$51,030.00 - 1001-000000-6560-424800-603089

BACKGROUND/EXPLANATION:

This payment is for the PRISM annual subscription renewal for the period of September 01, 2012 through August 31, 2013. PRISM is a software program for the Wage Division, which provides electronic compliance management with the City's Wage laws.

The invoice was not received by the Office of Civil Rights & Wage Enforcement until October, which is why this request is late.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized the payment of the invoice from Early Morning Software, Inc. for services provided.

MINUTES

Health Department - Revised Notice of Award and Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a Revised Notice of Award (NoA) and approve and authorize execution of an Agreement with the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA).

AMOUNT OF MONEY AND SOURCE:

\$ 98,730.00	-	4000-427713-3023-606100-404001
21,302.00	-	4000-498713-3023-606100-404001
\$120,032.00		

BACKGROUND/EXPLANATION:

On March 13, 2013, the Board approved the original NoA and agreement, in the amount of \$7,858,426.00, for the period March 1, 2013 through February 28, 2014.

On June 26, 2013, the Board approved the revised NoA in the amount of \$1,000,000.00. On July 31, 2013, the Board approved the revised NoA in the amount of \$10,031,590.00.

This Revised NoA supersedes the previously approved award and approves the carryover of an unobligated balance in the amount of \$120,032.00 from the budget period March 1, 2012 through February 28, 2013 into the current budget period. The total award for this period is \$19,010,048.00. All prior terms and conditions remain in effect, unless specifically removed.

Approval for this grant award will allow the Department to provide funds for essential HIV/AIDS health care and other support services to those who lack or are only partially covered by health insurance.

The Revised NoA and Agreement are late because they were recently received.

MINUTES

Health Department - cont'd

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved acceptance of the Revised Notice of Award and approved and authorized execution of an Agreement with the U.S. Department of Health and Human Services, Health Resources and Services Administration.

MINUTES

Health Department - Second Amendment to Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Second Amendment to the Grant Agreement with the Annie E. Casey Foundation. This amendment extends the agreement through March 31, 2014.

AMOUNT OF MONEY AND SOURCE:

No additional funds are associated with this amendment.

BACKGROUND/EXPLANATION:

On October 31, 2012, the Board approved the original grant agreement for the Reading for Health Initiative with the Annie E. Casey Foundation, in the amount of \$12,500.00, for the period July 1, 2012 through June 30, 2013.

On January 16, 2013, the Board approved an amendment which provided additional funds in the amount of \$30,000.00 and extended the period of the agreement through November 30, 2013, making the total award amount \$42,500.00.

This second amendment extends the period of the agreement through March 31, 2014. This Second Amendment to Grant Agreement is late because it was recently received.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Second Amendment to the Grant Agreement with the Annie E. Casey Foundation.

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Health Department - Agreements, Amendment to Agreement,
and Ratification of Agreement

The Board is requested to approve and authorize execution of the various Agreements, Amendment to Agreement, and to ratify an Agreement. The period of the agreement is July 1, 2013 through June 30, 2014, unless otherwise indicated.

1. **FOREST PARK SENIOR CENTER, INC.** **\$ 50,987.00**

Account: 4000-433514-3024-295903-603051

MWBOO GRANTED A WAIVER.

2. **ACTION-IN-MATURITY, INC.** **\$ 26,326.00**

Account: 4000-433514-3024-295905-603051

3. **ALLEN CENTER BOARD, INC.** **\$ 53,535.00**

Account: 4000-433514-3024-295901-603051

MWBOO GRANTED A WAIVER.

The organizations will operate a senior program that will serve as the community focal point for seniors and their caregivers. The services will include but are not limited to social, recreational and educational programs, information and assistance, outreach, wellness, and transportation. The period of the agreement is October 1, 2013 through September 30, 2014.

4. **THE BAR ASSOCIATION OF BALTIMORE CITY** **\$ 64,408.00**

Account: 4000-433514-3024-295912-603051

The organization will provide free legal assistance in general civil matters to Baltimore City residents age 60 and above. In addition to legal representation services, the program will also provide outreach and education

MINUTES

Health Department - cont'd

services regarding matters typically of concern and interest to seniors. The period of the agreement is October 1, 2013 through September 30, 2014.

MWBOO GRANTED A WAIVER.

The agreements are late because the Health Department was waiting on finalization of budget and signatures from the providers.

5. **SISTERS TOGETHER AND REACHING, INC.** **\$ 29,764.00**
(STAR)

Account: 4000-424514-3023-599615-603051

STAR will provide psychosocial services to a minimum of 40 HIV+ women in the Baltimore Eligible Metropolitan Area. Psychosocial support services will be rendered through a closed group intervention following the Supporting Positive Attitudes (SPA) curriculum. The goals of SPA are to: 1) increase the self-esteem of HIV+ women by assisting them in being proactive in addressing their physical and mental health needs, 2) to equip them with mechanisms to build healthy relationships in society, and 3) to increase the individual's support system; thereby, assisting each individual in becoming a productive member of society.

6. **SINAI HOSPITAL OF BALTIMORE, INC.** **\$ 28,527.00**

Account: 4000-425614-3023-599603-603051

The organization will provide Psychosocial Services to 50 HIV+ clients, including affected family members.

The agreements are late because the Infectious Disease and Environmental Health Administration (IDEHA) programmatically manages Ryan White Part B and Part D Services. The providers are asked to submit a budget, budget narrative, and scope of services.

MINUTES

Health Department - cont'd

The Health Department thoroughly reviews the entire package before preparing a contract and submitting it to the Board of Estimates. These budgets are often times revised because of inadequate information from the providers. This review process is required to confirm the grant requirements.

7. **PROJECT PLASE, INC.** **\$ 93,704.00**

Account: 4000-425614-3023-699606-603051

The organization will provide non-medical case management services to HIV positive persons. Clients will be selected from the at risk populations: (African American women; male youth who have sex with males, and gay, bi-sexual, lesbian, transgendered). In collaboration with the individual, medical staff and psychosocial counselor, the case managers will develop and implement an individual treatment care plan with the client.

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

MWBOO GRANTED A WAIVER.

8. **TOTAL HEALTH CARE, INC.** **\$100,000.00**

Account: 4000-424514-3023-599610-603051

Total Health Care, Inc. will provide site based outreach; linkage to pharmacy assistance programs, primary medical care and support services; specialized case management services; HIV education and prevention for positives; HIV counseling and testing; and psycho-educational group therapy.

MWBOO GRANTED A WAIVER.

MINUTES

Health Department - cont'd

9. **THE JOHNS HOPKINS UNIVERSITY** **\$ 24,695.00**
(JHU)

Account: 4000-424513-3023-599622-603051

The JHU Pediatric & Adolescent HIV/AIDS Program will provide oral health service for underinsured and uninsured HIV infected children, adolescents and youth adult clients living with HIV/AIDS.

The agreements are late because the Infectious Disease and Environmental Health Administration (IDEHA) programmatically manages Ryan White Part B Services. The providers are asked to submit a budget, budget narrative, and scope of services. The Health Department thoroughly reviews the entire package before preparing a contract and submitting it to the Board of Estimates. These budgets are often times revised because of inadequate information from the providers. This review process is required to confirm the grant requirements.

10. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$ 86,860.00**

Account: 5000-522314-3030-272500-603051

The JHU, School of Public Health, will provide an Infertility Prevention Project (IPP) Coordinator to serve as the Maryland State contact with the Regional III Infertility Project in Philadelphia. The IPP coordinator will provide support to the Adolescent STD programs, schedule training sessions, medical consultant events annual meetings, and assist with data analysis and reporting.

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

MWBOO GRANTED A WAIVER.

MINUTES

Health Department - cont'd

11. **BALTIMORE SUBSTANCE ABUSE SYSTEMS** **\$134,589.00**
(BSAS)

Account: 5000-567314-3070-287900-405001

BSAS received funding from the Substance Abuse and Mental Health Services Administration (SAMSHA), Department of Health and Human Services through the Department of Health and Mental Hygiene, Alcohol & Drug Abuse Administration to administer substance abuse treatment services.

BSAS is subcontracting with the Department for home delivery of methadone treatment to persons who are medically fragile and unable to obtain medication on their own.

The home clinic will send referrals to the Department's Field Health Services Program for review and confirmation of health needs. Once approved and a delivery is assigned, the home clinic will notify the providers; Glenwood Life Counseling, Bon Secours Next Passage Treatment Center, or Recovery in the Community, Inc. of the need to provide medication.

The home clinic will be notified of unusual events or concerns related to the patient, including improvement in medical condition, client not at home for delivery, and repetitive issues with lost medication or bottles. The Field Health Services will also provide referrals for other support services the client may need.

This sub-recipient agreement is late because the template was revised for legal sufficiency.

MBE/WBE PARTICIPATION:

N/A

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Health Department - cont'd

AMENDMENT TO AGREEMENT

12. **TOTAL HEALTH CARE, INC. (THC)** **(\$ 3,780.00)**

Account: 4000-499013-3023-513200-603051

On April 24, 2013, the Board approved the original agreement with the THC, in the amount of \$126,000.00, for the period January 1, 2013 through December 31, 2013.

Due to Federal budget reductions to the grant (Comprehensive HIV Prevention Programs for Health Departments) the Department reduced its sub-grantee awards by 3%.

The THC award was reduced by \$3,780.00 for a final award of \$122,220.00 for FY 2013.

This amendment is late because the Department notified sub-grantees of the reductions on July 31, 2013 and was waiting for revised budgets.

MBE/WBE PARTICIPATION:

N/A

RATIFICATION OF AGREEMENT

13. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$ 63,131.00**

Account: 4000-499013-3023-513200-603051

The JHU provided counseling and testing services for the HIV Prevention/Women's Health Program to clients receiving services in the Johns Hopkins Hospital Obstetrical and

MINUTESHealth Department - cont'd

Gynecology Clinics and provided counseling and testing in high-risk community venues. The period of the agreement was January 1, 2013 through December 31, 2013.

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

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 aforementioned Agreements, Amendment to Agreement, and ratified the Agreement with The Johns Hopkins University (item no. 13). The Mayor **ABSTAINED** on item no. 11. The President **ABSTAINED** on item nos. 9, 10, and 13.

MINUTES

Health Department - Employees Expense Reports

The Board is requested to approve the various expense reports for the listed employees.

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

1. PORTIA ASHFORD **\$ 57.63**

Account: 5000-532814-3044-273300-603002
September 2013 - mileage

2. ELISSA JAMES **\$ 72.32**

Account: 5000-532814-3044-273300-603002
September 2013 - mileage

3. FREIDA JONES **\$272.74**

Account: 5000-533114-3044-273300-603002 \$223.74
August - September 2013 - mileage

5000-533114-3044-273300-603003 \$ 49.00
August - September 2013 - parking

4. CECILE MATTHEWS **\$ 67.85**

Account: 5000-532814-3044-273300-603002
September 2013 - mileage

The employees (nos. 1-4) submitted their expense statement within the required time frame. However, the expense statement was accidentally attached to another document and not submitted to the appropriate parties for signature on time.

MINUTES

Health Department - cont'd

5. ALBERTA LIN FERRARI	\$ 47.81
Account: 4000-427713-3023-599601-603002 June 2013 - mileage	\$ 4.52
4000-427713-3023-599601-603003 June 2013 - parking	\$ 11.50
4000-427713-3023-599601-603009 June 2013 - reimbursement of FEDEX	\$ 31.79
6. BERNARD GIBSON	\$ 66.11
Account: 4000-422513-3030-272513-603002 September 2013 - mileage	
7. SONNEY J. PELHAM	\$ 68.81
Account: 4000-427713-3023-599601-603002 August 2013 - mileage	\$ 21.47
4000-427713-3023-599601-603003 August 2013 - parking	\$ 14.00
4000-427713-3023-599601-603002 September 2013 - mileage	\$ 33.34
8. CHRISTY SKIPPER	\$ 15.82
Account: 4000-427713-3023-599600-603002 March 2013 - mileage	

The employees (nos. 5-8) neglected to submit their expense statement within the required time frame.

MINUTES

Health Department - cont'd9. **WILMA JEWEL BROWN** **\$181.77**

Account: 5000-532814-3044-273300-603002 \$130.86
September 2013 - mileage

5000-532814-3044-273300-603002 \$ 50.91
October 2013 - mileage

Ms. Brown neglected to submit her expense statement on time due to demands and program responsibilities. Ms. Brown has been advised that she must make an effort to submit statements timely to avoid this process.

10. **LaRHONDA PARKER** **\$ 35.95**

Account: 1001-000000-3100-295900-604003
September 2013 - uniforms

Ms. Parker submitted her expense statement within the required time frame; however, she did not report to the office to sign the expense statement for routing and administrative approval in a timely manner.

11. **NIKEBA SMITH** **\$159.97**

Account: 5000-532813-3044-273300-603002
September 2013 - mileage

Ms. Smith submitted her expense statement within the proper time; however, her expense statement was lost during the Department's review and signature process.

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

UPON MOTION duly made and seconded, the Board approved the aforementioned various expense reports for the listed employees.

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:

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

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

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

1. TR 13003, Recon- M. Luis Construction \$1,220,900.00
 struction of Co., Inc.
 Footways, Citywide

MBE: Carter Paving & Excavation \$ 35,000.00 2.87%
 Co., Inc.
 National Construction, Inc. 295,000.00 24.16%
\$330,000.00 27.03%

WBE: S & L Trucking, LLC \$125,000.00 10.23%

MWBOO FOUND VENDOR IN COMPLIANCE.

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 94,382.22 MVR	9950-904100-9504 Constr. Reserve Footway Paving	
558,435.61 GF (HUR)	" "	
501,600.00 Others	" "	
229,883.17 MVR	9950-903300-9504 Constr. Reserve Tree Roots/Foot	
7,525.00 GF (HUR)	" "	
\$1,391,826.00		
\$1,220,900.00	-----	9950-909446-9504-6 Struc. & Improv.
109,881.00	-----	9950-909446-9504-5 Inspection

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation - cont'd

61,045.00	-----	9950-909446-9504-2
\$1,391,826.00		Contingencies Re- construction of Footways - Citywide

This transfer will fund the costs associated with award of Project TR 13003, Reconstruction of Footways-Citywide to M. Luis Construction Co., Inc.

Bureau of Water and Wastewater

3.	SC 912, Improve- ments of the Eastern Portion of the Low Level Sewershed	Insituform Tech- nologies, LLC	\$9,970,519.00
DBE:	A & A Construction	\$ 830,000.00	8.32%
	Daco Construction Corp.	950,000.00	9.52%
	Sunrise Safety Services, Inc.	375,000.00	3.76%
	TFE Resources	255,000.00	2.55%
	M. Luis Construction Co., Inc.	<u>1,000,000.00</u>	<u>10.02%</u>
		\$3,410,000.00	34.17%

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$12,995,255.33	9956-907611-9549	
Wastewater	Constr. Reserve	
Revenue Bonds	Sewer System	
	Rehab - Low Level	
165,829.67	" "	
<u>Balto. County</u>		
\$13,161,085.00		

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater - cont'd

\$ 997,052.00	-----	9956-918616-9551-2 Extra Work
997,052.00	-----	9956-918616-9551-3 Design
598,231.00	-----	9956-918616-9551-5 Inspection
9,970,519.00	-----	9956-918616-9551-6 Construction
<u>598,231.00</u>	-----	9956-918616-9551-9 Administrative
\$13,161,085.00		

The funds are needed to award SC 912, Improvements to the Eastern Portion of the Lower Level Sewershed.

Bureau of Purchases

5. B50003074, IT Assessment of City Agencies	Brightport Managed Solutions, LLC	\$235,200.00
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(Mayor's Office of Information Technology)

MWBOO GRANTED A WAIVER.

A PROTEST WAS RECEIVED FROM STELLAR SERVICES.



Stellar Services
70 West 36th Street, Suite 702
New York, NY 10018
Tel: (212) 432-2848
Fax: (212) 432-2846

October 10, 2013

Ms. Joan M. Pratt
Comptroller and Secretary to the Board
Baltimore Board of Estimates
Room 204, City Hall
Baltimore, Maryland 21202

Re: Letter dated August 24/Postmarked September 27, 2013
B50003074, IT Assessment of City Agencies

Dear Ms. Pratt:

I am in receipt of your letter, dated August 24, 2013 and postmarked September 27, 2013, regarding the Stellar Services bid for the B50003074, IT Assessment of City Agencies project RFP.

Stellar Services, as a DBE and MBE, pays strict attention to every instruction on every RFP we choose to proffer a response to, including the subject RFP. As such, we read very carefully the language contained in the RFP and the direction appeared to be very clear, as stated below from the RFP:

GC2. GUARANTEE/DEPOSIT. (Bids or Proposals, when filed, shall be IRREVOCABLE.)

*A. All bids/proposals (unless otherwise not-ed) shall be accompanied by **one** of the following:*

- (1) A One-Time Bid Bond; or*
- (2) An Annual Bid Bond or Continuous Bid and Performance Bond which must be on file at the time of bid receipt; or*
- (3) A DEPOSIT OF \$5,000 OR LESS by a check of any type drawn upon any solvent clearing house bank of the United States, a Registered Check or U. S. Postal Money Order, or***
- (4) DEPOSIT OF MORE THAN \$5,000 by a Certified Check, Bank Cashiers Check or Bank Treasurers Check.*

B. All bid guarantees (unless otherwise noted) shall be computed as stipulated below, made payable to the "Director of Finance" and submitted with the bid. Amount of Bid

- (1) For bids of \$100,000 and under: None*
- (2) For bids over \$100,000: 2% of the total bid.*

C. Where an award is made, the Contract and Performance Bond requirements shall be promptly and properly executed. The requirements of prompt execution will be considered as fulfilled if accomplished within thirty (30) working days after award. Checks and/or a Bid Bond shall be forfeited to the City as liquidated damages, as required by Article VI, Section II of the City Charter, for failure to comply with this requirement. Upon execution of the Contract and Performance Bond, the City shall refund to the successful Offeror the amount deposited or release the amount charged against the bond as bid guarantee.

D. A bid guarantee posted by unsuccessful Offeror's shall be refunded or released promptly after an award is made.

As such, it was disturbing to find out—more than a month after the bid opening—that Stellar Services was determined to be non-responsive when we submitted a check for the amount indicated in the instructions of section GC2A of the RFP. At best, the instructions contradict each other by indicating a payment of \$5,000 in section A: *A. All bids/proposals (unless otherwise not-ed) shall be accompanied by one of the following: (3) A DEPOSIT OF \$5,000 OR LESS by a check of any type drawn upon any solvent clearing house bank of the United States, a Registered Check or U. S. Postal Money Order.*

This clearly contradicts Section GC2 B: *B. All bid guarantees (unless otherwise noted) shall be computed as stipulated below, made payable to the "Director of Finance" and submitted with the bid. Amount of Bid*

(1) For bids of \$100,000 and under: None

(2) For bids over \$100,000: 2% of the total bid.

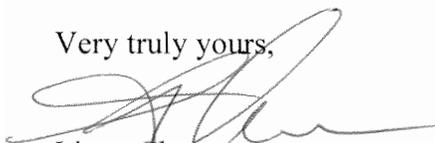
The instructions do not include clarity as to which of those contradicting statements is the operative one for this bid. Looking at Section GC2A, we followed the guidance to the letter and our check for \$5,000 reflects that understanding.

Stellar Services has been in business for 20 years and during that time, more than 95% of its business is from the public sector and the State and Local market, specifically. We take neither the letter nor the spirit of government instructions in a cavalier manner. Our business depends upon strict adherence to the rules, regulations, policies and processes of any governmental agency.

We only want the ability to compete in an open and fair manner. In this case, we do not believe that we have been treated fairly. We are examining every recourse we have available, as a firm with limited resources cannot afford to submit bids and proposals that are rejected out of hand – especially when we believe we have followed the rules of engagement outlined in the RFP instructions.

I urge you to reconsider this decision.

Very truly yours,



Liang Chen
President
Stellar Services

CITY OF BALTIMORE

BOARD OF ESTIMATES

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



BERNARD C. "JACK" YOUNG
PRESIDENT, CITY COUNCIL

ALFRED H. FOXX
DIRECTOR OF PUBLIC WORKS

STEPHANIE RAWLINGS-BLAKE
MAYOR

GEORGE A. NILSON
CITY SOLICITOR

JOAN M. PRATT
COMPTROLLER

BERNICE H. TAYLOR
DEPUTY COMPTROLLER
AND CLERK TO THE BOARD

August 24, 2013

Mr. Liang Chen, President
Stellar Services, Inc.
70 West 36th Street, Suite 702
New York, NY 10018

Re: B50003074, IT Assessment of City Agencies

Dear Mr. Chen,

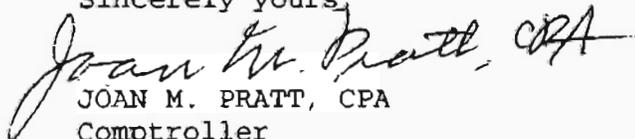
Please be advised that your bid, opened on August 18, 2013 on the above-mentioned contract, after legal review, was considered **NON-RESPONSIVE** due to your company's failure to proffer a bid guarantee as mandated by the solicitation instructions.

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 firm submitted a check for the amount of \$5,000.00. However, your firm's total offer of \$1,867,200.00 would have required a bid guarantee for the amount of \$37,344.00. Your firm's check for this contract in the amount of \$5,000.00 was not adequate.

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 December 24, 2013. 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

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases - cont'd

President: "The first item on the non-routine agenda can be found on Page 23, Recommendations for Contract Awards and Rejections, Item 5, B50003074, IT Assessment of City Agencies. Will the parties please come forward? Anybody here from uh, Stellar Services?" (No response heard.)

President: "I will entertain a Motion. I will entertain a Motion."

Deputy City Solicitor: "MOVE the item as submitted by the um, Bureau of Purchases."

Comptroller: "Second."

President: "All those in favor say aye."

President: "AYE."

President: "All those opposed nay. The Motion carries."

* * * * *

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases - cont'd

6. B50003075, City of Baltimore Web Site Redesign and Hosting Interpersonal Frequency, LLC \$286,367.00

(Mayor's Office of Information Technology)

MWBOO GRANTED A WAIVER.

7. B50002330, Marketing Partnership Program **RESCIND AWARD**
- On February 13, 2013, the Board approved the initial award for the period of two years and two 1-year renewal options. The solicitation required that the vendor supply the City with a performance bond within ten days of the award. To date, the City has not received a performance bond from Superlative Group, Inc. Therefore, Superlative Group, Inc. is in default of the contract. The vendor will forfeit its bid guarantee as liquidated damages. The solicitation will be revised and re-advertised.

MINUTES

Baltimore Development Corporation (BDC) - License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve a License Agreement with The Can Company, LLC (Licensee) for the City-owned property located at 2626 Boston Street. The period of the license agreement is January 1, 2014 through December 31, 2024.

AMOUNT OF MONEY AND SOURCE OF FUNDS:

\$40,320.00 - Annual license fee

BACKGROUND/EXPLANATION:

The City owns a parcel of land located at 2626 Boston Street (Property) in the Canton neighborhood. The Property is improved by a 43-space, paved and striped parking lot. The Can Company, LLC wishes to use the property lot solely for parking vehicles by the Licensee and the tenants of the Licensee's adjacent property known as the "The Can Company." The need for the license agreement is to memorialize activity by the Licensee, which has been utilizing the parking lot without providing compensation to the City. The Licensee will pay the City an annual fee of \$40,320.00 plus an annual escalation based upon a calculation of the Consumer Price Index.

The City reserves the right to terminate this agreement if the licensed parking area is needed by the City, State, or Federal government for any use or purpose associated with the construction, operation, and/or maintenance of a public infrastructure improvement, upon six months written notice. Should the City decide to sell the parking lot, the Licensee will have right of first refusal.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved the License Agreement with The Can Company, LLC for the City-owned property located at 2626 Boston Street.

MINUTES

Department of General Services - 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.	4601 Pennington Avenue	Daud Realty, LLC	Handicap ramp 14' x 3'

Annual Charge: \$70.30

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

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

MINUTES

Department of General Services - Easement Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Easement Agreement with Bryn Mawr School for Girls of Baltimore City, Inc. The period of the agreement is effective upon Board approval for two years.

AMOUNT OF MONEY AND SOURCE:

\$1.00 - if demanded

BACKGROUND/EXPLANATION:

The Department is proposing to construct traffic signal equipment and road improvements on a portion of the property owned by Bryn Mawr School for Girls of Baltimore City, Inc. The school is located at 109 West Melrose Avenue and 600 West Northern Parkway. The Easement Agreement will allow the City's contractors to construct roadway improvements and install and maintain signal equipment in conjunction with the Roland Avenue and Northern Parkway Safety and Roadway Improvement Project, TR-12314.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Easement Agreement with Bryn Mawr School for Girls of Baltimore City, Inc.

MINUTES

Department of General Services - Amendment to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Amendment to an existing Pipeline Crossing Agreement with CSX Transportation, Inc., formerly known as the Baltimore and Ohio Railroad Company. The Amendment to Agreement is effective July 18, 2013.

AMOUNT OF MONEY AND SOURCE:

\$	50.00	- Research associated with 1957 Agreement
	500.00	- Encroachment Fee
	<u>750.00</u>	- Railroad Protective Liability Insurance
\$1,300.00		- 9960-908714-900020-704040

BACKGROUND/EXPLANATION:

In 1957, the Mayor and City Council of Baltimore, acting by and through the Department of Public Works, entered into an agreement with the Baltimore and Ohio Railroad Company to install a 20" steel water main to the decking of the East Fort Avenue Bridge over the Railroad.

In 2013, the Mayor and City Council of Baltimore, acting by and through the Department of Public Works desired to amend the 1957 agreement, by abandoning the 20" water main in place and inserting a 16" plastic (PVC) pipe inside the old pipe, thereby creating a casing.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment to an existing Pipeline Crossing Agreement with CSX Transportation, Inc., formerly known as the Baltimore and Ohio Railroad Company.

MINUTES

TRANSFERS OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfer of Funds

listed on the following page:

141

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
Mayor's Office of Information Technology (MOIT)		
1. \$1,500,000.00 General Funds	9903-951002-9117 Replace Mainframe Account	9903-952002-9116 Mainframe Moderniza- tion Account

MOIT has completed Phase I of the mainframe modernization project and is now ready to begin Phase II. This transfer will move appropriations to the mainframe modernization account allowing MOIT to continue the project as scheduled.

MINUTES

Department of Transportation - Ratification and Approval
of Payment

ACTION REQUESTED OF B/E:

The Board is requested to ratify services performed and approve payment to Midasco, LLC for services provided in connection with TR 09302, Construction of Traffic Signals Citywide JOC.

AMOUNT OF MONEY AND SOURCE:

\$241,327.45 - 9950-904076-9512-2

BACKGROUND/EXPLANATION:

On July 21, 2010, the Board awarded TR 09302, Construction of Traffic Signals Citywide-JOC. The contract was expected to be completed in 1,020 calendar days, resulting in an expiration date of June 23, 2013. After the core completion of the contract, several locations were found in need of changes to the retrieved power from varied BGE locations and traffic transmission lines that were necessary to "tie-in" at alternate locations. The changes required additional street cuts, paving, concrete work (curb, footway, and slab streets), encased PVC conduit, concrete slab streets missed by design; hand-boxes and pertinent items. As a result of the additional work, a need to increase the contract quantities resulted.

The contract also suffered a loss as the prime contractor sought to replace a minority firm that was no longer able to perform on the contract. Last, this project required additional necessary conduit installation and all the appurtenances to initialize the intersections to function and communicate with the Traffic Management Center which also impacted the project budget and timeline.

AUDITS REVIEWED AND HAD NO OBJECTION

APPROVED FOR FUNDS BY FINANCE

MINUTES

Department of Transportation - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$100,000.00	9950-916080-9512	
FED	Traffic Safety	
	Improvement Citywide	
151,328.00	" " "	
HUR		
\$251,328.00	-----	9950-904076-9512-2
		Contingency
		Traffic Signals Citywide

This transfer will cover the deficit in the account and fund the cost to close project TR 09303, Construction of Traffic Signals Citywide.

UPON MOTION duly made and seconded, the Board ratified the services performed and approved payment to Midasco, LLC for services provided in connection with TR 09302, Construction of Traffic Signals Citywide JOC. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Department of Transportation - Cooperative Memorandum
of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Cooperative Memorandum of Understanding (MOU) with Trafficland, Inc. The period of the agreement is effective upon Board approval for three years, with two additional one-year renewal options.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The purpose of the MOU is to provide a framework for Trafficland, Inc. to disseminate traffic information for the use of motorists in Baltimore City. The City desires to engage Trafficland, Inc. to provide cost effective integration, web hosting and distribution of traffic camera network video for enhanced operational control and a streamlined approach to sharing video externally with multiple users and groups.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Cooperative Memorandum of Understanding with Trafficland, Inc.

MINUTES

Department of Transportation - Funding Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Funding Agreement with Greyhound Lines, Inc. The period of the agreement is effective upon Board approval and terminate once final payment under the City contract is made.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The purpose of the Funding Agreement is to establish the framework for the funding responsibilities for Contract No. TR 11320 Greyhound Intermodal Terminal. This includes construction of a new bus and transit passenger terminal. In order to fulfill the terms of the Earmark, the City coordinated and supervised the design engineering services and will provide oversight of the construction activities. The oversight will include but not be limited to hosting a monthly progress meeting, addressing requests for information, documenting daily inspection activities, change order review, and other activities associated with the construction of the Project.

Greyhound Lines, Inc. will provide a Letter of Credit in the amount of \$3,800,000.00 within 21 days of the execution of the Funding Agreement. According to terms in the funding agreement, the Department will award the subject contract incorporating all funds.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Funding Agreement with Greyhound Lines, Inc.

MINUTES

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement (LDA) with I-Quadrant Properties, LLC, purchaser, for the sale of the City-owned property located at 3814 Ednor Road.

AMOUNT OF MONEY AND SOURCE:

\$86,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

A good faith deposit of \$2,000.00 has been paid by the purchaser. The balance will be paid in full at settlement by cashier or certified check.

The DHCD's Land Resources Division strategically acquires and manages vacant or abandoned properties, ultimately enabling these properties to be returned to productive use, and improve Baltimore's neighborhoods.

The City has agreed to convey the property known as 3814 Ednor Road to I-Quadrant Properties, LLC. As a condition of the conveyance, I-Quadrant Properties, LLC has agreed to the terms of the LDA.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE:

The property located at 3814 Ednor Road was sold by auction to I-Quadrant Properties, LLC for the amount of \$86,000.00. Pursuant to the Baltimore City Appraisal Policy under "Exceptions to Requiring an Appraisal," no appraisal is required for the sale of properties under an approved Board of Estimates'

MINUTES

DHCD - cont'd

Policy which allows for an alternative method in determining value such as a Broker Price Opinion. The sale of 3814 Ednor Road by auction was approved on November 3, 2010.

UPON MOTION duly made and seconded, the Board approved and authorized execution of land disposition agreement with I-Quadrant Properties, LLC, purchaser, for the sale of the City-owned property located at 3814 Ednor Road.

MINUTES

DHCD - cont'd

On June 26, 2013, 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 2013 Annual Action Plan for the following formula programs:

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

Upon approval of the resolution, the DHCD's Contract Section began negotiating and processing the CDBG agreements as outlined in the Plan effective July 1, 2013 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 aforementioned Community Development Block Grant Agreements.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Grant Agreement with Park Heights Renaissance, Inc. (PHR) in the amount of \$512,877.00. The grant agreement is effective upon Board approval through July 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$512,877.00 - 9910-907191-9588-900000-709059

BACKGROUND/EXPLANATION:

The PHR is a nonprofit organization established in 2007 to implement the Park Heights Master Plan. The PHR provides a variety of community services in addition to undertaking development initiatives that reflects the Master Plan's recommendation.

The funds will be used to fund personnel who implement the PHR's core programs and services.

The Fiscal Years 2013-14 Video Lottery Terminal Revenue (slots) Spending Plan included \$500,000.00 to support the PHR's operations. The Mayor approved the Plan in July 2013. An additional \$12,877.00 was reallocated from the PHR's FY13 operating expenses. These additional funds were available due to unexpended funds from the PHR's FY13 Operating Agreement approved by the Board in September 2013.

The following positions will be fully funded through this grant agreement CEO; Vice President for Community and Economic Development; Vice President for Human Services; Coordinator; and, Office Manager. Funds will also be used to support the following professional services: accounting, fund development and payroll, as well the printing and production of the PHR's quarterly newsletter. Funds are being provided on a reimbursement basis; expenses incurred between July 01, 2013 - June 30, 2014 and approved by the Board will be eligible for reimbursement.

MINUTES

DHCD - cont'd

Although the agreement ends on July 30, 2014, expenses incurred after June 30, 2014 will not be eligible for reimbursement.

MBE/WBE PARTICIPATION:

The PHR has signed the Commitment to Comply.

AUDITS REVIEWED AND HAD NO OBJECTION.

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$500,000.00	9910-905962-9587	9910-907191-9588
State Slots	Northwest Neighborhood Improvement - Reserve	Park Heights - PHR

This transfer will provide appropriations to support an agreement between the City and Park Heights Renaissance, Inc. (PHR). The agreement will provide neighborhood engagement and marketing activities, small capital projects, and staff to carry out those activities.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Grant Agreement with Park Heights Renaissance, Inc. in the amount of \$512,877.00. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|---|--------------------|--------------------|
| 1. <u>C AND D MUNICIPAL SALES, INC.</u> | <u>\$40,000.00</u> | <u>Sole Source</u> |
| Solicitation No. 08000 - Provide Submersible Flowserve Pumps -
Department of Public Works - Req. No. R650505 | | |

The period of the award is January 17, 2014 through January 16, 2015 with two 1-year renewal options.

A Notice of Intent to Waive Competition was posted on CitiBuy B50003313 with no responses received. The vendor is the sole sales representative for the manufacturer of these pumps. The period of the award is January 17, 2014 through January 16, 2015 with two 1-year renewal options.

- | | | |
|---|--------------------|----------------|
| 2. <u>GEXPRO, A DIVISION OF REXEL HOLDINGS USA CORP.</u> | <u>\$28,576.00</u> | <u>Low Bid</u> |
| Solicitation No. B50003235 - Medium Voltage Contactors -
Department of Public Works - Req. No. R645057 | | |

- | | | |
|---|--------------------|------------------|
| 3. <u>ATLANTIC DOOR CONTROL, INC.</u> | <u>\$30,000.00</u> | <u>Extension</u> |
| Contract No. B50001735 - Preventative Maintenance for Stanley
Doors - Baltimore Convention Center - P.O. No. P515904 | | |

On January 12, 2011, the Board approved the initial award in the amount of \$21,233.00. The award contained two 1-year renewal options. On December 7, 2011, the Board approved the first renewal in the amount of \$22,000.00. On December 12, 2012, the Board approved the second renewal in the amount of \$37,365.00. The agency is in the process of preparing new detailed specifications for a new requirements contract. This extension for the period January 23, 2014 through April 30, 2014, is necessary to provide sufficient time for bidding, evaluation, and award of a new contract.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.

MMCA- Maryland Minority Contractors Association, Inc.
A Chapter of the American Minority Contractors and Businesses Association, Inc.-AMCBA
Baltimore, Maryland 21210
443-413-3011 Phone
410-323-0932 Fax

January 14, 2013

Via Facsimile 410-685-4416

Honorable Bernard "Jack" Young
President, Baltimore City Board of Estimates
City Hall-Room 204
Baltimore, MD 21202
ATTN: Ms. Bernice Taylor, Esquire, Clerk to the Board

Dear Mr. President:

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

We wish to file protests against the following proposal contracts or changes and increases as appearing Your Honorable Board's 1/15/2014 public meeting agenda.

Item No. 3, on page 43, which is a proposed contract extension and increase which is made completely unlawful, void and unenforceable by the City's "mandatory" competitive bidding Charter Provision-Article VI, Section 11(h)(1)(ii), and

Item No. 5, on page 44, which is a proposed contract renewal and price increase which is outlawed and made ultra vires, void and unenforceable by the City's "mandatory" competitive bidding charter provision-Article VI, Section 11(h)(1)(ii).

Item No. 8, on page 46, which is a proposed contract increase to an existing contract which is made completely void, unlawful and unenforceable by the City's "mandatory" competitive bidding charter provision-Article VI, Section 11(h)(1)(ii)

Item No. 10 on page 48, which is a proposed contract renewal on a contract that was not competitively bid in the first instance, in January 2010. It is well settled that a municipality like Baltimore City cannot extend or renew or ratify a contract that was not competitively bid in the first instance, and both proposed contracts contained on pages 52-53 and 54-55, which are proposed contracts for construction services associated with "Valve and Fire Hydrant Exercising Program," and for "Water System Audit and Condition Assessment of Water Infrastructure."

Our protest against these proposed contract award is based upon the important fact that the City's Bureau of Water and Waste Water has completely ultra viresly and unlawful labeled and procured these two contracts pursuant to the City's Professional Engineering Contract award process, when in fact these contracts are completely and absolutely construction related and more lawfully should have been procured under the City's "mandatory" competitive bidding contract award process as provided for by the City's "mandatory" competitive bidding charter provision Article VI, Section 11(h)(1)(ii).

Accordingly each of these proposed non-bid competitive contracts, not having complied therewith is completely void ab initio, and here are completely unenforceable.

Our MBE subcontractor members, clients and constituents would be greatly harmed if Your Honorable Board approves the above referenced City contracts as recommended. Your Honorable Board's kind and favorable approval of these bid protests is greatly appreciated

Respectfully Submitted,

Arnold M. Jolivet

Arnold M. Jolivet
Managing Director

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

President: "The second item on the non-routine agenda can be found on Page 43, Informal Awards, Renewals, Increases to Contracts and Extensions, Item 3, Contract No. B50001735, Preventive Maintenance for Stanley Doors, Baltimore Convention Center. Will the parties please come forward? I'll entertain a Motion."

Deputy City Solicitor: "MOVE to approve the item as submitted by the Bureau of Purchases on Page 3, Item, excuse me, Page 43, Item 3."

Comptroller: "Second."

President: "All in favor say AYE."

President: "AYE."

President: "All opposed NAY. The Motion carries."

* * * * *

4. WEISSKER MANUFACTURING,
LLC \$ 30,000.00 Renewal
 Contract No. B50002712 - Glass Beads Used in Traffic Paint -
 Department of Transportation - P.O. No. P522615

On February 6, 2013, the Board approved the initial award in the amount of \$77,250.00. The award contained four 1-year renewal options.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

This renewal in the amount of \$30,000.00 is for the period February 6, 2014 through February 5, 2015, with three 1-year renewal options remaining.

MWBOO GRANTED A WAIVER.

5. C AND D MUNICIPAL SALES,

INC.	\$ 30,000.00	Renewal
Contract No. 08000 - Robicon Freq Drives - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P522560		

On January 31, 2013, the City Purchasing Agent approved the initial award in the amount of \$25,000.00. The award contained one 1-year renewal option. This renewal in the amount of \$30,000.00 is for the period February 1, 2014 through January 31, 2015.

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.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.¹

President: "The third item on the non-routine agenda can be found on Page 44, Informal Awards, Renewals, Increases to Contracts and Extensions, Item 5, Contract No. 08000, Robicon

¹ See protest letter following Page 152.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Frequency Drives, Bureau of Water and Wastewater. Will the parties please come forward? I'll entertain a Motion."

Deputy City Solicitor: "MOVE to approve the item as submitted by the Bureau of Purchases on Page 44, Item 3, Item 5."

Comptroller: "Second."

President: "All in favor say aye."

President: "AYE."

President: "All opposed nay. The Motion carries."

* * * * *

6. JOHNSON CONTROLS, INC. \$ 60,000.00 Renewal
 Contract No. 08000 - Maintain Frick Chiller at Patapsco Liquid Oxygen Plant - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P519242

On February 1, 2012, the City Purchasing Agent approved the initial award in the amount of \$24,900.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$60,000.00 is for the period February 1, 2014 through January 31, 2015.

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

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

Bureau of Purchases

7. ALTEC INDUSTRIES, INC.	\$300,000.00	Sole Source/ Agreement
Solicitation No. 08000 - O.E.M. Parts and Service for Altec Bucket Trucks - Department of General Services, Fleet Management - Req. No. R631773		

The Board is requested to approve and authorize execution of an agreement with Altec Industries, Inc. The period of the agreement is December 1, 2013 through November 30, 2016, with two 1-year renewal options.

An intent to waive competition was posted on CitiBuy (B50003152) and no responses were received. The vendor is the manufacturer of the products, and has been providing the critical parts and services while a new contract was negotiated.

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.

8. BALTIMORE LOCK & HARDWARE, INC.	\$100,000.00	1 ST Call
EASTER'S LOCK AND ACCESS SYSTEMS, INC.	100,000.00	2 nd Call
	<u>\$200,000.00</u>	Increase
Solicitation No. B50001966, Locksmith Services - Agencies: Various - P.O. Nos. P518091 & 518092		

On August 10, 2011, the Board approved the initial award in the amount of \$290,500.00. On January 16, 2013, the City Purchasing Agent approved the first increase for the amount \$50,000.00. On December 18, 2013, the City Purchasing Agent approved the second increase in the amount of \$10,000.00. The Board is requested to approve an increase in the amount of \$200,000.00. With this increase, the total contract value will be \$550,500.00.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

MBE/WBE PARTICIPATION:

MWBOO set goals of 15% MBE and 0% WBE.

BALTIMORE LOCK & HARDWARE, INC.

MBE: Covenant Lock & Keys		
Precision Locksmith Co., LLC	\$450.00	
Personal Electric, LLC	320.00	
	<u>\$770.00</u>	0.52%

MWBOO FOUND VENDOR IN COMPLIANCE

EASTER'S LOCK AND ACCESS SYSTEMS, INC.

MBE: Covenant Lock & Keys	\$255.00	0.15%
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MWBOO FOUND VENDOR IN COMPLIANCE

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.²

President: "The fourth item on the non-routine agenda can be found on Page 46, Informal Awards, Renewals, Increases to Contracts and Extensions, Item 8, Solicitation No. B50001966, Locksmith Services. Will the parties please come forward? I will entertain a Motion."

Deputy City Solicitor: "MOVE to approve the item as submitted by the Bureau of Purchases on Page 46, Item 8."

² See protest letter following Page 152.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

Comptroller: "Second".

President: "All in favor say AYE."

President: "AYE."

President: "All opposed NAY. The Motion carries."

* * * * *

9. <u>ZAYO GROUP, LLC</u>	\$ 58,900.00	Amendment I to Agreement & Assignment
Contract No. 06000 - Ethernet Internet Connection Agreement and Assignment of the Contract - Mayor's Office of Information Technology - Req. Nos. Various		

The Board is requested to approve and authorize execution of Amendment I to the Ethernet Connection Agreement with Zayo Group, LLC and the Consent to Assignment.

On July 29, 2010, the Board approved the initial award in the amount of \$21,600.00. On August 31, 2011, the Board approved an extension for the amount of \$17,100.00. February 08, 2012, the Board approved an agreement with Litecast/Balticore, LLC to provide 200 Mbps Fast Ethernet Internet Service in the amount of \$171,000.00. On August 14, 2012, the City Purchasing Agent approved an increase in the amount of \$4,100.00. On May 01, 2013, Litecast/Balticore, LLC was acquired by Zayo Group, LLC through merger. Therefore, the Board is requested to approve an assignment of the contract from Litecast/Balticore, LLC to Zayo Group, LLC and the consent to assignment.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Amendment I to the Ethernet Connection Agreement with Zayo Group, LLC will allow for the upgrade of the City's internet service connectivity speed from 200 Mbps to 1000 Mbps (1 Gigabyte).

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.

10. INTERACT911 MOBILE SYSTEMS, INC.	\$600,000.00	Renewal
Contract No. 08000 - Pocket Cop Mobile Data System - Police Department - P.O. No. P509065		

On January 13, 2010, the Board approved the initial award in the amount of \$1,547,875.20. The award contained four 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$1,125,000.00 is for the period January 13, 2014 through January 12, 2015.

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.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.³

³ See protest letter following Page 152.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

President: "The fifth item on the non-routine agenda can be found on Page 48, Informal Awards, Renewals, Increases to Contracts and Extensions, Item 10, Contract No. 08000, Pocket Cop Mobile Data System, Police Department. Will the parties please come forward? I'll entertain a Motion."

Deputy City Solicitor: "MOVE to approve the item as submitted by the Bureau of Purchases on Page 48, Item 10."

Comptroller: "Second."

President: "All in favor say AYE."

President: "Aye."

President: "All opposed NAY. The Motion carries."

UPON MOTION duly made and seconded, the Board approved the aforementioned Informal Awards, Renewals, Increases to Contracts and Extensions. The Board also approved and authorized execution of the agreement (item no. 7) with Altec Industries, Inc. and Amendment I to Agreement and Assignment (no. 9) with the Zayo Group, Inc. The Mayor **ABSTAINED** on item no. 3.

MINUTES

Bureau of the Budget and - cont'd
Management Research

To do so, the Mayor seeks to implement a recompense program that will make these property owners whole. The estimate to do so is set at \$3,000,000.00.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.

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. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

UPON MOTION duly made and seconded, the Board approved the Supplementary General Fund Operating Appropriation to the M-R: Service 122, Miscellaneous General Expenses. The President
ABSTAINED.

Kim A. Trueheart

January 14, 2014

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 a lack of vision, poor fiscal planning and management and failure to capitalize on strategic investment opportunities in our youth by the Mayor of Baltimore City and the various Departments and Agencies under her leadership and direction.

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 49, Bureau of the Budget and Management Research - Supplementary General Fund Operating Appropriation, if approved:
 - i. Highlights the fact that this administration continues obfuscate the expenditure of taxpayer funds;
 - ii. Fails to identify the source of these funds
 1. "General Fund Assigned Fund Balance in excess of the amount from this source relied upon by the Board in determining the FY 2014 tax levy.";
 - iii. Allocates millions of our scarce municipal funds to make whole a select small group of constituents for political gain, while ignoring other constituents who were similarly erroneously expensed unreasonable taxes and/or fees without making them whole;
 - b. Please provide access to review the specific account being tapped as the source of this "General Fund Assigned Fund Balance" amount.
3. How the protestant will be harmed by the proposed Board of Estimates' action: The funds could possibly be disruptive, unfairly to the planned execution of critical programs and services for underserved constituents, myself included, to the benefit of a small politically connected group.
4. The remedy I seek and respectfully request is that this action be withdrawn until the account number of the source of funds is provided.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on January 15, 2014.

Email: ktrueheart@whatits.net
5519 Belleville Ave
Baltimore, MD 21207

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

Bureau of the Budget and – Supplementary General Fund
Management Research Operating Appropriation

ACTION REQUESTED OF B/E:

The Board is requested to approve a Supplementary General Fund Operating Appropriation to the M-R: Service 122, Miscellaneous General Expenses.

AMOUNT OF MONEY AND SOURCE:

\$3,000,000.00 From: General Fund Assigned Fund Balance in excess of the amount from this source relied upon by the Board in determining the FY 2014 tax levy.

To: M-R: Service 122, Miscellaneous General Expenses, for a Recompense Program for CHAP property tax credits

BACKGROUND/EXPLANATION:

In audits performed by the Baltimore City Department of Finance, it has been discovered that some Commission on Historical and Architectural Preservation (CHAP) recipients received letters from the State Department of Assessments and Taxation that they are entitled to larger credits than is permissible under the City Code or that they have received credits when they were not supposed to have received them. These bills have been corrected per the law and as a result, these property owners are subject to higher tax bills in the future.

Because these property owners have made decisions to purchase the property based on the letters received from the State Department of Assessments and Taxation, the City of Baltimore seeks to offset the remaining additional cost of those decisions where they were misled by the State Department of Assessments and Taxation as to the actual CHAP credit amount.

To do so, the Mayor seeks to implement a recompense program that will make these property owners whole. The estimate to do so is set at \$3,000,000.00.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

5519 Belleville Ave
Baltimore, MD 21207

MINUTES

Mayor's Office of Human - Continuum of Care Program Agreement
Services (MOHS)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Continuum of Care Program Agreement with the Maryland Center for Veterans Education & Training, Inc. The period of the agreement is November 1, 2013 through October 31, 2014.

AMOUNT OF MONEY AND SOURCE:

\$1,400,934.50 - 4000-496213-3572-591421-603051

BACKGROUND/EXPLANATION:

The Maryland Center for Veterans Education & Training, Inc. will provide 202 homeless veteran individuals transitional housing and supportive services.

The continuum of care program 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 Continuum of Care Program Agreement with the Maryland Center for Veterans Education & Training, Inc.

MINUTES

Department of Real Estate - Tax Sale Certificate

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of the Tax Sale Certificate to Necktie SF Joint Venture for an amount that is less than the lien amount for the property located at 1423 Druid Hill Avenue.

AMOUNT OF MONEY AND SOURCE:

<u>Property Address</u>	<u>Assessed Value</u>	<u>Flat Taxes & Water</u>	<u>Total Liens</u>	<u>Assignment Amount</u>
1423 Druid Hill Avenue	\$3,000.00	\$2,161.11	\$3,438.28	\$3,000.00

BACKGROUND/EXPLANATION:

The City acquired the Tax Sale Certificate for 1423 Druid Hill Avenue on May 21, 2012. Necktie SF Joint Venture has offered to purchase the Tax Sale Certificate for the assignment amount, file a petition to foreclose, acquire title to the property and return it to productive use. The assignment amount for the Tax Sale Certificate is the assessed value and will cover the flat taxes and water bills on the property.

UPON MOTION duly made and seconded, the Board approved the assignment of the Tax Sale Certificate to Necktie SF Joint Venture for an amount that is less than the lien amount for the property located at 1423 Druid Hill Avenue.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Wachs Water Services, for Project 1188, Valve & Fire Hydrant Exercising Program. The agreement is effective upon Board approval for two years or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$3,025,428.13 - Water Revenue Bonds
3,025,428.12 - Baltimore County Grants
\$6,050,856.25 - 9960-913402-9557-900020-703002

BACKGROUND/EXPLANATION:

Wachs Water Services will manage and execute an assessment program for the audit, inspection, exercising, documentation, and rehabilitation to the water distribution system valves and fire hydrants including control, critical, and transmission main valves within the Baltimore Metropolitan Area Water Distribution System. The tasks associated with the project include, but are not limited to system valve asset management, fire hydrant asset management, system valve rehabilitation, fire hydrant rehabilitation, assistance on water main shutdowns, and control management. The Consultant was approved by the Architectural and Engineering Awards Commissions.

MBE/WBE PARTICIPATION:

MBE:	Dhillon Engineering, Inc.	\$ 502,169.40	8.31%
	DM Enterprises of Baltimore, LLC	632,469.65	10.45%
	EBA Engineering, Inc.	498,655.27	8.24%
		<u>\$1,633,294.32</u>	<u>27.00%</u>
WBE:	Ross Technical Services, Inc.	\$ 604,393.41	10.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

MINUTES

BW&WW - cont'd

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$3,300,000.00	9960-908400-9558	
Counties	Constr. Reserve	
	Valve & Hydrant	
3,300,000.00	" "	
Water Utility		
Funds		
<u>\$6,600,000.00</u>		
\$6,050,856.25	-----	9960-913402-9557-
		900020-3
		Engineering
549,143.75	-----	9960-913402-9557-
<u>\$6,600,000.00</u>		900020-9
		Administration

The funds are required to cover the costs of Project No. 1188, Valve and Fire Hydrant Exercising.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.⁴

⁴ See protest letter following Page 152.

MINUTES

President: "The sixth item on the non-routine agenda can be found on Pages 52-53, Bureau of Water and Wastewater Agreement. Will the parties please come forward? I'll entertain a Motion."

Deputy City Solicitor: "MOVE to approve the item as submitted by the Bureau of Water and Wastewater on Page 42, excuse me, Page 52-53."

Comptroller: "Second."

President: "All in favor say AYE."

President: "AYE."

President: "All opposed nay. The Motion carries."

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Wachs Water Services, for Project 1188, Valve & Fire Hydrant Exercising Program. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Bureau of Water and Wastewater (BW&WW) - Amendment No. 6
to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 6 to Agreement with KCI Technologies, Inc., under Project No. 1108 (WC 1297, WC 1298, WC 1299, and WC 1300), Water System Audit and Condition Assessment of Water Infrastructure. The Amendment No. 6 will extend the period of the agreement through March 2, 2015 or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$ 246,735.18	-	9960-907130-9557-900020-703032	(WC 1297)
193,517.78	-	9960-907132-9557-900020-703032	(WC 1298)
751,494.09	-	9960-905129-9557-900020-703032	(WC 1299)
<u>1,808,101.21</u>	-	<u>9960-912131-9557-900020-703032</u>	<u>(WC 1300)</u>
\$2,999,848.26			

BACKGROUND/EXPLANATION:

On March 3, 2010, the Board approved a two-year agreement with KCI Technologies, Inc. under Project No. 1108, Water System Audit and Condition Assessment of Water Infrastructure. The Board approved amendments no. 1 - 5 to the agreement on August 10, 2011, April 25, 2012, February 13, 2013, July 24, 2013, and October 23, 2013, respectively. The Fifth Amendment extended the contract through March 3, 2014 and the upset limit was increased due to changes in the scope of the agreement.

Under the terms of amendment no. 6, the consultant will continue to provide engineering services for tasks related to water audit, condition assessment of water mains, leak detection and repairs, dashboard application, etc. In addition, the consultant will assist the City in developing, implementing and establishing a Utility Asset Management Division (UAMD). In order to complete these tasks, amendment no. 6 will raise the

MINUTES

BW&WW - cont'd

project upset limit and extend the agreement through March 2, 2015. The current agreement is due to expire on March 3, 2014. All other terms and conditions of the original agreement and amendments no. 1 - 5 remain unchanged.

MBE/WBE PARTICIPATION:

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

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 175,000.00	9960-909100-9558	9960-907130-9557-3
Balto. County		
175,000.00		
<u>Water Rev. Bonds</u>		
\$ 350,000.00		
\$ 150,000.00	9960-909100-9558	9960-907132-9557-3
Balto. County		
150,000.00		
<u>Water Rev. Bonds</u>		
\$ 300,000.00		
\$ 500,000.00	9960-908400-9558	9960-905129-9557-3
Balto. County		
500,000.00		
<u>Water Utility</u>		
<u>Funds</u>		
\$1,000,000.00		

MINUTES

BW&WW - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 680,000.00	9960-905732-9558	9960-912131-9557-3
Balto. County	Inspect & Monitor	
1,320,000.00		
Water Utility		
Funds		
<u>\$2,000,000.00</u>		

The funds are needed to cover the costs of Project No. 1108, Amendment No. 6 - Utility Asset Management Division.

A PROTEST WAS RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION.⁵

The final item on the non-routine agenda can be found on Page 54-56, Bureau of Water and Wastewater, Amendment No. six. Will the parties please come forward? I'll entertain a Motion."

Deputy City Solicitor: "MOVE to approve the item as submitted by the Bureau of Water and Wastewater on Pages 54-56."

Comptroller: "Second."

President: "All in favor say aye."

President: "All opposed nay. The Motion carries."

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 6 to Agreement with KCI Technologies, Inc., under Project No. 1108 (WC 1297, WC 1298, WC

⁵ See protest letter following Page 152.

MINUTES

1299, and WC 1300), Water System Audit and Condition Assessment

BW&WW - cont'd

of Water Infrastructure. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Health Department</u>			
1. Catherine Watson	Healthy Teen Network Board of Directors Meeting Panorama City, CA 01/31/14 - 02/02/14	Family Planning Special Needs	\$1,069.14
<u>Police Department</u>			
2. Randy J. Pope	Advanced IED Electronics Course Huntsville, AL 02/23/14 - 02/29/14		\$ 0.00
No costs are incurred by the Baltimore Police Department, as the FBI provides transportation, housing, meals, and training.			
3. Todd A. Ring	Advanced Explosives Destruction Techniques Course Huntsville, AL 02/03/14 - 02/14/14		\$ 0.00
No costs are incurred by the Baltimore Police Department, as the BATF provides transportation, housing, meals, and training.			
4. Gloria Davis	End Violence Against Women International Seattle, WA 04/21/14 - 04/24/14 (Reg. Fee \$495.00)	SORU Grant Funding	\$1,599.00

MINUTES**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Police Department</u>			
5. Kurt F. Roepcke Krzysztof Gesla Michael D. Coltogirone	Governmental Inter- mediate/Advanced Training 2013/2014 Morrow, GA Jan. 19 - Feb. 1, 2014 (Reg. Fee \$1,650.00 ea.)	FY12 SHSP Grant	\$9,747.00
6. Timothy E. Hamilton Michelle L. Price	CDR Summit/Technician Level II, Train the Trainer Houston, TX Jan. 24 - 29, 2014 (Reg. Fee \$1,474.00 ea.)	SHSP '12 Grant Funding	\$5,693.00

TRAVEL APPROVAL & REIMBURSEMENTBaltimore City Health Department

7. Oxiris Barbot	Gen. Funds	\$ 276.00
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On November 14-17, 2013, Ms. Barbot traveled to New York City to attend a meeting with the Mayor that was sponsored by the National Network for Safe Communities. The meeting was at the John Jay College, Center for Crime Prevention and Control. The meeting was held on November 15, 2013, but Ms. Barbot extended her stay in New York and returned November 17, 2013.

The \$276.00 was used for transportation via Amtrak. The Baltimore City Health Department is requesting the Board to retroactively approve Ms. Barbot's travel request and approve a reimbursement to her for transportation expenses in the amount of \$276.00.

MINUTES

TRAVEL APPROVAL & REIMBURSEMENTOffice of the Council President

8. Carl Stokes Elected \$2,756.28
 Officials
 Expense
 Account

On November 12-17, 2013, Mr. Stokes traveled to Seattle, WA to attend the Congress of Cities and Exposition sponsored by the National League of City. Mr. Stokes was invited to attend and participate in workshops and seminars because Baltimore is one of 25 U.S. cities to receive federal funds to help alleviate homelessness among veterans. This knowledge and information along with other education sessions helped to strengthen both his delivery of service to constituents, and also allowed him to share vital information with colleagues and municipal agencies.

The receipts for hotel, cab, food, registration, and meal expenses were submitted. Therefore, the Office of the Council President is requesting the Board to retroactively approve Mr. Stokes' travel request and approve a reimbursement the following expenses:

Hotel (Room Charge \$1,445.00 + Tax \$220.15)	\$1,665.15
Registration:	495.00
Meals	137.54
Airfare	382.59
Taxi (ground transportation to reception)	16.00
Taxi (to and from airport)	60.00
Total Request	<u>\$2,756.28</u>

The Board is also requested to approve additional ground transportation in the amount of \$16.00. Mr. Stokes attended a reception to receive an award on behalf of the City Baltimore.

The Board, UPON MOTION duly made and seconded, approved the travel requests and approved the travel reimbursement. The President **ABSTAINED** on Item No 8.

MINUTES

Mayor's Office of Information - Reimbursement of
Technology (MOIT) Relocation Expenses

ACTION REQUESTED OF B/E:

The Board is requested to approve the reimbursement of relocation expenses for Mr. Andrew Nebus.

AMOUNT OF MONEY AND SOURCE:

\$6,000.00 - 1001-000000-1471-165700-603001

BACKGROUND/EXPLANATION:

MOIT hired Mr. Nebus as an IT Division Manager to oversee the Baltimore Police Department's MIS division. Pursuant to AM-221-4, Moving Expenses, Mr. Nebus is allowed reimbursement of relocation costs provided the move is more than a 50 mile radius, limited to personal belongings, and two quotes are provided.

Mr. Nebus moved prior to Board of Estimates approval, as his house went on the market and sold in two days. Mr. Nebus had only one week to move out of the home. This quick move did not allow enough time to secure prior approval. Therefore, MOIT apologizes and requests approval of the reimbursement.

Express Moving Van Lines, LLC moved half of Mr. Nebus' items from New Jersey to Maryland and held the remainder in storage until Mr. Nebus moved into his new home in October. The total relocation cost was \$6,000.00. Mr. Nebus has paid the relocation costs in full and seeks reimbursement.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the reimbursement of relocation expenses for Mr. Andrew Nebus.

MINUTES

Baltimore City Fire Department - Grant Acceptance and
Advanced Life Support
Education Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a grant and approve and authorize execution the Advanced Life Support Education Grant Agreement with the Maryland Institute for Emergency Medical Services Systems. The period of the Advanced Life Support Education Grant Agreement is January 13, 2014 through June 15, 2014.

AMOUNT OF MONEY AND SOURCE:

\$27,933.60 - 5000-558314-3191-309500-405001

BACKGROUND/EXPLANATION:

The purpose of the grant is to enable the Baltimore City Fire Department to complete Fiscal Year 2014 Advanced Life Support training courses. There are no future obligations of the City as a result of the receipt of the grant.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved acceptance of the grant and approve and authorize execution the Advanced Life Support Education Grant Agreement with the Maryland Institute for Emergency Medical Services Systems.

MINUTES

Department of Finance - Appropriation Adjustment Order

ACTION REQUESTED OF B/E:

The Board is requested to approve an Appropriation Adjustment Order (AAO) to transfer State grant funds from the Baltimore City Fire Department, Service 602 (Fire Suppression and Emergency Rescue) to the Baltimore City Fire Department, Service 614 (Fire Communications and Dispatch).

AMOUNT OF MONEY AND SOURCE:

\$2,700.00 - From: Fire Department, Service 602
Fire Suppression and Emergency Rescue

To: Fire Department, Service 614
Fire Communications and Dispatch

The source of funds is a grant from the State of Maryland Institute for Emergency Medical Services Systems (MIEMSS).

BACKGROUND/EXPLANATION:

The AAO will initiate a transfer of appropriations to provide funding for a new grant from the MIEMSS. The grant from the MIEMSS was accepted by the Board on November 13, 2013. The grant will cover expenses for FY 2014 Emergency Medical Dispatch training.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved the Appropriation Adjustment Order to transfer State grant funds from the Baltimore City Fire Department, Service 602 (Fire Suppression and Emergency Rescue) to the Baltimore City Fire Department, Service 614 (Fire Communications and Dispatch).

MINUTES

PROPOSALS AND SPECIFICATIONS

1. Department of Public Works/
Bureau of Water & Wastewater - WC 1254, Water Infrastructure
Rehabilitation, Various
Locations
BIDS TO BE RECV'D: 02/12/2014
BIDS TO BE OPENED: 02/12/2014

2. Department of Transportation - TR 14018, Materials Testing
2014 Various, Projects
Citywide
BIDS TO BE RECV'D: 02/12/2014
BIDS TO BE OPENED: 02/12/2014

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

President: There being no more business before the Board, the Board will recess until 12 Noon for bid openings. Thank you."

* * * * *

MINUTES

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Bureau of Water & Wastewater - SC 934, Cleaning of the Outfall Interceptor & Relief Sewers, Phase II
BIDS to BE RECV'D: 01/29/2014
BIDS TO BE OPENED: 01/29/2014

Bureau of Water & Wastewater - 1296, Urgent Need Metering Infrastructure Repair and Replacement - Various Locations
BIDS to BE RECV'D: 01/22/2014
BIDS TO BE OPENED: 01/22/2014

Bureau of Purchases - B50003300, Hackathon Events Support
BIDS to BE RECV'D: 02/19/2014
BIDS TO BE OPENED: 02/19/2014

Bureau of Purchases - B50003300, Hackathon Events Support
BIDS to BE RECV'D: 02/19/2014
BIDS TO BE OPENED: 02/19/2014

Bureau of Purchases - B50003272, T-Shirts, Caps & Other Active Wear
BIDS TO BE RECV'D: CANCELLED
BIDS TO BE OPENED: CANCELLED

MINUTES

Bureau of Purchases

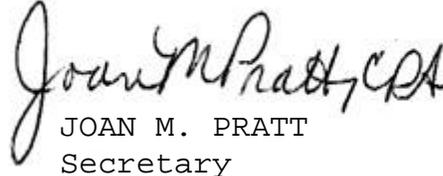
- B50003281, Steel Products
BIDS TO BE RECV'D: 01/22/2014
BIDS TO BE OPENED: 01/22/2014

Bureau of Purchases

- B50003244, Fiber Optic Cable
Material and Supplies
BIDS TO BE RECV'D: 01/22/2014
BIDS TO BE OPENED: 01/22/2014

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There being no objections, the Board UPON MOTION duly made and seconded, the Board adjourned until its next regularly scheduled meeting on Wednesday, January 22, 2014.


JOAN M. PRATT
Secretary