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
Rudy Chow, Director of Public Works - **ABSENT**
David E. Ralph, Deputy City Solicitor
S. Dale Thompson, Deputy Director of Public Works
Bernice H. Taylor, Deputy Comptroller and Clerk

President: "Uh, Good morning. Uh, before we start the uh, Board of Estimates, we want to have a moment, moment of silence for Mr. Arnold Jolivet, who was a fixture here in the Board of Estimates uh, long before um, I became President of the Board of Estimates. Um, always came to um, make it known that um he had issues with um, where it um, pertains to matters of minority businesses. Um, he suddenly passed away and we want to recognize him with a moment of silence. Thank you. Um, Madam Mayor."

Mayor: "Uh, thank you very much, uh Mr. President for uh, remembering Mr. Jolivet with a moment of silence, even though as we knew Mr. Jolivet he was not known for silence, so, I think he will sorely, sorely be missed.

We, um, we laugh and joke and often disagree but, uh, he said to me and I said to him, we both knew where our hearts were and that was in the right place. He was a, a strong advocate for minority business and inclusion, and that's something that is very important to me, and I, I will not forget his advocacy and his willingness to, to fight the good fight, he'll sore -- and he will sorely be missed."

President: "Madam Comptroller."

Comptroller: "Yeah, I would um, Mr. Jolivet's passing was more than a loss for the Jolivet family, it was a loss to Baltimore and its citizens. Mr. Jolivet will always be remembered as a man who um, was completely devoted to leveling the playing field for minorities and women in business and in our economy. He was relentless and served as an example, what it means to be committed to the cause that is not always looked upon favorably. I will especially miss his tenacity, his candor, his vigor, and his determination to prevent unfair competition and non-inclusion of minorities in the procurement of Baltimore City contracts. He was truly a honorable servant, and his voice on behalf of others will be missed."

President: "Thank you. Um, Madam Comptroller, are you ready? Well, um, Good morning. The July 30, 2014 meeting of the Board of Estimates is now called to order. I mean, or I will direct the Board members' attention to the memorandum from my office dated July 28, 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."

City Solicitor: "MOVE approval all 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. In the interest of promoting order and efficiency of these hearings, any persons who are disruptive to the hearings will be asked to leave the hearing room immediately."

MINUTES

BOARDS AND COMMISSIONS

1. 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:

Case Foundation Company	$ 49,356.000.00
Commercial Interiors, Inc.	$ 55,980,000.00
Corman Construction, Inc.	$375,111,000.00
Driscoll Construction Co., Inc.	$212,319,000.00
Dutchland, Inc.	$ 8,000,000.00
E. Pikounis Construction Company, Inc.	$ 26,172,000.00
Klicos Painting Company, Inc.	$ 16,551,000.00
Micon Construction, Inc.	$ 2,943,000.00
Powell's Trucking Company, Inc.	$ 1,500,000.00
Western Summit Constructors, Inc.	$133,875,000.00

BOARDS AND COMMISSIONS – cont'd

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:

AD Engineering, Inc.	Engineer
Center for Watershed Protection, Inc.	Engineer
McKissack & McKissack	Architect Engineer
National Consulting Engineers, LLC	Engineer
Stantec	Landscape Architect Engineer Land Survey
Seth Harry & Associates, Inc.	Architect

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

MINUTES

Office the State's Attorney – Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Memorandum of Understanding (MOU) with the State of Maryland, Department of Public Safety and Correctional Services (DPSCS). The period of the MOU is July 1, 2014 through June 30, 2015.

AMOUNT OF MONEY AND SOURCE:

$194,500.00 – 4000-403715-1150-118100-601001

BACKGROUND/EXPLANATION:

The DPSCS will reimburse the Office of the State's Attorney for salary and benefits of three Assistant State's Attorneys that will work as prosecutors in the Baltimore City Drug Treatment Court Initiative.

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 Memorandum of Understanding with the State of Maryland, Department of Public Safety and Correctional Services.

MINUTES

Office the State's Attorney (OSA) – Grant Awards

The Board is requested to approve acceptance of the various Grant Awards from the State of Maryland, Governor's Office of Crime Control and Prevention. The period of the grant is July 1, 2014 through June 30, 2015.

	Grant	Amount
1.	**PROJECT EXILE**	**$ 65,000.00**

Account: 5000-504815-1150-118000-601001

The grant entitled "Gun Violence Reduction Initiative" will be used to support the salary of one cross-designated Assistant State's Attorney to the U.S. Attorney's Office assigned to handle the prosecution of gun cases as part of the citywide effort to reduce gun violence.

2. **COMPREHENSIVE VIOLENCE PROSECUTION** **$ 2,459,195.00**

Account: 5000-501515-1150-118000-601001

The grant entitled "Comprehensive Violence Prosecution" will be used to support the prosecution of non-fatal shootings, recidivist gun offenders, gun trafficking cases, and homicide cases in Circuit Court. The funding covers the salary and benefits of 21 full-time employees and rent for OSA Office Space.

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.

Kim A. Trueheart

July 29, 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 questionable management and administration by the Office of the State's Attorney for Baltimore City (SAO).

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. Page 4, item #2, Office the State's Attorney (OSA) – Grant Awards
    COMPREHENSIVE VIOLENCE PROSECUTION $ 2,459,195.00, if approved:
        i. The funding covers the salary and benefits of 21 full-time employees and rent for OSA Office Space;
        ii. This action fails to disclose the amount of this grant intended to pay rent for OSA Office Space.
3. How the protestant will be harmed by the proposed Board of Estimates' action: The SAO continues to demonstrate practices which routinely produce BAD outcomes for the underserved citizens of Baltimore City. Most recently the SAO has failed to support ongoing and growing requests for alternative placement of youth detainees by local advocates and defense attorneys. The untenable conditions at the Baltimore City youth detention facility seem to have fallen on deaf ears at the SAO. This action appears to possibly relieve the tax-payers from paying a portion of the outrageous office rent of $89,879.63/month for the swank new SAO offices, yet this good news is not disclosed in the documentation made available to the public. The underserved citizens deserve better results and details about this grant should be made available to the public.

4. Remedy I desire: This agreement should unanimously be DISapproved by this Board until the full details are disclosed to the public including the amount to be applied to rent and the savings realigned to provide quality programs and services to our youth.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on July 30, 2014.

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

OSA – cont'd

3. **CITY CORRECTIONS INVESTIGATIVE UNIT (CCIU) $ 115,000.00**

Account: 5000-505715-1150-118000-601001

The grant entitled "CCIU Prosecutor" will be used to support the CCIU Prosecutor Program which consists of a team of experienced correctional investigators and intelligence officers, state troopers, and prosecutors that will build upon recent investigations and initiate new ones. The grant will provide for the salary and benefits of the CCIU Prosecutors.

4. **INTER-AGENCY WAR ROOM COORDINATION $ 604,452.00**

Account: 5000-504915-1152-137200-601001

The grant entitled "Inter-Agency War Room Coordination" is a cooperative effort among the OSA, the Department of Public Safety and Correctional Services, and the Police Department. This project provides a focused response to violent offenders in the City through a comprehensive program of electronic information sharing that identifies the most violent offenders in the City upon arrest. Currently, the program determines and tracks probation and parole status, apprehension and service of search warrants, judicial prioritization, and criminal case flow management. The funds will be used to provide personnel.

APPROVED FOR FUNDS BY FINANCE

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

OSA – cont'd

UPON MOTION duly made and seconded, the Board approved acceptance of the foregoing Grant Awards from the State of Maryland, Governor's Office of Crime Control and Prevention.

MINUTES

Office the State's Attorney – Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve the expenditure of funds for the Client Protection Fund of the Bar of Maryland, assessments for prosecutors in the State's Attorney's Office.

AMOUNT OF MONEY AND SOURCE:

$26,390.00 – 1001-000000-1151-117900-603026
(203 x $130.00)

BACKGROUND/EXPLANATION:

The Client Protection Fund of the Bar of Maryland was created in 1965 for the purpose of maintaining the integrity and protecting the good name of the legal profession. The Client Protection Fund supported financially by practicing attorneys, reimburses claimants for losses caused by theft of funds by members of the Maryland Bar, acting either as attorneys or as fiduciaries. The payment of the Client Protection Fund assessment is required to practice law in Maryland. The Baltimore City State's Attorney's Office will cover the mandatory Client Protection Fund fee for all prosecutors.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expenditure of funds for the Client Protection Fund of the Bar of Maryland, assessments for prosecutors in the State's Attorney's Office.

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

Owner(s)	Property	Interest	Amount
Dept. of Housing and Community Development (DHCD) – Condemnations			
1. Edward Ruggs	1100 N. Milton Ave.	L/H	$19,000.00
2. Kianna Fowlkes	1426 N. Gay St.	F/S	$17,200.00
3. Nicholas Lodowski	1519 McKean Ave.	L/H	$ 6,180.00

Funds are available in Account No. 9910-910634-9588-900000-704040, Whole Block Demo Project.

4. Clementina Floyd	3313 Woodland Ave.	F/S	$28,000.00
5. Delores Elizabeth Holland	4654 Park Heights Ave.	L/H	$36,250.00

Funds are available in Account No. 9910-918300-9588-900000-704040, Park Heights Project.

Department of Law – Payment of Settlement			
6. Sheryl Sikder (Previous Owner)	2705 Tivoly Ave.	L/H	$ 3,550.00

On October 10, 2012, the Board approved the acquisition of the leasehold interest, by condemnation, in 2705 Tivoly Ave. for the amount of $6,950.00, based upon an independent appraisal report.

However, the mortgage holder produced an appraisal report indicating that the property was worth $15,500.00. The parties agreed to settle the case for $10,500.00. Therefore, the Board is requested to approve an additional $3,550.00 in settlement of this case.

OPTIONS/CONDEMNATION/QUICK-TAKES:

Funds are available in State Funds, account no. 9910-904326-9588-900000-704040, Coldstream Homestead Montebello Project Area.

UPON MOTION duly made and seconded, the Board approved the Condemnations and the Payment of Settlement.

MINUTES

Department of Law – Employee Expense Statement

ACTION REQUESTED OF B/E:

The Board is requested to approve the expense report from Mr. Steven Potter for expenses incurred during the month of October 2013.

AMOUNT OF MONEY AND SOURCE:

$321.02 – 2036-000000-1752-175200-603001

BACKGROUND/EXPLANATION:

Mr. Potter incurred parking, lodging, meals, and mileage expenses and submitted an expense report for October 2013. These expenses are related to the representation of the City before the U.S. Court of Appeals for the Fourth Circuit in Richmond, VA to argue the case of Aaron Ross v. Wayne Early, et al.

This request is late because it was inadvertently overlooked and not submitted within the required time.

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

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expense report from Mr. Steven Potter for expenses incurred during the month of October 2013.

MINUTES

Circuit Court for Baltimore City – Contract

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Contract No. 20B with Behavioral Health System Baltimore, Inc. The period of Contract No. 20B is July 1, 2014 through June 30, 2015 with a renewal option for two additional terms of 1-year.

AMOUNT OF MONEY AND SOURCE:

$262,000.00 - 5000-500715-1100-117400-405001

BACKGROUND/EXPLANATION:

Contract No. 20B will provide for Competency and Responsibility Evaluations for all Court-ordered competency and responsibility evaluations that occur as a result of actions before the Circuit and District Courts in Baltimore City. These evaluations are conducted by the Medical Services Division of the Circuit Court. A principal function of this program is to divert those who would normally be hospitalized in either Clifton T. Perkins Hospital Center or the various regional facilities within the state. In approximately 80% of all referrals, defendants who would be hospitalized from 30-60 days are diverted into either community resources or resources within the local detention centers. The Pre-sentence evaluation portion of Contract No. 20B provides for evaluations after verdicts that provide proper use of outpatient facilities.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Contract No. 20B with Behavioral Health System Baltimore, Inc. The Mayor **ABSTAINED.**

MINUTES

Circuit Court for Baltimore City – Contract

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Contract No. 20A with Behavioral Health System Baltimore, Inc. The period of Contract No. 20A is July 1, 2014 through June 30, 2015 with a renewal option for two additional terms of 1-year.

AMOUNT OF MONEY AND SOURCE:

$634,035.00 - 4000-400515-1100-117300-404001

BACKGROUND/EXPLANATION:

Contract No. 20A will provide for the Forensic Alternative Services Team (F.A.S.T) Program with Behavioral Health System Baltimore, Inc. The F.A.S.T. Program provides mental health evaluation of seriously mentally ill citizens in Baltimore City, who have been arrested for minor crimes and either placed in the Baltimore City Detention Center or the Central Booking Facility.

When indicated, the F.A.S.T. Program arranges with the Court to have the defendant transferred to either a mental health facility as an in-patient or directed to an appropriate outpatient facility. Follow-up over a six-month period by the program is mandatory.

As in the prior year, the F.A.S.T. Program will continue to divert this population from incarceration and the criminal justice system to appropriate mental health treatment resources. By providing such services, the population of mentally ill individuals that are incarcerated has decreased. In addition, approximately 72% of the individuals evaluated and placed through the F.A.S.T. Program do not return to the Criminal Justice System within two-years. This program clearly is a positive contribution to the reduction of trial dockets within the courts and is a humane placement solution of the mentally ill.

Circuit Court for Baltimore City – 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 Contract No. 20A with Behavioral Health System Baltimore, Inc. The Mayor **ABSTAINED.**

MINUTES

Circuit Court for Baltimore City – Subrecipient Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Subrecipient Agreement with Baltimore Substance Abuse Systems, Inc. (BSAS). The period of the Subrecipient Agreement was July 1, 2013 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

$432,620.00 – 4000-400614-1100-119600-404001

BACKGROUND/EXPLANATION:

The Circuit Court for Baltimore City has received a grant for the Addiction Assessment Unit from the BSAS. The funds will be used for personnel cost and other operational costs associated with the Addiction Assessment Unit. The program provides substance abuse assessments ordered by the Court for released defendants to determine their substance abuse and educational needs.

The Subrecipient Agreement is late because of delays in the signatory process and it was recently received from the BSAS.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Subrecipient Agreement with Baltimore Substance Abuse Systems, Inc. The Mayor **ABSTAINED.**

MINUTES

EXTRA WORK ORDERS

* * * * * *

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

2858

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

EXTRA WORK ORDERS

Contract Awd. Amt.	Prev. Apprvd. Extra Work	Contractor	Time Ext.	% Compl.
Bureau of Water and Wastewater				
1. EWO #033, $86,090.00 – W.C. 1168, Deer Creek Pumping Station Improvements				
$23,320,000.00	$964,188.47	Ulliman Schutte Construction, LLC	90 CCD	-
This contract expired January 10, 2014. The new expiration date is April 10, 2014.				
Department of Transportation				
2. EWO #008, $167,212.62 – Project 889, Replacement of Edmondson Avenue Bridge Over Gwynns Falls and CSXT Railroad BC				
$1,068,231.15	$768,400.46	Stantec Consulting, Inc.	-	-

MINUTES

TRANSFERS OF FUNDS

* * * * * *

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

2860 - 2862

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.

The Mayor **ABSTAINED** on item no. 7.

MINUTES

TRANSFERS OF FUNDS

	AMOUNT	**FROM ACCOUNT/S**	**TO ACCOUNT/S**
Department of Recreation and Parks			
1.	**$ 23,471.15** General Fund	9938-913001-9475 Reserve – Unallotted	9938-901720-9474 Active – Athletic Courts & Fields Renovation

This transfer will provide funds to cover the costs associated with Change Order No. 2 for Cimaglia Park, Contract No. RP 08822.

2.	**$ 8,000.00** State	9938-902791-9475 Reserve Playground Renovation FY 10	9938-903791-9474 Active – Park and Playground Renovation FY 10

This transfer will provide funds to cover the costs associated with design services for the Caroline and Hoffman basketball court renovation.

3.	$ 32,500.00 Rec. & Parks 27th Series	9938-916053-9475 Reserve Myers Soccer Pavilion Renovation	
	97,500.00 State	9938-916053-9475 Reserve Myers Soccer Pavilion Renovation	
	$130,000.00	----------	9938-917053-9474 Active Myers Soccer Pavilion Renovation

This transfer will provide funds to cover the costs associated with the HVAC upgrades at Myers Soccer Pavilion.

TRANSFERS OF FUNDS

	AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S
Department of Housing and Community Development (DHCD)			
4.	**$ 500,000.00** 31st CDB	9910-901926-9587 Coldstream, Homestead & Montebello Acquisition & Demolition – Reserve	9910-904326-9588 Coldstream, Homestead & Montebello Acquisition & Demolition

This transfer will move appropriations in accordance with the FY 2015 Ordinance of Estimates to support Coldstream, Homestead & Montebello Acquisition & Demolition efforts performed by the Land Resources Division.

5.	**$ 250,000.00** 31st CDB	9910-912014-9587 Ground Rent Acquisition Res.	9910-907079-9588 Ground Rent Acquisition

This transfer will move appropriation in accordance with the FY 2015 Ordinance of Estimates to support Ground Rent Acquisition efforts by the Land Resource Division.

6.	$2,396,093.34 State	9910-906610-9588 Reservoir Hill	9910-995001-9587 Unallocated Reserve - HCD
	407,948.99 29th CDB	9910-903978-9587 Reservoir Hill Acq. & Stabil. Res.	9910-906610-9588 Reservoir Hill – State
	$2,804,042.33		

The full amount of State appropriations for the Reservoir Hill project is no longer supported by a grant from the State. Therefore, the balance of State appropriation not supported are being moved to HCD's reserve account.

TRANSFERS OF FUNDS

AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S

DHCD – cont'd

Community Development Bonds from Reservoir Hill Acquisition and Stabilization's reserve account are being transferred into the Reservoir Hill-State account in order to balance and close the Reservoir Hill-State account.

Mayoralty-Related/Department of Planning

7.	**$100,000.00** 24th Eco. Dev. Loan Funds	9904-914014-9129 MICA Studio Center Redevelopment - Reserve		9904-920014-9127 MICA Studio Center

This transfer will provide funds to Maryland Institute College of Art for the renovation of the former six story Millwork factory into a state of the art artistic and educational facility on North Avenue just east of Howard Street. MICA's Graduate Studio Center is a 120,000 square foot facility built in the 1900's and acquired in 1998 to use for graduate and undergraduate classrooms and studios. The building is now over 100 years old and is in need of renovations to the interior and exterior, landscaping and outdoor terrace with public seating.

MINUTES

Department of Transportation – Sub-Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Sub-Grant Agreement with the Maryland Department of Transportation for the Baltimore and Potomac Tunnel Federal High Speed Intercity Passenger Rail Grant. The period of performance is effective upon Board approval through June 30, 2017.

AMOUNT OF MONEY AND SOURCE:

$2,000,000.00 - 4000-400015-5011-383000-603050

BACKGROUND/EXPLANATION:

The purpose of this Sub-Grant Agreement is to perform Preliminary Engineering and National Environmental Policy Act analysis for the replacement of the Baltimore and Potomac Tunnel on Amtrak's Northeast Corridor (NEC). The Baltimore and Potomac Tunnel is nearing the end of its useful life, and because of capacity, speed, and safety needs, a replacement tunnel is needed; however, the existing tunnel can be analyzed for its potential for other uses. The Preliminary Engineering and National Environmental Policy Act analysis will provide necessary alternatives analysis and the completion of an Environmental Impact Statement.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Sub-Grant Agreement with the Maryland Department of Transportation for the Baltimore and Potomac Tunnel Federal High Speed Intercity Passenger Rail Grant.

MINUTES

Department of Transportation – Memorandum of Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Memorandum of Agreement among the City, the U.S. Army Corps of Engineers, Baltimore District; and the Maryland State Historic Preservation Officer for the Replacement of Bridge No. BC 6523 Spooks Hill Rd. over Cooper's Run, Baltimore County. The period of the Memorandum of Agreement is effective upon Board approval for five years.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Department of Transportation proposes to replace Bridge No. 6523 Spooks Hill Road over Cooper's Run in Baltimore County, Maryland. These actions will impact jurisdictional waters of the United States and will, therefore, require a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers, Baltimore District, as well as a Nontidal Wetlands and Waterways permit from the Maryland Department of the Environment.

The Maryland State Historic Preservation Officer has determined that the undertaking will have an adverse effect on Bridge No. BC 6523 Spooks Hill Road over Cooper's Run, which is eligible for listing in the National Register of Historic Places. This Memorandum of Agreement will allow for the proposed replacement of Bridge No. 6523 Spooks Hill Road over Cooper's Run subject to certain preservation actions.

Department of Transportation – cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Memorandum of Agreement among the City, the U.S. Army Corps of Engineers, Baltimore District; and the Maryland State Historic Preservation Officer for the Replacement of Bridge No. BC 6523 Spooks Hill Rd. over Cooper's Run, Baltimore County.

MINUTES

Department of Transportation – Emergency Procurement Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Emergency Procurement Agreement with Concrete General, Inc. for TR 14022, Emergency Repairs to Retaining Wall and Associated Infrastructure along 26th Street between North Charles and Saint Paul Streets. The period of the agreement is April 30, 2014 through December 31, 2014.

AMOUNT OF MONEY AND SOURCE:

$11,986,560.88 – 1001-000000-5011-694700-603051

BACKGROUND/EXPLANATION:

This Emergency Procurement Agreement will authorize payment for the 26th Street Emergency Procurement.

At approximately 3:45 PM on Wednesday, April 30, 2014, a portion of a retaining wall located along the south side of 26th Street between North Charles and Saint Paul Streets collapsed onto the neighborhood track. This incident caused damage to railway, roadway, sidewalk, curbs, water main, wastewater line, and gas line infrastructure giving rise to the need to obtain supplies, materials, equipment, and services to address the emergency.

The Director of Transportation will provide an oral report at the Board of Estimates' meeting.

MBE/WBE PARTICIPATION:

The Minority and Women's Business Opportunity Office granted a waiver of the MBE/WBE goals. However, Concrete General, Inc. has committed to put forth Good Faith Efforts towards including minority and women's business enterprises in this effort.

MWBOO GRANTED A WAIVER.

Department of Transportation – cont'd

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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 and authorized execution of the Emergency Procurement Agreement with Concrete General, Inc. for TR 14022, Emergency Repairs to Retaining Wall and Associated Infrastructure along 26th Street between North Charles and Saint Paul Streets.

Kim A. Trueheart

July 29, 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 questionable management and administration within the various 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. Page 20, Department of Transportation – TR 14022 - Emergency Procurement Agreement, if approved:
        i. This agreement is for $11,986,560.88 – 1001-000000-5011-694700-603051;
        ii. This agreement connotes that the scope of work to be funded is emergency work;
        iii. This agreement implies that the scope of work includes past, present and future work which began on April 30, 2014 and is intended to be completed through December 31, 2014;
        iv. This agreement fails to disclose the justification for this work to continue to be deemed an “emergency”;
        v. MWBOO waived the minority/women owned business participation goals;
        vi. MWBOO has failed to disclose the justification for waiving the minority/women owned participation goals;
        vii. The agreement states “Concrete General, Inc. has committed to put forth Good Faith Efforts towards including minority and women's business enterprises in this effort.”;
        viii. The agreement fails to establish goals for Concrete General to attempt to put forth Good Faith Efforts towards;
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 leadership, management and cogent decision making within the various agencies and 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: This agreement be moved to the non-routine agenda and should unanimously be DISapproved by this Board until the scope of work to be performed

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

after July 30, 2014 is re-designated from emergency to routine and the MWBOO establishes goals for minority/women-owned business participation on a new sole source procurement to Concrete General.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on July 30, 2014.

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

Department of Transportation – Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Agreement with Norfolk Southern Railway Company.

AMOUNT OF MONEY AND SOURCE:

$10,000.00 – 9950-916080-9512-900020-706099

BACKGROUND/EXPLANATION:

Norfolk Southern Railway Company and the City are negotiating an agreement (Crossing Agreement) for modification of the grade crossing warning devices located where the City's road intersects with the right-of-way and tracks of the Railway at O'Donnell Street in Baltimore City. The parties desire to commence certain preliminary engineering work needed to develop the details, plans, and/or specifications necessary to complete the Crossing Project.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Agreement with Norfolk Southern Railway Company.

MINUTES

Department of Transportation – Task Assignment No. 3

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 003, to Prime Engineering, Inc./Hardesty & Hanover, LLC (Joint Venture), under Project 1175, On-Call Bridge Design Services.

AMOUNT OF MONEY AND SOURCE:

$30,006.93 – 9950-901299-9508-900020-703032

BACKGROUND/EXPLANATION:

This authorization provides for on-call mechanical and electrical engineering investigation and design services for the movable portions of the Pennington Avenue and Hanover Street Bascule Bridges.

MBE/WBE PARTICIPATION:

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

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.

Department of Transportation – cont'd

TRANSFER OF FUNDS

AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S
$ 30,006.93 MVR	9950-902575-9509 Construction Reserve Hanover Street Drawbridge	9950-901299-9508 Design & Study Hanover Street Bridge Control System

This transfer will provide funds to cover the costs associated with Task No. 003, Project 1175, for On-Call Bridge Design Services, with Prime Engineering, Inc./Hardesty & Hanover, LLC (Joint Venture).

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 003, to Prime Engineering, Inc./Hardesty & Hanover, LLC (Joint Venture), under Project 1175, On-Call Bridge Design Services. 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 – Task Assignment No. 18

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 018, to Rummel, Klepper & Kahl, LLP (RK&K), under Project 1161, On-Call Construction Project Management Services.

AMOUNT OF MONEY AND SOURCE:

$ 65,050.34 – 9950-902412-9506-900010-705032
65,050.35 – 9950-908301-9527-900010-705032
35,000.00 - 9962-906062-9562-900000-705032
$165,100.69

BACKGROUND/EXPLANATION:

This authorization provides for a Quality Assurance Inspector for the Department for one additional year.

MBE/WBE PARTICIPATION:

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

MWBOO SET GOALS OF 32% MBE AND 9% WBE.

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

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

Department of Transportation – cont'd

TRANSFER OF FUNDS

AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S
$ 57,244.30 FED	9950-944002-9507 Constr. Reserve Reserve for Closeouts	
	9950-902412-9507 Constr. Reserve Frederick Avenue Gwynns Falls	
14,311.07 MVR		
$ 71,555.37	----------	9950-902412-9506-5 Frederick Avenue Bridge Over Gwynns Falls

This transfer will provide funds to cover the costs associated with Task 018, Project No. 1161, On-call Construction Project Management Services with RK&K, LLP.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the assignment of Task No. 018, to Rummel, Klepper & Kahl, LLP (RK&K), under Project 1161, On-Call Construction Project Management Services. 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 – Amendment No. 1 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 1 to Agreement with CSX Transportation, Inc. (CSXT).

AMOUNT OF MONEY AND SOURCE:

$634,464.00 – 9950-901363-9508-900010-705099

BACKGROUND/EXPLANATION:

On April 6, 2011, the Board approved an agreement in the amount of $289,304.00 that specified that the CSXT would provide flagging/inspection services. The City agreed to pay for the services; however, the estimated amount was not sufficient to cover all flagging/inspection services provided. The additional flagging/inspection services were required because during the rehabilitation of Sinclair Lane TR03333, it was discovered that the south abutment and wing walls were unstable and tilting forward toward the railroad tracks. These repairs required red line revision and additional contract time which created the need for additional flagging/inspection services by the CSXT. Therefore, the Department is requesting approval of an additional $634,464.00 to pay for flagging/inspection services in connection with TR03333, FAP No. HP-BR-2775(1) E, SHA No. BC 318-016-815, Reconstruction of Sinclair Lane Bridge over CSXT Railroad.

This amendment will increase the amount to $923,768.00 and change the completion date of TR 03333 from December 31, 2013 to December 31, 2015.

APPROVED FOR FUNDS BY FINANCE

Department of Transportation – cont'd

TRANSFER OF FUNDS

AMOUNT	FROM ACCOUNT/S	TO ACCOUNT/S
$158,750.00 Federal	9950-944002-9507 Constr. Reserve for Closeout	
476,250.00 Other	9950-902436-9507 Constr. Reserve – Locust Point Access Road	
$635,000.00	----------	9950-901363-9508 Contingency – Sinclair Lane Bridge

This transfer will provide funds to cover the deficit in the account and fund the project "Sinclair Lane Bridge over CSXT Railroad" for additional flagging/inspection services.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 1 to Agreement with CSX Transportation, Inc. 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 – Amendment No. 4 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 4 to the 2005 Wharfage License Agreement with Harbor Care, LLC.

AMOUNT OF MONEY AND SOURCE:

$502,383.04 – 6000-617415-2303-248700-603026
(Aggregate)

BACKGROUND/EXPLANATION:

On March 30, 2005, the Board approved the 2005 Wharfage Agreement with Harbor Boating, Inc. (HBI) and the Living Classroom Foundation (LCF) for the operation of a Water Taxi and Shuttle Service in the Inner and outer harbor.

On April 22, 2009, the Board approved Amendment No. 1 to the 2005 Agreement which provided for a direct, commuter-oriented point-to-point water taxi service upon selected routes between Maritime Park in Fells Point and Tide Point and between Canton Waterfront Park and Tide Point. Amendment No. 1 also inter alia provided for an increase in Operator fee based on the Urban Consumer Price Index.

On August 11, 2010, the Board approved a Consent of Assignment of the 2005 Agreement as amended, and was executed by the HBI assigning all rights, title, obligations, conditions and interest in the 2005 Agreement, as amended, to Operator and the City and LCF approved the assignment.

On August 10, 2011, the Board approved Amendment No. 2 to provide for a third route and to enter into a Bareboat Charter

Department of Transportation – cont'd

Agreement, which requires the Operator to provide preventative and maintenance services for the vessels, along with allowing bicycles on board, notifications of service delays during inclement weather, signage and marketing responsibilities, and ridership data collection.

On July 16, 2014, the Board approved Amendment No. 3 to provide for an increase to the value of the agreement to account for an increase associated with the Consumer Price Index-Urban (CPI-U) and pay for services provided through the end of the FY 2014.

The entities now wish to amend the agreement to cover the cost of operations, fuel consumed, and the CPI-U in the amount of $502,383.04.

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 4 to the 2005 Wharfage License Agreement with Harbor Care, LLC.

MINUTES

Department of Housing and Community Development – Intergovernmental Land Disposition Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Intergovernmental Land Disposition Agreement with the Housing Authority of Baltimore City (HABC), for the following 12 properties: nine vacant lots located at 403, 405, 407, 409, 411, 413, 415, 417, and 419 E. 21st ½ Street and three 2-story vacant buildings located at 420, 424, & 426 E. 21st Street.

AMOUNT OF MONEY AND SOURCE:

$ 1.00 – 403 E. 21st ½ Street
1.00 – 405 E. 21st ½ Street
1.00 – 407 E. 21st ½ Street
1.00 – 409 E. 21st ½ Street
1.00 – 411 E. 21st ½ Street
1.00 - 413 E. 21st ½ Street
1.00 – 415 E. 21st ½ Street
1.00 – 417 E. 21st ½ Street
1.00 - 419 E. 21st ½ Street
1.00 - 420 E. 21st Street
1.00 - 424 E. 21st Street
1.00 – 426 E. 21st Street
$12.00 – payment at the time of settlement

The City will convey all of its rights, title, and interest in the properties.

BACKGROUND/EXPLANATION:

The HABC is in the process of redeveloping its inventory of scattered site public housing units in the Barclay Neighborhood. In order to enhance the revitalization of the neighborhood, the

DHCD – cont'd

DHCD and HABC have identified properties owned by the City for inclusion in the Barclay Redevelopment Project. The HABC issued a Request for Qualifications (RFQ) in 2005 seeking qualified development teams to manage the redevelopment of the Barclay Neighborhood and selected Telesis Baltimore Corp. (the developer) as the development team for this project. Upon selection, Telesis worked with the community, the HABC, the DHCD, and the Department of Planning to create a neighborhood revitalization plan. The project will include a mix of rehabilitated row homes and new construction, as well as a mix of affordable and market-rate rental and homeownership units.

The authority to sell these properties is within Article 13, § 2-7 (h) (2) (ii) (C) of the Baltimore City Code and the Barclay Urban Renewal Plan.

STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW APPRAISED VALUE:

N/A – Pursuant to Baltimore City's Appraisal policy, "unimproved real property with an assessed value of $2,500.00 or less will not require an appraisal." 403, 405, 407, 409, 411, 413, 415, 417, and 419 E. 21st ½ Street are vacant lots assessed for $1,000.00 each and are being sold for $1.00 each in furtherance of the HABC's redevelopment efforts.

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

420, 424, and 426 E. 21st Street are being sold for $1.00 each. Pursuant to Baltimore City's Appraisal policy, the waiver valuation process determined the price for each property to be $4,867.00.

DHCD – cont'd

The properties are to be conveyed from the Mayor and City Council of Baltimore City to the Housing Authority of Baltimore City for below the valuation waiver price to allow for the redevelopment for the Barclay Neighborhood. This sale will provide the following benefits:

- this development will eliminate neighborhood blight caused by City-owned vacant buildings,
- renovations will be to the specific benefit of the immediate community, and
- return the properties to the tax rolls with their eventual sale to Telesis.

The properties are being sold for less than the price determined by the waiver valuation process because of their condition, which will require extensive and immediate remediation.

MBE/WBE PARTICIPATION:

The HABC 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 Intergovernmental Land Disposition Agreement with the Housing Authority of Baltimore City (HABC), for the following 12 properties: nine vacant lots located at 403, 405, 407, 409, 411, 413, 415, 417, and 419 E. 21st ½ Street and three 2-story vacant buildings located at 420, 424, & 426 E. 21st Street.

MINUTES

Health Department – Intergovernmental Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Intergovernmental Agreement with Coppin State University. The period of the agreement is July 1, 2014 through June 30, 2015.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Coppin State University Rehabilitation Counseling Program will serve as a Volunteer Station for the Retired and Senior Volunteer Program (RSVP).

The Health Department's RSVP is awarded funds to pay administrative staff to arrange volunteer work with other non-profit, private agencies, and organizations where services are performed by persons 55 years of age and older.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Intergovernmental Agreement with Coppin State University.

MINUTES

Health Department – Updated Unified Funding Document for FY 2014

ACTION REQUESTED OF B/E:

The Board is requested to accept the Updated FY 2014 Unified Funding Document for grants for the period ending June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

The funding is provided by the State of Maryland Department of Health and Mental Hygiene. The amount of each grant is as follows:

GRANT DESCRIPTION	TYPE OF ACTION	AMOUNT OF ACTION	TOTAL AWARD
Children Adolescent Health Advocacy	Supplement	$ 95,818.00	$ 95,818.00
School Health Nurse	Supplement	40,143.00	$ 40,143.00
Administrative Care Coordination	Reduction	(230,933.00)	$3,274,567.00
RW B – Health Support Services	Reduction	(115,223.00)	$1,416,864.00
RW B – Health Support Services	Supplement	930,962.00	$2,952,050.00
MD Public Health Strategy for Climate	New	15,000.00	$ 15,000.00
Patch Tobacco Initiative	New	18,000.00	$ 18,000.00
		$753,767.00	

Health Department – cont'd

BACKGROUND/EXPLANATION:

As the fiscal year progresses, supplements, modifications, and/or reductions will be processed through the granting administrations with revised Unified Funding Awards being issued. The most current Unified Funding Document will be the official award of record.

MBE/WBE PARTICIPATION:

N/A

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 accepted the Updated FY 2014 Unified Funding Document for grants for the period ending June 30, 2014.

Mayor's Office of Employment – Grant Awards
Development (MOED)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of the various Grant Awards from the State of Maryland, Department of Labor, Licensing and Regulation. The period of the Grant Award is July 1, 2014 through June 30, 2015.

1. **YOUTH WORKS 2014 PROGRAM** **$ 230,496.00**

   Account: 4000-807815-6397-456000-404001

2. **YOUTH WORKS 2014 PROGRAM** **$1,130,000.00**

   Account: 5000-506315-6397-483200-405001

MOED will utilize the funds for the Youth Works 2014 Program Year. The costs associated with the program will provide eligible youth with summer jobs at various approved work sites.

3. **OUT OF SCHOOL YOUTH OPERATIONS** **$ 11,676.92**

   Account: 5000-506214-6397-483200-405001

   The funds will be utilized to supplement the costs associated with programs funded through the Workforce Investment Act for Out-of-School Youth Operations in the 2013 Program Year. These costs may have been affected by the 2013 sequestration period and require additional funding to compensate the reduction. The period of the Grant Award is July 1, 2013 through June 30, 2014.

The Grant Awards are late because of late notification of approval from the grantor.

APPROVED FOR FUNDS BY FINANCE

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

MOED – cont'd

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the foregoing Grant Awards from the State of Maryland, Department of Labor, Licensing and Regulation.

MINUTES

Bureau of Water and Wastewater – Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to pay AMTRAK.

AMOUNT OF MONEY AND SOURCE:

$32,685.96 – 2070-000000-5501-604300-603026

BACKGROUND/EXPLANATION:

The work on Sanitary Contract 876, Rehabilitation and Cleaning of Lower Jones Falls Sewer required accessing City infrastructure located on AMTRAK property. AMTRAK required that work performed on their property be staffed by their flagmen and inspectors at the City's expense. This request is for authorization to pay the balance due for these services.

APPROVED FOR FUNDS BY FINANCE

AUDIT REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay AMTRAK.

MINUTES

Bureau of Water and Wastewater – On-Call Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an On-Call Agreement with Whitman, Requardt & Associates LLP for Project 1178W On-Call Civil/Structural Engineering Services. The period of the agreement is effective upon Board approval for 36 months, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

$1,498,065.26

BACKGROUND/EXPLANATION:

The City wishes to retain Whitman, Requardt & Associates, LLP for on-call civil/structural engineering services for various water and wastewater facilities projects including, treatment plant, pumping stations and utilities, which may include planning, design, and construction phase services. Services will include review of available information, project management, investigations, design, emergency service, report preparation, and contract documents, including construction cost estimates, permit applications and services during construction. The consultant was approved by the Office of Boards and Commissions and Architectural and Engineering Award Commission.

MBE/WBE PARTICIPATION:

The Contractor will comply with the MBE/WBE goals of 27% and 10% respectively, established in this agreement:

MBE: Sub-Goals: AA: 15%, AsA: 8% and HA: 4%

MBE:	AA Bryant Associates, Inc.	15%
	AsA Dhillon Engineering, Inc.	8%
	HA Mercado Consultants, Inc.	4%
	Total	**27%**

BW&WW – cont'd

WBE:	Carroll Engineering, Inc.	7%
	The Robert Balter Co.	3%
	Total	**10%**

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE ON-CALL AGREEMENT AND WILL REVIEW TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the On-Call Agreement with Whitman, Requardt & Associates LLP for Project 1178W On-Call Civil/Structural Engineering Services.

MINUTES

Bureau of Water and Wastewater – Amendment No. 1 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of Amendment No. 1 to Agreement with Patton Harris Rust & Associates/Hazen and Sawyer, P.C. for WC 1168, Post Award Services for Deer Creek Pumping Station Improvements.

AMOUNT OF MONEY AND SOURCE:

$317,543.62 – Water Revenue Bonds
214,594.75 – Baltimore County
57,488.63 – Harford County
$589,627.00 – 9960-904727-9557-900020-702064

BACKGROUND/EXPLANATION:

Over the course of construction of the rehabilitation of the Deer Creek Pumping Station, a number of unforeseen conditions have arisen that have required prompt responses so as not to delay the contractor's work activities by the Patton Harris Rust & Associates/Hazen and Sawyer, P.C. A Joint Venture (JV) that was not within the Post Award Services Agreement. Some of the responses required design modifications as a result of changed conditions encountered in the field that did not agree with the City's record drawings.

The JV assisted to resolve disputes with the contractor relative to the contractor's furnishing of key specified equipment. Technical services such as pump testing will be required during the warranty phase that in the past had historically been provided by the City's personnel, but are no longer available.

BW&WW – cont'd

MBE/WBE PARTICIPATION:

The Consultant will comply with all terms and conditions of the MBE/WBE Programs in accordance with Baltimore City Code, Article 5, Subtitle 28.

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 Amendment No. 1 to Agreement with Patton Harris Rust & Associates/Hazen and Sawyer, P.C. for WC 1168, Post Award Services for Deer Creek Pumping Station Improvements.

MINUTES

Parking Authority for Baltimore City (PABC) – Human Resources Services Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Human Resources Services Agreement with The Singer Group, Inc. to provide certain human resource consulting services. The period of the agreement is effective the tenth day after Board approval.

AMOUNT OF MONEY AND SOURCE:

$35,980.00 – 2076-000000-2321-252800-607001

BACKGROUND/EXPLANATION:

The Parking Authority was created by ordinance in 2000, and became fully operational in late 2002. At the time of its creation, staffing and compensation for the PABC was developed on an anticipated need and value basis. In 2008, the PABC had a thorough evaluation and standardization of the compensation and benefits packages provided to each position within the PABC.

Since 2008, the PABC has evolved as an organization, doubling the total number of positions and acquiring valued personnel. Staffing and compensation have not received a comprehensive evaluation since the 2008 study. The PABC is seeking to update the comprehensive and standardized system of classification and compensation for all positions of employment within the PABC.

The PABC issued a Request for Proposals for the service. Three human resources services vendors responded to the Request for Proposals. The Singer Group, Inc.'s proposal was determined to be the most advantageous to the PABC and was the least expensive. The Singer Group, Inc.'s proposal was recommended to the PABC Board of Directors which approved the negotiation of this agreement.

Parking Authority for Baltimore City – 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 Human Resources Services Agreement with The Singer Group, Inc. to provide certain human resource consulting services.

Mayor's Office of Human Services (MOHS) – Agreements

The Board is requested to approve and authorize execution of the various Agreements.

Continuum of Care Program Agreements

1. **MERCY MEDICAL CENTER** **$278,002.92**

Account: 4000-496213-3571-591465-603051

Mercy Medical Center will provide housing assistance and support services to 60 families. On March 12, 2014, the Board approved an advance to the organization in the amount of $52,297.58. This award in the amount of $278,002.92 makes the total contract amount $330,300.50. The prior Contract No. was 35654. The new Contract No. is 36321. The period of the Continuum of Care Program Agreement is February 1, 2014 through January 31, 2015.

2. **YWCA OF THE GREATER BALTIMORE AREA, INC. (YWCA)** **$137,028.38**

Account: 4000-496214-3572-591461-603051

The YWCA will provide housing assistance and support services to 19 families. On March 12, 2014, the Board approved an advance to the organization in the amount of $25,777.62. This award in the amount of $137,028.38 makes the total contract amount $162,806.00. The prior Contract No. was 35657. The new Contract No. is 36350. The period of the Continuum of Care Program Agreement is February 1, 2014 through January 31, 2015.

MWBOO GRANTED A WAIVER.

MOHS – cont'd

3. **BEHAVIORAL HEALTH SYSTEMS BALTIMORE, INC.** **$678,164.02**

Account: 4000-496314-3573-591236-603051

The organization will provide housing assistance and support services to 112 families or individual adults. On March 12, 2014, the Board approved an advance to the organization in the amount of $266,421.48. The advance listed the former name of the organization, which was the Baltimore Mental Health Systems, Inc. The new name is The Behavioral Health Systems Baltimore, Inc. This award in the amount of $678,164.02 makes the total contract amount $944,585.50. The prior Contract No. was 35638. The new Contract No. is 36295. The period of the Continuum of Care Program Agreement is April 1, 2014 through March 30, 2015.

MWBOO GRANTED A WAIVER.

4. **DAYSPRING PROGRAMS, INC.** **$452,832.68**

Account: 4000-496314-3573-591236-603051

Dayspring Programs, Inc. will provide housing assistance and support services to 45 families or individual adults. On March 12, 2014, the Board approved an advance to the organization in the amount of $138,790.57. This award in the amount of $452,832.68 makes the total contract amount $591,623.25. The prior Contract No. was 35637. The new Contract No. is 36294. The period of the Continuum of Care Program Agreement is April 1, 2014 through March 30, 2015.

MWBOO GRANTED A WAIVER.

MOHS – cont'd

5. **MARIAN HOUSE, INC.** **$170,844.87**

Account: 4000-496214-3572-591419-603051

Marian House, Inc. will provide housing assistance and support services to four families and 42 individuals. On March 12, 2014, the Board approved an advance in the amount of $32,139.13. This award in the amount of $170,844.87 makes the total contract amount $202,984.00. The prior Contract No. was 35653. The new Contract No. is 36319. The period of the Continuum of Care Program Agreement is February 1, 2014 through January 31, 2015.

MWBOO GRANTED A WAIVER.

6. **MARIAN HOUSE, INC.** **$ 48,892.90**

Account: 4000-496214-3572-591419-603051

Marian House, Inc. will provide housing assistance and support services to 14 families and ten individuals. On March 12, 2014, the Board approved an advance in the amount of $9,175.10. This award in the amount of $48,892.90 makes the total contract amount $58,068.00. The prior Contract No. was 35659. The new Contract No. is 36324. The period of the Continuum of Care Program Agreement is March 1, 2014 through February 28, 2015.

MWBOO GRANTED A WAIVER.

7. **MARIAN HOUSE, INC.** **$ 32,512.00**

Account: 4000-496214-3573-591419-603051

Marian House, Inc. will provide housing assistance and support services to nine families and two adult individuals. The period of the Continuum of Care Program Agreement is June 1, 2014 through May 31, 2015.

MOHS – cont'd

The Continuum of Care Program Agreements are late because the award of funding was recently received from the U.S. Department of Housing and Urban Development.

EMERGENCY TRANSITIONAL HOUSING SERVICE AGREEMENT

8. **BALTIMORE OUTREACH SERVICES, INC. $155,000.00**

Account: 5000-529115-3572-333764-603051

The organization will use the funds to operate a 40-bed, 24-hour, 7 day a week emergency shelter for women and children. The period of this Agreement is July 1, 2014 through June 30, 2015.

MWBOO GRANTED A WAIVER.

SERVICE LINKED HOUSING GRANT AGREEMENTS

9. **ST. VINCENT DE PAUL OF BALTIMORE, INC. $ 25,795.00**

Account: 5000-525114-3573-333729-603051

The organization will use the funds to pay the salary of the Resident Advocate of its Home Connections Program, which provides service linkages to housing, case management services, and other support services. The period of this Agreement is July 1, 2014 through June 30, 2015.

10. **COMMUNITY HOUSING ASSOCIATES INC. $ 33,450.00**

Account: 5000-525114-3573-333755-603051

The organization will use the funds to pay for a portion of the salary of its Resident Advocate who will provide service linkages for its homeless clients participating in its homeless programs. The period of this Agreement is July 1, 2014 through June 30, 2015.

MOHS – cont'd

These Agreements are late because of delays at the administrative level.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing Agreements. The Mayor **ABSTAINED** on item nos. 3 and 8.

Department of Communication Services – Amendment to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Amendment to the Agreement with the Millennium Technologies, LLC. (Millennium). The period of the Amendment is July 1, 2014 through June 30, 2015 with an option to extend the agreement for one additional year. The Board is also requested to authorize payment by Expenditure Authorization.

AMOUNT OF MONEY AND SOURCE:

$407,904.00 – ($33,992.00 per month) Maintenance service

$ 7,000.00 – monthly estimated equipment services charged to various agency accounts

Account: 2039-000000-1330-158400-603084

BACKGROUND/EXPLANATION:

On June 21, 2012, the Board approved a one-year contract extension with Millennium for the period July 1, 2012 through June 30, 2013 with a one-year option to renew. Millennium has been providing installation of equipment and changes to equipment, as needed. The City's voice infrastructure is in poor condition in many locations. The Millennium has extensive knowledge and experience with the City's voice infrastructure and existing equipment. The continued maintenance and service by this vendor is necessary because of the age of the City's system. This request was delayed because of negotiations on service delivery models.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

Department of Communication Services – cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Amendment to the Agreement with the Millennium Technologies, LLC (Millennium).

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

1. TIPCO TECHNOLOGIES, INC. $10,000.00 Low Bid

Solicitation No. 07000 – Band-it Materials – Department of Transportation – Req. No. R601393

On August 8, 2012, the City Purchasing Agent approved the initial award in the amount of $10,000.00. The award contained two 1-year renewal options. On May 17, 2013, the City Purchasing Agent approved an increase in the amount of $5,000.00. On August 23, 2013, the City Purchasing Agent approved the first renewal in the amount of $9,000.00. An increase in the amount of $10,000.00 was approved by the Board on June 11, 2014. This renewal in the amount of $10,000.00 is for the period August 6, 2014 through August 5, 2015.

2. TRIFLOW CORPORATION $48,620.00 Sole Source

Solicitation No. 08000 – Hydroheater – Department of Public Works – Req. No. R670345

The agency has the requirement for procuring OEM equipment. The vendor is the sole authorized supplier/distributor of these items in our area. Therefore, the Board is requested to approve a sole source award.

3. KAPLAN LEARNING COMPANY $ 8,657.45 Renewal

Solicitation No. 08000 – Devereux Web-Based Software and License – Mayor's Office of Human Services – Req. No. R668956

On August 31, 2011, the City Purchasing Agent approved the initial award in the amount of $10,368.45. The award contained four 1-year renewal options. On July 31, 2012, the City

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

Purchasing Agent approved the first renewal in the amount of $11,164.95. On August 14, 2013, the Board approved the second renewal in the amount of $11,459.95. This renewal in the amount of $8,657.45 is for the period September 1, 2014 through August 31, 2015, with one 1-year renewal option remaining.

4. PROTEC CONSTRUCTION, INC. $31,000.00 Low Bid
Solicitation No. B50003605 – Brokerage Annex 2nd & 4th Floor Renovations – Department of General Services – Req. R665208.

The period of the award is July 30, 2014 through completion (65 days from the P.O. date).

5. COST PLANS PLUS, LLC $ 19,000.00 Extension
Contract No. 06000 – Cost Allocation Accounting Plans – Department of Finance – P.O. No. P524060

On July 21, 2010, the Board approved the initial award in the amount of $28,500.00. The award contained one 1-year renewal option. On October 12, 2012, the City Purchasing Agent approved an increase in the amount of $9,500.00. On June 26, 2013, the Board approved the sole renewal option in the amount of $9,500.00. The Contractor has proprietary software and all historical data to provide cost allocation plans in accordance with the Federal Office of Management and Budget Circular OMB-A87. This extension will allow time to incorporate recommendations resulting from the Mayor's Ten Year Financial Plan and comply with the Memoranda of Understanding with the City employee unions, in conjunction with other benefit contracts and commitments. The above amount is the City's estimated requirement. The period of the extension is July 21, 2014 through July 20, 2016.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	**AMOUNT OF AWARD**	**AWARD BASIS**

Bureau of Purchases

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.

6. CORRECT RX PHARMACY SERVICES $100,000.00 Increase

Contract No. B50003174 – Provide Ortho Products – Health Department – P.O. No. P525598

On December 11, 2013, the Board approved the initial award in the amount of $40,000.00. The award contained three 1-year renewal options. This increase in the amount of $100,000.00 will allow multiple programs to use the blanket purchase order and will make the award amount $140,000.00. The above amount is the City's estimated requirement.

7. ALWAYS RECYCLING, LLC Revenue Generating Renewal

Contract No. B50001505 – Provide Pickup & Payment for Unclean Brass Water Meters - Department of Public Works - P.O. No. P515136

On September 22, 2010, the Board approved the initial award in the amount of $0.00. The award contained two 1-year renewal options. On August 29, 2012, the Board approved the first renewal in the amount of $0.00. This final renewal in the amount of $0.00 is for the period September 30, 2014 through September 29, 2016.

MWBOO GRANTED A WAIVER.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

8. ARUNDEL SERVICES, INC.
d/b/a ACTION ELEVATOR CO. $ 16,475.88 Ratification
Contract No. 06000 – Emergency Procurement of Elevator Preventative Maintenance Repair Services – Departments of General Services and Public Works, Baltimore Convention Center and others – P.O. Nos. P527417

On May 8, 2014, the City Purchasing Agent approved the initial award in the amount of $24,999.00. The City's current vendor providing Preventative Maintenance and Repair Services for Elevators suspended the services from April 30, 2014 until June 30, 2014 due to disputes in performance requirements. This contract was awarded in order to take care of immediate emergency services requirements for City elevators during this period. The City's current vendor has resumed performance. The ratification in the amount of $16,475.88 is necessary to pay the outstanding invoices of the vendor that exceeded the initial amounts. The above amount is the City's estimated requirement. The contract expired on July 1, 2014.

MWBOO GRANTED A WAIVER.

9. CA, INC. $ 90,000.00 Renewal
Contract No. 08000 – Maintenance of Computer Associates Software – Mayor's Office of Information Technology – Req. No. R552151

On August 25, 2010, the Board approved the initial award in the amount of $116,495.79. The software is used for the City's IBM mainframe. The award contained two 1-year renewal options. On July 19, 2013, the Board approved the first renewal in the amount of $90,000.00. This final renewal in the amount of $90,000.00 is for the period August 25, 2014 through August 24, 2015.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	**AMOUNT OF AWARD**	**AWARD BASIS**

Bureau of Purchases

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. PORT NETWORKS, INC. $ 90,626.00 Award

Contract No. 06000 – Inner Harbor Wi-Fi Project – Mayor's Office of Information Technology – Req. No. R671084

This is for the procurement of Wi-Fi hardware and installation for the City's most populated tourism center, the Inner Harbor.

This project must be completed by September 1, 2014 to be in place for the Star Spangled Spectacular 2014 event. This vendor is the only vendor among the few vendors that are already familiar with the City's infrastructure, fiber, and connectivity network, capable of meeting the required scheduling constraints. The period of the award is June 30, 2014 through June 29, 2015. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

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.

Kim A. Trueheart

July 29, 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 of the item described below from this week's Board of Estimates agenda and my request for information under the Maryland Public Information Act, State Government Article §§10-611 to 628.

The following details are provided to initiate this action as required by the Board of Estimates and I fully understand that the details in paragraphs 1-4 are NOT required by the Maryland Public Information Act:

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 54, Item# 10, Bureau of Purchases - Contract No. 06000 – Inner Harbor Wi-Fi Project, if approved:
        i. This action demonstrates the flawed and misaligned spending prioritization of scarce municipal funds by this administration;
        ii. This action demonstrates a flawed investment strategy by this administration which again fails to serve the grossly underserved needs of our neighborhoods and youth;
        iii. This action fails to align with any of the outcome based budgeting objective established for the fiscal year;
        iv. This action fails to disclose that it is aligned with the MOIT's strategic vision and plan for Baltimore City.
        v. Please provide access to the Req. No. R671084 for inspection;
3. How the protestant will be harmed by the proposed Board of Estimates' action: I am an underserved, disparately treated, over-taxed citizen of Baltimore City and a victim of poor fiscal planning, management and administration by the Mayor's Office of Information Technology (MOIT).
4. The remedy I seek and respectfully request is that this action be withdrawn until MOIT outlines its comprehensive strategic vision and plan to install Wi-Fi for all of Baltimore City.

If all or any part of this request is denied, I request that I be provided with a written statement of the grounds for the denial. If you determine that some portions of the requested records are exempt from disclosure, please provide me with the portions that can be disclosed.

5519 Belleville Ave
Baltimore, MD 21207

I also anticipate that I will want copies of some or all of the records sought. Therefore, please advise me as to the cost, if any, for obtaining a copy of the records and the total cost, if any, for all the records described above. If you have adopted a fee schedule for obtaining copies of records and other rules or regulations implementing the Act, please send me a copy. Electronic copies are acceptable.

I look forward to reviewing disclosable records promptly and, in any event, to a decision about all of the requested records within 30 days. Thank you for your cooperation.

If you have any questions regarding this request, please telephone me at (410) 205-5114.
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Sincerely,
Kim Trueheart, Citizen & Resident

5519 Belleville Ave
Baltimore, MD 21207

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

11. BALTIMORE GAS AND ELECTRIC COMPANY $1,000,000.00 Renewal

Contract No. 08000 – Requirements for Street Lights Rehabilitation – Department of Transportation – P.O. No. P517775

On April 13, 2011, the Board approved the initial award in the amount of $2,100,000.00. The award contained four 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of $1,000,000.00 is for the period August 1, 2014 through July 31, 2015, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

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.

12. COURTSMART DIGITAL SYSTEMS, INC. $453,081.23 Sole Source/ Agreement

Solicitation No. 08000 – Baltimore City Circuit Court System Refresh – Req. No. R659224

The Board is requested to approve and authorize execution of an Agreement with CourtSmart Digital Systems, Inc. The period of the agreement is August 1, 2014 through July 31, 2015 with two 1-year renewal options.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

The CourtSmart Digital Recording System is currently in use at the Mitchell Courthouse, Courthouse East, and the Department of Juvenile Services buildings. The units are past their expected end-of-life service and need to be replaced immediately. The manufacturers do not make parts for most of the servers so replacement is necessary. CourtSmart Digital Systems, Inc. is the sole provider of the digital recording system and software used for the courts and no other vendor can provide the upgrade for the existing equipment. The above requested amount is for the updates and for a year of maintenance and support for the system.

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.

13. GARTNER, INC. $ 85,200.00 Agreement

Solicitation No. 08000 – Executive Program Credential Service Agreement – Mayor's Office of Information Technology (MOIT) – Req. No. R653613

The Board is requested to approve and authorize execution of an agreement with Gartner, Inc. The period of the agreement is August 1, 2014 through July 31, 2015, with one-year renewals at the sole discretion of the City.

This agreement will provide Gartner, Inc. access to research uniquely focused to enhance CIO productivity with access to strategic research and peer-group networking that will assist MOIT in strategic planning, service improvements, and minimizing risk when implementing new initiatives.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Solicitation No. 08000 – cont'd

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

The first item on the non-routine agenda can be found on Page 58, Informal Awards, Renewals, Increases to Contracts, and Extensions, Item No. 13, Solicitation No. 08000, Executive Program Credential Services Agreement, Mayor's Office of Information Technology. Will the parties please come forward?"

Mayor: "I think you skipped 56."

President: "Fifty-six. Page 56."

Tim Krus: "Tim Krus, City Purchasing Agent. This is um, an award of $85,200.00 to Gartner, and it is the um, ongoing um, agreement with Gartner to provide this service, which it is already been providing to the Mayor's Office of Information Technology."

President: "Madam Comptroller."

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Solicitation No. 08000 – cont'd

Comptroller: "Sure, um, Mr. Krus, I sent some questions to you. Um --"

Mr. Krus: "Madam Comptroller, we did just respond this morning while you were in the mini-meeting."

Comptroller: "Oh, you responded while I was --"

Mr. Krus: "To those two additional follow-ups, yes."

Comptroller: "Oh, I haven't had a chance to read it, so I --"

Mr. Krus: "I understand."

Comptroller: "Okay. So maybe you can answer them now. Uh, I sent you a question, number three, which reads, "Will strategy meetings, um, analyst inquiries or any other contract with Gartner include information on voice-over IP or voice-over IP implementation? Your response was 'While there is currently no specific plan to do so, as the capabilities are developed around unified communication, the potential to include voice-over IP exists.' I'm requesting that if you have discussions

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Solicitation No. 08000 – cont'd

about voice-over IP with Gartner, that number one, you inform me prior to the discussion and number two, if the discussions allow for inclusion of others -- strategy meeting, uh, analyst inquiries -- that the MTE be included in those discussions."

Mr. Jerome Mullen: "I can make sure that happens."

Comptroller: "Okay."

President: "Please state your name."

Mr. Jerome Mullen: "Jerome Mullen, Acting Director for the Mayor's Office of Information Technology."

President: "Okay. I entertain a Motion."

City Solicitor: "MOVE approval of the item as submitted by the Bureau of Purchases."

Deputy Director DPW: "Second."

President: "All those in favor say AYE. All those opposed NAY. The Motion carries."

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

14. GARTNER, INC. $ 33,800.00 Agreement

Solicitation No. 08000 – Gartner for IT Leaders Agreement – Mayor's Office of Information Technology (MOIT) – Req. No. R635622

The Board is requested to approve and authorize execution of an Agreement with Gartner, Inc. The period of the agreement is August 1, 2014 through July 31, 2015, with one-year renewals at the sole discretion of the City.

On August 14, 2013, the Board approved the initial award in the amount of $33,800.00. This renewal is for the continuation of access to Gartner's unique research database which will enhance MOIT in areas including enterprise architecture, applications, network security, and risk management for key initiatives that will improve stability and further advance the City's network infrastructure.

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.

President: "Uh, the second item on the non-routine agenda can also be found on Page 56, Informal Awards, Renewals, Increases to Contracts and Extends, Extensions, Item 14, Solicitation No. 08000, Gartner for IT Leaders Agreement, Mayor's Office of Information Technology. Will the parties please come forward?"

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Solicitation No. 08000 – cont'd

Mr. Tim Krus: "Tim Krus, City Purchasing Agent. This is a $33,800.00 award for the Gartner for IT Leaders Program, which is separate from the program that we had just discussed. There is no overlap between the two, and this program also, let me adjust my mic -- and this provides um, additional uh research support for the Mayor's Office of Information Technology."

President: "Madam Comptroller."

Comptroller: "Uh, I also sent you a question on number four, where I asked, 'Under the renewal that is requested, will Gartner be using this for research for voice-over IP or voice-over IP implementation?' and you responded, 'There's currently no plan to utilize the Gartner engagement for voice-over IP implementation.' And I'm requesting that, if at any time, you decide you want to utilize Gartner for voice-over IP research or voice-over IP implementation, number one that you inform me

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Solicitation No. 08000 – cont'd

prior to the discussion and number two, if the discussions allow for inclusion of others, strategy meetings, analysis -- analyst inquiries, that the MTE be included in those discussions."

Mr. Jerome Mullen: "Jerome Mullen, Acting Director for the Mayor's Office of Information Technology, and I will make sure to include your office."

Comptroller: "Okay. Thank you."

President: "I will entertain a Motion."

City Solicitor: "MOVE approval of item, of the item on Page 56, No. 14, as it is proposed by the Bureau of Purchases."

Deputy Director DPW: "Second."

President: "All those in favor say AYE. All opposed NAY. The Motion carries."

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

15. RUDOLPH'S OFFICE & COMPUTER SUPPLY, INC. $3,000,000.00 Renewal

Contract No. B50001027 – J.I.T. Office Supplies – Agencies – Various Citywide – P.O. No. P511280

On July 1, 2009, the Board approved the initial award in the amount of $1,423,280.00. The award contained one 1-year renewal option. Subsequent increases have been approved. This sole renewal in the amount of $3,000,000.00 is for the period August 1, 2014 through July 31, 2015. The above amount is the City's estimated requirement.

MWBOO SET GOALS OF 5% MBE AND 0% WBE.

MBE: Sutherland Data Products, Ltd. 3.8%
Sym, Inc. 1.6%

MWBOO FOUND VENDOR IN COMPLIANCE.

16. ANNE CLEWELL GRAPHIC DESIGN, LLC $ 16,102.00 Renewal

Contract No. B50002010 – Typeset Comprehensive Annual Financial Report – Department of Finance – Req. No. R670541

On August 10, 2011, the Board approved the initial award in the amount of $48,306.00. The award contained two 1-year renewal options. On September 26, 2013, the City Purchasing Agent approved an increase in the amount of $3,300.00. This renewal in the amount of $16,102.00 is for the period August 10, 2014 through August 9, 2015, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

17. ADP, INC. $2,000,000.00 Increase

Contract No. 08000 – Automatic Data Processing Human Resources Systems Licensing – Department of Human Resources – Req. No. R668882

On July 25, 2007, the Board approved the initial award in the amount of $1,600,000.00. Subsequent increases, a renewal, and an amendment have been approved. The vendor is the sole provider of licensing, maintenance, and support of proprietary software for the Automatic Data Processing Human Resources Systems Software in use by the Department of Human Resources. This request is for Fiscal Year 2015 funding. This increase in the amount of $2,000,000.00 will make the award amount $14,511,888.00. The contract expires June 30, 2015. The above amount is the City's estimated requirement.

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.

18. ADP, INC. $2,500,000.00 Increase

Contract No. 08000 – Human Resource Information, E-time and Enterprise Payroll Systems Licensing – Finance Department – Req. No. R671431

On August 15, 2007, the Board approved the initial award in the amount of $1,600,000.00. Subsequent increases, a renewal, and an amendment have been approved. The vendor is the sole provider of licensing, maintenance and support of proprietary software for the Human Resource Information, E-time and

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

Enterprise Payroll Systems in use by the Bureau of Accounting and Payroll Services. This request is for Fiscal year 2015 funding. This increase in the amount of $2,500,000.00 will make the award amount $17,822,221.28 and is for the period July 1, 2014 through June 30, 2015. The contract expires on June 30, 2015. The above amount is the City's estimated requirement.

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.

19. MCGLADREY, LLP $1,200,000.00 Increase

Contract No. BP 07105 – Local Government Integrated Financial Systems – Department of Finance – Req. No. R671517

On October 3, 2007, the Board approved the initial award in the amount of $5,441,471.00. Subsequent actions have been approved. This increase in the amount of $1,200,000.00 will provide funding of the 2015 Fiscal Year licenses, maintenance, support and continued integration of the City's Dynamics Financial System including on-site City agency support, training, and documentation. The contract is subject to annual budget authorization. This increase in the amount of $1,200,000.00 will make the award amount $13,157,408.00. The above amount is the City's estimated requirement. The contract expires October 2, 2017 with no renewal options remaining.

On December 6, 2006, MWBOO set goals of 3% MBE and 2% WBE. On August 21, 2013, MWBOO waived the goals for the remainder of the contract term, due to the nature of the contract which resulted in no further opportunity for subcontracting.

MWBOO GRANTED A WAIVER.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. BP 07105 – cont'd

President: "The third item on the non-routine agenda can be found on Page 59-60, Informal Awards, Renewals, Increases to Contracts and Extensions, Item 19, Contract No. BP 07105, Local Government Integrated Financial Systems, Department of Finance. Will the parties please come forward?"

Mr. Tim Krus: "This is the um, increase to a requirements contract with McGladrey for the City's integrated financial system. The amount is $1.2 million dollars. Madam Comptroller, we also did send a response to your latest follow-up questions this morning."

Comptroller: "Okay. Since I didn't have a chance to read them, let me just state my concerns now. Um, I sent you a question on 1.b., to which I said, 'Please state the modules and the type that are specified for integration, and why they cannot integrate with the Telesoft Billing System platform.' You responded that, 'The Telesoft Billing platform will need to

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. BP 07105 – cont'd

accomplish two functions: one, send Payables information to pay vendors via check and EFT purchasing module sub-ledger and general ledger in Dynamics GP application extender for invoice image link to GP; and secondly, create general entries to allocate charges between agencies general ledger.' The City policy is to link an image of the invoice to every payment transaction; also to provide an electronic workflow approval that can be audited in the core integrator application to show approval from request to pay the invoice. I need you to clarify your response because your answer does not state why Telesoft platform, Billing platform cannot integrate with Dynamics GP. First question, does the City have modules that are needed to integrate Telesoft?"

Mr. Krus: "Madam Comptroller, I think uh, the response that you have yet to see this morning um, is that the meetings that the Department of Finance agreed to have with the Office of the

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. BP 07105 – cont'd

Comptroller on Telesoft, will commence this afternoon, at which time the Department is happy to address these questions and any other issues, both this afternoon and in the ongoing bi-weekly meetings that the Department is committed to."

Comptroller: "Okay, so the first question, does the City have modules that are needed to integrate Telesoft? Is that yes or no?

Mr. Henry Raymond: "Uh."

Comptroller: "State your name."

Mr. Henry Raymond: "Um, good morning Madam Mayor, Mr. President, members of the Board. I'm Henry Raymond, Deputy Director for the Finance Department. Uh, I don't believe the issue is whether there are modules that would allow for the integration. I believe the real issue is what is the programming that would be required to accomplish the integration?"

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. BP 07105 – cont'd

Comptroller: "So right now --"

Mr. Raymond: "The interface, and so as opposed to trying to give you an answer yes or no today, this will be discussed with the uh, technical experts at today's meeting."

Comptroller: "Okay, so second question – are there any requirements for integration of Telesoft that BAPS requested and did not receive from MTE or Telesoft, to your knowledge?"

Mr. Raymond: "To my knowledge, no."

Comptroller: "Okay, and I have one additional question. If Telesoft is able to accomplish the two functions that I just read, in the question 1B, is there any reason why Telesoft cannot be integrated with Dynamics GP?"

Mr. Raymond: "I would say that would depend on the technical discussion that we have with both the uh, the IT reps from Telesoft and the IT reps representing McGladrey to determine

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. BP 07105 – cont'd

what type of programming would be required; what are the costs; is the cost beneficial; what are the – what work-arounds would be required; what business processes may or may not have to be changed; what is the impact on the internal controls regarding AP? In the previous briefing that we provided to you, uh, we, we indicated that we would fully explore and vet all of that information and Finance Department remains committed to doing so."

Comptroller: "So, when you say that the Finance Committee is committed, before you said that the um, that you would be sure that the Telesoft Billing System would work -- if, if you didn't have a module that worked now, that you assured me that you would do whatever you needed to do to make sure that the Telesoft Billing System could be implemented."

Mr. Raymond: "That is correct. I stated that last week and I reiterate it today."

Comptroller: "Okay. Uh, I sent question 1.d., which asks 'How

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. BP 07105 – cont'd

many platforms in the City have been integrated with the Microsoft Dynamics GP by McGladrey?' and you responded that 'there are approx-- approximately 46 integrations and data export routines currently in the City Dynamics environment. These integrations include payroll and employee information from ADP; cash from Legacy applications, journal entries and Legacy billing information.' Did any of the ques -- did any of the 46 integrations have the same requirements that you listed in the response to my question in 1.b.?"

Mr. Raymond: "We will prepare that response; we'll have to review each of the 46 integrations in order to provide a, an appropriate response."

Comptroller: "Okay, and -- um, just for the record, have any of the third party platforms been integrated that have the same requirements that you listed in response to 1.b.? And you'll respond to that?"

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases – Contract No. BP 07105 – cont'd

Mr. Raymond: "Yes."

Comptroller: "Okay, uh, my question on 1.f. stated "Did McGlad, did McGladrey charge additional fees for the integration with Dynamics GP?" You responded that 'Additional fees were not charged other than development efforts and software licensing to perform integration.' My question, 1.g., to you, said 'If so, please specify each integration and the additional charge.' You responded, 'Development time was charged to create integrations as created, not tracked by integration.' I would like you to provide the answer to the following questions: The first question, 'How much has been charged for development time?' And two, the second question, 'How much has been charged for software licensing?'"

Mr. Raymond: "Yes ma'am."

Mr. Krus: "Madam Comptroller, I just want to point out that when you implement a new financial system, and have numerous

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. BP 07105 – cont'd

interfaces and integrations, ah we do not always break out the price of work for each particular interface and integration because some of the work may be duplicative across those interfaces, so sometimes coming up with a specific price for each interface or integrations is not possible."

Comptroller: "But, you can give me a total?"

Mr. Krus: "We can look at that."

Comptroller: "And you can give me the total."

Mr. Raymond: "Yes, we can look at the expenditures and uh, provide it to the best of our ability."

Comptroller: "Okay."

President: "I will entertain a Motion."

City Solicitor: "MOVE approval of Item 19 on Pages 59-60 as proposed by the Bureau of Purchases."

Deputy Director Public Works: "Second."

President: "All those in favor say AYE. All opposed NAY. The Motion carries."

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

20. MICROSOFT CORPORATION $690,252.00 Agreement

Contract No. 06000 – Microsoft Master Services and Premier Support Services Agreement – Mayor's Office of Information Technology – Req. No. R659349

The Board is requested to approve and authorize execution of an Agreement with Microsoft Corporation. The period of the agreement is effective upon Board approval for six-years.

On November 6, 2013, the Board approved a cooperative purchasing agreement under the Maryland State DOIT Solicitation No. 060B2490024 – Microsoft Software & Service Large Account Reseller Contract to provide Microsoft enterprise and select software licenses. Although the State contract does include software support coordinated through Microsoft, the City opted to establish the support agreement separately in an attempt to segment those services that could be provided by Microsoft certified MBEs and WBEs.

This agreement will provide software maintenance, and technical support services required through the Premier Support option. Microsoft Corporation is the sole provider of Premier Support services. The above amount is the City's estimated requirement.

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.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. 06000 – cont'd

MWBOO SET GOALS OF 6% MBE AND 2% WBE.

MBE: Bithgroup Technologies, Inc.	$93,000.00	13.5%
WBE: Applied Technology Service, Inc.	$60,000.00	8.7%

MWBOO FOUND VENDOR IN COMPLIANCE.

President: "The fourth item on the non-routine agenda can be found on Page 60-61, Informal Awards, Renewals, Increases to Contracts and Extensions, Item 20, Contract No. 06000, Microsoft Master Services and Premier Support Services Agreement, Mayor's Office of Information Technology. Will the parties please come forward?"

Mr. Tim Krus: "Tim Krus, City Purchasing Agent. Uh, this is a new agreement with Microsoft for Master Services and for their support, uh for $690,252.00 over a period of six years. Uh, even though it is a selected source agreement with Microsoft, uh we were able to obtain a strong commitment to MBE goals 13.5 percent MBE and 8.7 percent WBE."

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. 06000 – cont'd

President: "Madam Comptroller."

Comptroller: "Okay, I was pleased when I read in the Board agenda that the City opted to establish a support agreement with Microsoft in order to segment those services that could be provided by Microsoft-certified MBEs and WBEs. However, I have some serious concerns about the language in the agreement with Microsoft that places conditions of commercial, reasonable efforts and credit worthiness on the use of MBEs and WBEs. Uh, I sent you some questions and I asked you what is meant by the term "commercially reasonable efforts" and this is what you provided me from U.S. Legal.com: "Definition from USLegal.com states commercial, commercially reasonable efforts is a term incapable of precise definition and will vary depending on the context in which it is used. It is based upon a standard of reasonableness, which is a subjective test of what a reasonable person would do in the individual circumstance taking all factors into account.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. 06000 – cont'd

Commercially reasonable efforts refer to efforts which use a standard of reasonableness, by a defined singular person would do as judged by the standards of the applicable business community. The test for a commercially reasonable efforts is more stringent than that imposed by the best efforts clauses contained in some agreements. A business may give reasonable consideration to its own interest, exercising discretion within its own good faith business judgment in devising a strategy for achieving its ultimate goal. Commercially reasonable efforts should be consistent with good faith business judgment. The contract states that Microsoft shall use commercially reasonable efforts to utilize WBE and MBE as mutually agreed by the parties. Since Purchases submitted this agreement, can you explain how Microsoft will determine if it is commercially reasonable to use MBEs and WBEs?"

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. 06000 – cont'd

Mr. Krus: "Madam Comptroller, our position on this would be that Microsoft cannot override the MBE/WBE legislation, uh, by deciding that they, in their good faith business judgment they can no longer do work with MBE and WBE that they've committed to work with. Um --"

Comptroller: "But the contract states --"

Mr. Krus: "That language does not trump what you have uh, in the way of goals that Microsoft has explicitly agreed to in this contract."

Comptroller: "So, let me ask you, why didn't we remove that -- language? And my question is, did you seek clarification from Microsoft on this language before the agreement was submitted to the Board?"

Mr. Krus: "Madam Comptroller, the entire agreement was approved by the Law Department for form and legal sufficiency."

Comptroller: "Um hmm."

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. 06000 – cont'd

Mr. Krus: "And there is an ongoing effort by the Law Department on any of our agreements to determine which language is potentially uh, giving the City exposure and which is not. It was determined by Law that Microsoft, being able to make um judgments uh, that are consistent with good faith business judgments was not damaging to the City and that our ability to um, use the commitments that they made elsewhere in the agreement to comply with MBE/WBE goals, was um, stronger than any language which might be seen there."

Comptroller: "So you're saying that even though it was in the contract which we approved, that they cannot um, give the MBE and WBE the percentages that they --"

Mr. Krus: "Well they, they are required to give the MBE and WBE the percentages that they committed to in the contract, and they will have a problem with the City if they do not do that, but actually, um, we believe that Microsoft has made a strong commitment to that due process and I think MWBOO would agree with that."

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. 06000 – cont'd

Comptroller: "I have another question about the language. The contract states that prior to using such MBE and WBE, however, the chosen MBE and WBE sub-contractor must first have been evaluated by Microsoft's Credit and Collection Department and determined to be credit-worthy. You responded that you did not know the specific requirements, but assume that they are standard and reasonable checks of worthiness. Did you seek information or clarification on this language before this agreement was submitted to the Board for their approval?"

Mr. Krus: "Madam Comptroller, we did not. We uh, we are of the belief uh, I've done it again, (mic off) I'm back, it's when I lay my binder on the controls, that uh, Tom Corey and I have discussed this. Um, we cannot tell a contractor what

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. 06000 – cont'd

kinds of checks of credit worthiness they can make of theirselves when they're getting ready to do business with them, but toward the same point that I have just made, those checks of credit worthiness do not trump the goals that the prime contractor has committed to. So, if a prime contractor decides that they, that none of the City-certified MBEs or WBEs meet their checks of credit worthiness, they expose theirselves to a potential problem with us in their compliance with goals."

Comptroller: "Did you know whether the Microsoft certification required the MBE or a WBE to assist with end-user training includes a check of credit worthiness? Did you know that?"

Mr. Krus: "Uhhhh, I believe that their check of credit worthiness was just a basic check for any sub-contractor. Microsoft also has specific requirements of training that the particular MBE or WBE must have been certified uh through the Microsoft system in order to provide certain services. They are separate from checks of credit worthiness."

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases – Contract No. 06000 – cont'd

Comptroller: "And so on the checks of credit worthiness, what were they checking? Do you know?"

Mr. Krus: "I don't know specifically what they were checking, but it is our assumption that a major company like that would make standard credit checks."

Comptroller: "I have some questions for Mr. Corey. Mr. Corey, does the ordinance allow for the vendor to impose these type of conditions when use of MBE/WBE after the MBE and WBE has been selected and submitted to the City?"

Mr. Thomas Corey: "The ordinance doesn't speak directly to that, but it is um, most of the contractors, whether it's on this type of contract or any other type of contract, that the MBEs and WBEs they're going to use um, on a contract, uh, in this instance, if Microsoft looks at these particular MBEs and WBEs and finds that they don't meet their standards, then they

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. 06000 – cont'd

would be required by um, MWBOO to find substitutes for these, for these folks. So, we can't tell them that they can't vet these individuals, but we can tell them that the goals on the contract, they must meet the goals and the two that they've selected don't meet that criteria, they must find suitable substitutes."

Comptroller: "So you're saying that they will meet the goals if they don't -- you're going to monitor that?"

Mr. Corey: "Yes, yes."

Comptroller: "Because the definition for the "commercially reasonable" states that it is incapable, but Mr. Krus is saying that, that um, this doesn't override what the City will do in reference to making sure that the MBE/WBE percentages will be met."

Mr. Corey: "Right. Whatever's in that contract does not trump the MBE ordinance. They will have to meet the goals, and if

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases - Contract No. 06000 – cont'd

they can't meet the goals with the two that they've already named --"

Comptroller: "Um hmm."

Mr. Corey: "-- then they will have to find substitutes, and so they'll go through the whole process of, of trying to find some folks to meet the goals and insure they will, and I don't see, looking at the ones that they've chosen thus far, um, I don't see any reason that they won't meet whatever test Microsoft would put forth, because they're two very strong companies that have been named on this contract."

Comptroller: "And you will monitor that?"

Mr. Corey: "Yes."

Comptroller: "Okay."

President: "I'll entertain a Motion."

City Solicitor: "MOVE approval of Item 20 on pages 60-61 as submitted by the Bureau of Purchases."

Deputy Director of Public Works: "Second."

President: "All those in favor say AYE. All opposed NAY. The Motion carries."

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

21. TEAM SERVICE CORPORATION
OF NY
ELECTRIC MOTOR REPAIR
COMPANY

$ 0.00 Renewal

Contract No. B50001986 – Repair and Maintenance Services for Electrical Motors up to 300 H.P. – Departments of Public Works, General Services, Transportation and others – P.O. Nos. P517872 and P517873

On August 10, 2011, the Board approved the initial award in the amount of $1,424,000.00. The award contained one 1-year renewal option. Subsequent actions have been approved. This sole renewal in the amount of $0.00 is for the period August 10, 2014 through August 9, 2016. The above amount is the City's estimated requirement.

MWBOO SET GOALS OF 4% MBE AND 2% WBE.

MBE: A.M. and Son Electric, LLC 0
Calmi Electric Company 0
Roane's Rigging and Transfer Company, Inc. 0

WBE: The Dexter Company 0

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS

Bureau of Purchases

MWBOO FOUND ELECTRIC MOTOR REPAIR COMPANY IN NON-COMPLIANCE ON JULY 14, 2014.

The vendor is asked to come into compliance.

MWBOO FOUND TEAM SERVICE CORPORATION OF NY IN COMPLIANCE ON APRIL 12, 2011.

22.	DEPENDABLE NURSING SERVICES LLC	$268,548.00	
	PERSONAL TOUCH HOME AIDES OF BALTIMORE, INC.	82,868.00	
	TRUSTWORTHY STAFFING SOLUTIONS, LLC	0.00	
	CHESAPEAKE MEDICAL STAFFING, INC.	0.00	
		$351,416.00	Increase

Contract No. B50002394 – Personal Care & Homemaker Services – Health Department – P.O. Nos. Various

On October 17, 2012, the Board approved the initial award in the amount of $432,525.00. Subsequent increases have been approved. This increase in the amount of $351,416.00 is required for the remainder of the contract term. This increase in the amount of $351,416.00 will make the award amount $2,156,470.00. The contract expires on October 16, 2014, with two 2-year renewal options remaining. The above amount is the City's estimated requirement.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	**AMOUNT OF AWARD**	**AWARD BASIS**

Bureau of Purchases

UPON MOTION duly made and seconded, the Board approved the foregoing informal awards, renewals, increases to contracts and extensions. The Board further approved and authorized execution of the Agreement with Courtsmart Digital Systems, Inc. (item no. 12), Gartner, Inc. (item nos. 13 and 14), and the Microsoft Corporation, Inc. (item no. 20). Item nos. 5 and 21 (Cost Plans Plus, LLC and Team Service Corporation of NY and Electric Motor Repair Company, respectively were **WITHDRAWN**. The Mayor **ABSTAINED** on item no. 8.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTION

* * * * * * *

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

2938 - 2942

to the low bidders meeting the specifications, and rejected the bid as indicated for the reasons stated.

The Transfer of Funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

Item No. 4 was **DEFERRED** until August 13, 2014.

Item No. 5 was **WITHDRAWN.**

The Mayor **ABSTAINED** on item no. 11.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater

1. WC 1294, Urgent Need Water Infrastructure Rehabilitation — Spiniello Companies — $2,673,355.00

MBE:	Machado Construction Co., Inc.	$ 50,000.00	1.87%
	Shekinah Group, LLC	217,500.00	8.13%
		$267,500.00	
WBE:	Machado Construction Co., Inc.	$160,500.00	6.00%

MWBOO FOUND VENDOR IN COMPLIANCE

2. **TRANSFER OF FUNDS**

AMOUNT	**FROM ACCOUNT/S**	**TO ACCOUNT/S**
$3,019,971.86 Water Revenue Bonds	9960-909100-9558 Construction Reserve Water Infrastructure Rehab.	
508,857.14 Counties		
$3,528,829.00		
$ 267,336.00	----------	9960-908724-9557-2 Extra Work
267,336.00	----------	9960-908724-9557-3 Inspection
160,401.00	----------	9960-908724-9557-5 Inspection
2,673,355.00	----------	9960-908724-9557-6 Construction
160,401.00	----------	9960-908724-9557-9
$3,528,829.00		Administration

The funds are required to cover the cost of the award for construction of WC 1294, Urgent Needs Infrastructure Rehabilitation.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Recreation & Parks

3. RP 14805, Howards Park Dog Park

REJECTION - On May 28, 2014, the Board opened three bids for RP 14805. The bids ranged in price from $432,000.00 to a high of $620,000.00. All three bids were well over the Engineer's Estimates of $269,995.00. The Department of Recreation & Parks recommends the rejection of all bids as being in the best interest of the City. The project will be re-advertised at a later date.

Bureau of Purchases

4. B50003322, Lean Consultants, Facilitators, Trainers **$599,500.00**

Trainers $399,500.00

Operational Performance, Solutions, Inc.

Facilitators $200,000.00

Operational Performance, Solutions, Inc.
Neovista Consulting, LLC
Global Productivity Solutions, LLC

(Dept. of Finance)

MWBOO GRANTED A WAIVER.

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases

5. B50003502, Furnish and Install Carpet — Total Contracting, Inc. — $357,100.00

   (Agencies: Various)

   MBE: Harris Brothers Construction Co., Inc. — $ 52,610.00 — 10%

   WBE: Franqui Enterprises, LLC — $ 26,305.00 — 5%

   MWBOO FOUND VENDOR IN COMPLIANCE.

6. B50003557, OEM Parts and Service for Doosan Heavy Equipment — H&E Equipment Services — $250,000.00

   (Dept. of General Services, Fleet Mgmt.)

   MWBOO GRANTED A WAIVER.

7. B50003547, OEM Parts and Service for Allison Transmissions — $500,000.00

   First Call
   Harbor Truck Sales & Service, Inc. t/a Baltimore Freightliner

   Second Call
   (First Call for Transmission Overhaul only)
   Johnson & Towers, Inc.

   (Dept. of General Services, Fleet Mgmt.)

   MWBOO GRANTED A WAIVER.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases

8.	B50003570, OEM Parts and Service for New Way Trucks	First Call Waste Equipment Sales and Service, LLC Second Call (First Call for Warranty) Maryland Industrial Trucks, Incorporated	$250,000.00

(Dept. of General Services, Fleet Mgmt.)

MWBOO GRANTED A WAIVER.

9.	B50003569, Crew Cab Truck with a Utility Body	Cowles Ford, Inc.	$691,855.00

(Dept. of General Services)

MWBOO GRANTED A WAIVER.

10.	B50003579, Conservation of Bronze Monuments	B.R. Howard & Associates, Inc.	$ 58,200.00

(Dept. of Planning, Historical and Architectural Preservation)

MWBOO SET MBE AND WBE GOALS AT 0%.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases

11. B50003591, Painting Services for Trusses at the Baltimore Convention Center — E.A.R.N. Contractors, Inc. — $ 69,850.00

(Baltimore Convention Center)

MBE:	Colossal Contractors, Inc.	$ 18,859.50	27%
WBE:	Eastwood Painting & Contracting	$ 6,985.00	10%

MWBOO FOUND VENDOR IN COMPLIANCE.

12. B50003554, OEM Parts and Service for Cummins Engines — Harbor Truck Sales & Service, Inc. t/a Baltimore Freightliner — $150,000.00

(Dept. of General Services, Fleet Mgmt.)

MWBOO GRANTED A WAIVER.

13. B50003552, OEM Parts and Service for Detroit Engines — Harbor Truck Sales & Service, Inc. t/a Baltimore Freightliner — $500,000.00

(Dept. of General Services, Fleet Mgmt.)

MWBOO GRANTED A WAIVER.

MINUTES

Department of Real Estate - Lease Renewal

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of the lease agreement with MECU of Baltimore, Inc. tenant for the rental of a portion of the property known as 401 E. Fayette Street, containing approximately 476 square feet. The renewal is for the period August 1, 2014 through July 31, 2017.

AMOUNT OF MONEY AND SOURCE:

	Annual Rent	Monthly Rent
8/1/2014 – 7/31/2015	$6,863.92	$571.99
8/1/2015 – 7/31/2016	$7,069.84	$589.15
8/1/2016 – 7/31/2017	$7,281.92	$606.83

BACKGROUND/EXPLANATION:

The Board approved the lease on August 31, 2012 for the period August 1, 2011 through July 31, 2014, with the right to renew for three 3-year terms. MECU of Baltimore, Inc. has exercised its first renewal option.

All other rentals, conditions and provisions of the lease agreement dated August 31, 2011 will remain in full force and effect.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with MECU of Baltimore, Inc. tenant for the rental of a portion of the property known as 401 E. Fayette Street, containing approximately 476 square feet.

MINUTES

Space Utilization Committee – Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Lease Agreement with the East Baltimore Enterprise, Inc., landlord, and the Mayor and City Council of Baltimore on behalf of the Juvenile Division of the Circuit Court, tenant, for the rental of a portion of the building known as Chance Center, located at 301 N. Gay Street, being on the 1st floor and consisting of approximately 800 square feet. The period of the Lease Agreement is July 1, 2014 through June 30, 2015.

AMOUNT OF MONEY AND SOURCE:

Annual Rent	Monthly Installments
$12,325.00	$1,027.08

Account No.: 5000-544415-1100-117001-603052

BACKGROUND/EXPLANATION:

The leased premises will be used for training classes and general office space.

The Space Utilization Committee approved this lease on July 22, 2014.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with the East Baltimore Enterprise, Inc., landlord, and the Mayor and City Council of Baltimore on behalf of the Juvenile Division of the

Space Utilization Committee – cont'd

Circuit Court, tenant, for the rental of a portion of the building known as Chance Center, located at 301 N. Gay Street, being on the 1st floor and consisting of approximately 800 square feet.

MINUTES

Space Utilization Committee – Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Lease Agreement with the Living Classrooms Foundation, Inc. tenant, for the rental of a portion of the property known as 200 S. Linwood Avenue, consisting of approximately 4,800 square feet. The period of the Lease Agreement is January 1, 2014 through December 31, 2019, with an option to renew for one additional five-year period.

AMOUNT OF MONEY AND SOURCE:

$1.00, if demanded

BACKGROUND/EXPLANATION:

The leased premises will be used as a multi-use educational facility and for recreational programming.

The landlord will be responsible for the parking lot, all major equipment, systems, and fixtures serving the leased premises (including HVAC and roofing), keeping the entrances, passage-ways, and areas appurtenant to the building in clean and orderly condition, keeping the premises free of ice, snow, and debris, and providing all utilities including sewer and electrical power. In addition, the landlord will be responsible for capital repairs and expenses which exceed $50,000.00 and payment of the water bill.

The tenant will be responsible for day-to-day operations, maintenance, programming, making all necessary improvements at their expense, in order to comply with all local, state, and federal requirements and regulations for the use of the leased premises, and maintaining liability insurance.

The lease is $1.00, if demanded, because of the organization's tremendous service to the community. To name just a few, such as

Space Utilization Committee – cont'd

the Children's Target Investment Zone and Product Serve Program which provides a learning environment for children and adults in education, workforce development, and health awareness. The organization also sponsors the Fresh Start Program to create vocational training for juveniles.

The Lease Agreement is late because of delays at the administrative level.

The Space Utilization Committee approved this lease on July 22, 2014.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Lease Agreement with the Living Classrooms Foundation, Inc. tenant, for the rental of a portion of the property known as 200 S. Linwood Avenue, consisting of approximately 4,800 square feet. The Mayor **ABSTAINED.** The President **ABSTAINED.**

MINUTES

Enoch Pratt Free Library – Progress Report – FY2013 Audit

ACTION REQUESTED OF B/E:

The Board is requested to **NOTE** the Progress Report in addressing internal control weaknesses cited in the Department of Audits April 8, 2014 letter included with the FY 2013 Audit.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On April 30, 2014, the Board of Estimates noted receipt of the FY 2013 Comprehensive Annual Financial Report and accompanying April 8, 2014 City Auditor Report on Internal Control over Financial Reporting (IC letter). While no evidence of fraud, waste, or abuse was reported in the IC letter, the City Auditor did note a number of significant internal control weaknesses.

At the April 30, 2014 Board of Estimates, the Board requested a report within 90 days on the Library's progress in addressing those weaknesses. The Enoch Pratt Free Library believes that it has made significant progress towards correcting them going forward. The Enoch Pratt Free Library will be diligent in making needed improvements in the internal control processes in an effort to assure confidence in financial reporting.

The Board **NOTED** the Progress Report in addressing internal control weaknesses cited in the Department of Audits April 8, 2014 letter included with the FY 2013 Audit.

MINUTES

Department of Audits – Response to Enoch Pratt Free Library Report to the Board

The Board is requested to **NOTE** receipt of the response to the Enoch Pratt Free Library's Report to the Board on the status of corrective actions taken on audit findings in the Library's Fiscal Year 2013 Comprehensive Annual Financial Audit.

1. Department of Audits' Response Enoch Pratt Free Library's Report to The Board of Estimates

President: "The fifth and sixth items on the non-routine agenda will be heard together. The fifth can be found on Page 73, Enoch Pratt Free Library, Progress Report FY 2013 Audit and on Page 74, Department of Audits Response to Enoch Pratt Library Report to the Board. Will the parties please come forward?"

Mr. Gordon Krabbe: "Good morning. Uh Gordon Krabbe, representing the uh, Pratt Library. Um, first we'd like to thank the uh, Department of Audits for its careful review, because we believe that will only strengthen the library's uh, accountability and confidence by taxpayers and the donors. We provided a full report uh, for the Board. Uh, I won't go through that in, in great detail. I, I will say that the Library has taken uh, significant steps to, to improve its internal control environment uh, since the audit was presented to the Board-- in

Enoch Pratt Free Library and Department of Audits – cont'd

April, uh and we have hired an experienced C.P.A., who started on July 7th, to assist us in that effort. Uh, we have, and will continue to institute policies and procedures in an effort to avoid any internal control deficiencies going forward. Our ultimate goal is to provide assurance to all of our stakeholders and the public, that public and private resources will effectively and efficiently be managed and accounted for."

Mr. Bob McCarty: "Good morning. Bob McCarty, City Auditor. Um, we have gone to the Library on two separate occasions; and, we've reviewed the corrective actions taken by the Library and we commend the Library on the significant steps they have taken to resolve these findings. Uh, however, we cannot – we need to fully do a -- we need to fully do a Fiscal Year'14 audit to resolve the findings. We have not gone through June 30th on the findings, but what they have done has been a big compliment for them these past 90 days. Um, while the Library has taken these positive steps, we do have a concern which may effect the

Enoch Pratt Free Library and Department of Audits – cont'd

Library meeting the deadline. Uh, the State deadline is December 31st of each year, and the Library stated the audit would not be able to start until they've fully finished their 2014, their audit -- accounting work. Um, we have not yet been given a firm date on when we can start our audit. Um, our audit usually begins in mid-July and we request the Library to allow us to start immediately in the interest of meeting this deadline. Um, there is some um, routine updating work we can do, testing work we can do on cash receipts, cash disbursements and payroll, um, and we would hope we can begin earlier, than when they can complete their work. And additionally, lastly, while the audit, while the Library has taken significant steps to fully pay back the City for the State Library Resource Center Fund, that they've received from the State, as of June 30, 2014, we recommend that it timely pay the City as it receives its SLRC Fund funding."

Comptroller: "Let me just ask you a question. You, you have no idea when the audit could begin?"

Enoch Pratt Free Library and Department of Audits – cont'd

Mr. Krabbe: "Uh, uh, the chairman of our board uh audit committee has suggested that he wants to meet with us first --"

Comptroller: "Okay."

Mr. Krabbe: "-- uh, uh we hope within the next several weeks."

Comptroller: "Okay. Thank you."

President: "The progress report and responses have been **NOTED**. Thank you."

The Board **NOTED** receipt of the response to the Enoch Pratt Free Library's Report to the Board on the status of corrective actions taken on audit findings in the Library's Fiscal Year 2013 Comprehensive Annual Financial Audit.

MINUTES

Department of Finance – Revisions to AM-111-1

ACTION REQUESTED OF B/E:

The Board is requested to approve revisions to the Administrative Manual's Innovation Program Policy, AM-111-1.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The Innovative Program is designed to encourage City employees to think creatively about how to improve day-to-day operations and address inefficiencies within business processes. Begun in 2012, the Innovation Program has become an integral part of the City's fiscal management approach. It consists of three parts: The Innovation Fund, the Employee Innovation Program (EIP), and Lean Government.

The proposed revisions revise the EIP and add Lean Government to the list of programs covered under the Innovation Program. The revisions also include a description of the Innovation Program Committee, the group of individuals responsibilities for selecting Innovation Fund projects, EIP recipients, and Lean Government projects.

The revisions to AM-111-1 were reviewed by the Department of Finance, the entity responsible for administering the Innovation Program.

UPON MOTION duly made and seconded, the Board **DEFERRED** this item until August 13, 2014.

MINUTES

Department of General Services – Developers' Agreements

The Board is requested to approve and authorize execution of the various developers' agreements.

	DEVELOPER	NO.	AMOUNT
1.	**JUBILEE BALTIMORE, INC.**	**1332**	**$53,445.00**

Jubilee Baltimore, Inc. would like to install a new water service to its proposed construction located at 10 East North Avenue. This agreement will allow Jubilee Baltimore, Inc. to do its own installation in accordance with Baltimore City Standards.

A performance bond in the amount of $53,445.00 has been issued to Jubilee Baltimore, Inc., which assumes 100% of the financial responsibility.

2.	**BEATRICE PROPERTIES, LLC.**	**1346**	**$17,566.00**

Beatrice Properties, LLC. would like to install a new water service to its proposed construction located at 5200 Moravia Road. This agreement will allow Beatrice Properties, LLC. to do its own installation in accordance with Baltimore City Standards.

A performance bond in the amount of $2,167,103.00 has been issued to Beatrice Properties, LLC. which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

City funds will not be utilized for the projects, therefore, MBE/WBE participation is not applicable.

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

MINUTES

Dept. of General Services – Minor Privilege Permit Applications

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

	LOCATION	APPLICANT	PRIVILEGE/SIZE
1.	5716 York Road	Xiu Qin Liu	Outdoor seating 12′ x 6′

$ 337.50 Annual Charge

There are no objections, since no protests were received.

2.	300 E. Randall St.	Peter Belden	Garage Extension 20′ x 3′7″

$ 252.00 Annual Charge

The applicant is requesting a three foot seven inch garage extension. The applicant does not meet all of the requirements set forth in the Minor Privilege schedule. The Minor Privilege schedule states: "Permanent projection not to project more than ¼ width of sidewalk, never to exceed four feet. Shall maintain a minimum five foot (5′) portion of sidewalk unobstructed by, but not limited to poles, planters, trees, mailboxes, and fire hydrants. A clear pathway shall be maintained at all times for pedestrians' usage."

The proposed minor privilege is three feet seven inches. The total length of the sidewalk is 12 feet 4 inches. This will leave 8 feet nine inches of sidewalk. Therefore, the proposed minor privilege meets the requirement of being less than four feet, and leaves more than five feet of unobstructed sidewalk. However, to meet the requirement that the Minor Privilege take up less than one-fourth of the sidewalk, the Minor Privilege would have to be three feet one inch or less. The Board has approved ten cases in the past with similar conditions.

Dept. of General Services – cont'd

PROTESTS WERE RECEIVED FROM MR. DAVID URBANEK AND THE RIVERSIDE NEIGHBORHOOD ASSOCIATION. LETTERS OF SUPPORT WERE RECEIVED FROM AMY AND KIP DIGGES, SALEM LUTHERAN CHURCH, AND COZUMEL AND HUNTER PRUETTE. A RESPONSE TO THE PROTEST WAS RECEIVED FROM PETER AND MAURA BELDEN. A REBUTTAL TO THE PROTEST WAS RECEIVED FROM J. NEAL DESIGN.

President: "The seventh item on the non-routine agenda can be found on Page 77, Department of General Services, Minor Privilege Permit Application. Will the parties please come forward? You okay?"

Mr. Steve Sharkey: "Uh, uh, good, good morning Honorable Board, this is Steve Sharkey, Department of General Services. Uh, just wanted to start out, the Site Plan Review Committee and DGS reviewed the curb cut proposal, and it meets the City's curb cut policy, uh, and it would be safe for drivers and pedestrians. It also meets sidewalk appropriate parking size requirements and more than adequate space in the Right-of-Way. Uh, there is also a net gain of parking in the neighborhood. Uh, there are three guidelines for Minor Privilege, uh, the most important of which is that it leaves five feet or more of sidewalk clearance; in this case, there's over eight feet.

Dept. of General Services – cont'd

There are other places further up the same block, where the portion is less than four feet. Uh, the second guideline is that the garage be less than four feet long, which this proposal meets. The final guideline is that the garage not take up more than one-quarter of the sidewalk. This Minor Privilege proposal is slightly over that threshold by six inches; however the Board has waived that requirement in the past when the sidewalk is very, very wide. Uh, the question in front of the Board today concerns this Minor Privilege. Uh, there are a lot of twists and turns and we are happy to discuss all of this with you today. I'm guessing -- Mr. Belden."

Pete Belden: "Yep. Uh, good morning, uh, Council President Young, Madam Mayor, and other members of the Board. My name is Pete Belden and I am one of the owners of 300 E. Randall Street located in Federal Hill. I'm joined here today by my wife; my architect, Jason Neal and our contractor, Chung Yi, minority business owner of CYC Design.

Dept. of General Services – cont'd

We are here to request your approval of our application for a Minor Privilege Permit that will allow us to finally complete a project for off-street parking located in the rear of our property. If you'd allow me, I'd like to quickly go through some background information for this project. My wife and I have lived in the city for over 10 years, and started a family over five, four years ago. We want to continue to live in the city. However, as most of you know, the parking in our neighborhood is difficult. It can be challenging for young families to overcome. This is one of the primary reasons why families are leaving the city for the county today. Luckily, my wife and I have a unique opportunity at our residence to add parking spots to the rear of the house, which will improve our quality of life, elongate our stay, and hopefully invest in the city for years to come. This project started over two years ago, when we first met with the Site Plan Review Committee, the SPRC, to obtain a curb cut permit for our, our off-street parking project.

Dept. of General Services – cont'd

After numerous revisions and numerous hearings, on November 20, 2013, the SPRC approved our original plan for an open-air concept for a project in the curb cuts, subject to changing a few things in the drawings and subject to checking with the Minor Privilege office to see if we needed a Minor Privilege Permit. Based on several conversations with persons on the Minor Privilege Permit department, we were told on December 6th, that we could move forward without a Minor Privilege Permit. However, and we actually have a memo from the head of that committee to substantiate that fact. After approval from SPRC, there were several other departments that reviewed our, our concept, including the Parking Authority, DoT and other departments. Everything was approved as well there. On February 14, 2014, we were issued a building permit to construct a deck and then on April 2nd, we started construction on our site. Thirty-one days later, after we started construction, we were ordered, we were issued a Stop Work Order by the Department of General Services because we did not have a Minor Privilege Permit. This was the same department that told us we did not need a Minor Privilege Permit, several months earlier.

Dept. of General Services – cont'd

On May 5th, we went to the Minor Privilege Permit office with the architect and contractor who revised our drawings to construct a garage-like structure. The sidewalk is excep, exceptionally wide at our residence – 12 foot, four inches – which Steve mentioned before. Therefore we have over eight and half feet of pedestrian use, beyond that three foot, seven inch projection. We have five main reasons why an exception to this standard limit of 25 percent should be granted. The six inch exception is minimal when you're talking about 12 and a half feet of sidewalk. If granted, like I said, eight and a half feet, left for pedestrian use. The standard for the DGS Board of Standards is only to have five feet, so we almost have double that; two doors down, they have three feet, 10 inches, so we have triple that; finally, our projection does not exceed the outside limit of four, uh, four feet, as set forth in the Code as well. The support of our closest neighbors has been overwhelming in this project. We have several neighbors who are present today in support of our project. These

Dept. of General Services – cont'd

neighbors, our are architects who live in the Riverside area – Jason Neal; Jeff Brown, in the back; Richard --, -- and Amy Digges. Amy Digges is probably the most important person I have here. She lives two doors down and has three kids. They're the only ones, they're the ones who live closest to this project and would be affected the most. I'd like to thank these folks for taking time out of their day to come here and support this project. We've also had countless hours of knocking on people's doors and discussing the project. Not one person told us that they didn't support it. We obtained over a hundred petition signatures to prove it. On uh a block -- where this project is going to be occurring, with over 80 percent of the people support the project. That's 19 out of 24 houses. The other houses, it's not that they didn't support, it's just that they haven't been available the several times that we've gone to their door. Also, there is a precedent for going through this type of variance. As Steve mentioned that we've had several conversations with DGS, and at least 10 properties have been granted variances above the 25 percent limit.

Dept. of General Services – cont'd

One property had an extension of over -- four feet that took up over 33 percent of the sidewalk. It was approved for these folks and it needs to be approved for us. The completion of this project will alleviate a critical problem of eliminating two cars off the street. That will not just increase the value of our property, but the values of properties in our neighborhood, and will encourage young professionals and families such as ourselves to move in the City. This creates a win-win situation for us and the neighbors. After all, the key to maintaining the value of the property is to attract and keep younger professionals and families who live in, in the Federal Hill district. Lastly, the facts surrounding our case are even more deserving of a variance within the 25 percent limit than the ones previously granted, because in good faith, we relied upon the issuance of the permits by the City, and we started and have completed over one-third of the project – that includes the demolition of our deck; demolition of the curb and sidewalk in front of the proposed area.

Dept. of General Services – cont'd

Further delays will continue the undue hardship placed on our family, on our community, and on our contractors, our neighbors and on our architect. We already have expended tens of thousands of dollars for the services of our architect and for the work of the contractor, but we only have a residence with a demolished deck and torn up sidewalk. We should not be the victims of the errors that have occurred and the delays that greatly inconvenienced both our families, our neighbors, our architect and our contractor. For these reasons stated, we respectfully request that the Board grant us the Minor Privilege Permit to allow us to complete the remaining two-thirds of our project without further delay. Thank you."

Unidentified female voice: "Does anyone else over there have anything else to say?"

Comptroller: "State your name."

Ms. Ann Fiocco: "I'm Ann Fiocco, and --"

President: "Pull the mic down."

Gmail by Google

David Urbanek <dave.urbanek23@gmail.com>

300 E. Randall Street

Knight, Tim <Tim.Knight@baltimorecity.gov> Wed, May 28, 2014 at 9:59 AM
To: "Ziegler, Elizabeth" <EZiegler@baltimorecity.gov>, "Woolsey, Jennie" <Jennie.Woolsey@baltimorecity.gov>
Cc: "Cole, William H." <William.Cole@baltimorecity.gov>, "Lane, Justin S." <justin.lane@baltimorecity.gov>, "dave.urbanek23@gmail.com" <dave.urbanek23@gmail.com>

They should send a letter of opposition to the Board of Estimates with a copy of the application.

If the plans are approved, the application will be sent to the Board of Estimates for approval. At that time they will hear arguments from both sides.

From: Ziegler, Elizabeth
Sent: Wednesday, May 28, 2014 9:34 AM
To: Knight, Tim; Woolsey, Jennie
Cc: Cole, William H.; Lane, Justin S.; 'dave.urbanek23@gmail.com'
Subject: FW: 300 E. Randall Street

Tim and Ms. Woolsey,

Below is an e-mail opposing the permit application at 300 E. Randall. What should be the next steps for those abutting property owners who are in opposition?

Thanks when you have a chance. * PLEASE REFER TO LETTER BEGINNING HERE

From: David Urbanek [dave.urbanek23@gmail.com]
Sent: Friday, May 23, 2014 5:59 PM
To: minorprivilege
Cc: Shane Laporte; Cole, William H.; Tiso, Eric; Flickinger, Brenton; Cooper, Damion; Ann Fiocco
Subject: Re: 300 E. Randall Street

Hello,

We received yesterday (5/22/14) a certified letter containing a permit application dated 4/5/14 from Peter and Maura Belden at 300 East Randall Street requesting permission to construct a garage structure behind their

home. We are the immediate neighbors at 302 East Randall Street.

To preface, we like our neighbors at 300 East Randall Street and believe them to be good people. However, we vehemently oppose this proposal (and would oppose any similar proposal anywhere in the neighborhood) for the following reasons:

-The rear yard of 300 East Randall Street is simply not large enough to accommodate one, let alone two, vehicles. Typically a car would park off an alleyway behind a home, in-line with the home. In that case, a 20' long pad could accommodate a 15' to 17' long vehicle. In this case, the cars would park perpendicular to the home. A 14'-wide parking pad cannot accommodate a 15' to 17' long vehicle. Furthermore, we do not understand how two vehicles would fit side-by-side at this location. A typical vehicle is approximately 6' to 6.5' in width. Assuming the walls of the garage structure are approximately 1' thick, this would allow 18' of parking space for 13' of vehicles. Thus, there would be 5' of remaining space between the walls, the cars, and between the cars - a 1.7' average. Please refer to the 'notorious bad parking habits' bullet below - we have little faith that the residents of 300 East Randall Street could accomplish this feat. We do not understand how the residents at 300 East Randall Street would be permitted to construct a structure on City Right-of-Way as the proposed garage would protrude into the existing sidewalk.

* ALSO, 180 SF FOR A SINGLE VEHICLE - AND PRESUMABLY 360 SF FOR 2 VEHICLES - IS THE CITY REQUIREMENT. THIS IS NOT MET PER THE PROPOSED PLANS.

-As urban planners, we fundamentally oppose new curb cuts off roadways for rowhomes. This proposal will remove the buffer that parked cars provide for pedestrians, introduce a fixed object within the pedestrian path, remove a parking space for the general public, and introduce an unexpected pedestrian-vehicle conflict within the sidewalk. We hope and expect that the City Planners who are charged with making these decisions agree. This could set a dangerous precedent - what would then stop all city residents from reconfiguring homes to have a first floor garage and home above? Is this the City that we want - one of streets lined with garages, much like a suburban jungle? We stay in the City because we like City living - if we wanted to live in a sea of garages we would have moved long ago. Any urban planner who has a formal education will know that parking should be made off of alleyways behind homes, not off of roadways in front of or along side homes.

-The residents of 300 East Randall Street are notorious for their bad parking habits - on a daily basis they manage to occupy multiple parking spaces with each of their vehicles. We fear a worst-case scenario in which the garage is used for storage and the poor parking habits continue, which would result in their two vehicles then occupying up to seven spaces (2 in garage, one on street in front of garage, and 2 each on the road).

-We had no knowledge of this proposed project until the jackhammering began. At that time, we checked the City web site, which stated that they planned to renovate their back deck. There was no mention of a proposed parking pad, which we later learned was their intention when talking to the on-site inspector. Although we were never shown any plans, we obtained a copy through Councilman Cole - plans for a parking pad which showed no overall dimensions or how two vehicles would be accommodated by such a pad. These plans were mind-bogglingly approved when the residents of 300 East Randall Street appealed their initial permit denial for a parking pad.

So, to reiterate: we strongly oppose this proposal to construct a garage at 300 East Randall Street and ask that the City reject the permit and direct the residents of 300 East Randall Street to immediately replace the curb and sidewalk at this location.

Please do not hesitate to contact us if you have any questions or require any further information.

Regards,

Lauren and David Urbanek

302 East Randall Street

443-413-6746

APPLICATION FOR MINOR PRIVILEGE

DEPARTMENT OF GENERAL SERVICES
MINOR PRIVILEGE OFFICE
200 Holliday Street, Room 204
Baltimore, Maryland 21202
410-396-3346 • minorprivilege@baltimorecity.gov

BALTIMORE CITY DGS DEPARTMENT OF GENERAL SERVICES

STEPHANIE RAWLINGS-BLAKE
MAYOR

STEVE SHARKEY
DIRECTOR

RECEIVED BY HABABOES AT 302 E. RANDALL ST. on 5/22/14.

Date: 4/5/14

To the Board of Estimates:

Application is hereby made for a permit to: Per Tim Knight, enclosed garage structure will be constructed to modify original project plan approved by SPRC.

Location 300 E Randall St.	Property Owner Pete & Marsa Belden
Address	Phone Number 443-271-7673
Size ~~Varies~~ 3.6 ft x 20 ft.	
Projection from Property Line 3.6 ~~feet~~ ft	Width of Sidewalk 12.4 ft
Purpose Improve living conditions & add street parking by taking 2 cars off street	

I hereby agree to the granting of this permit, under the provisions of the Baltimore City Charter, Article VIII, Section 9. I understand and agree that all charges arising by reason of the granting of this permit will constitute liens upon the above property. I further agree that if the above application is granted, the permit shall at all times be subject to revocation and change of rate by the Board of Estimates.

Witness	Owner Peter B. Belden
Address 828 S. Curley St Balt 21224	Address 300 E. Randall St.

I hereby certify that copies of this application have been served upon the adjoining property owners:

Name Dave Urbanek	Address 302 Randall St., Baltimore, MD 212
Name Thomas & Laimute Kenny	Address 1809 Abelia Rd, Fallston, MD 2104

Consideration of the granting of the permit applied for, the applicant hereby agrees to pay, indemnify, and save harmless the Mayor and City Council of Baltimore, its officers, agents, and employees, from any and all suits, actions, demands, damages, expenses, and costs of every kind and description for which said municipality, its officers, agents, or employees may be liable as a result of, or in connection with, the issuance of said permit or any work or operation done or performed in connection with the erection , construction, installation, existence, maintenance or removal of the subject matter of said permit.

It is further understood that the Board of Estimates reserves the right, in its discretion, to terminate the privilege at any time or to increase the charges for the privilege granted on thirty days' notice.

Witness	Owner Peter B. Belden
Address 828 S. Curley	Address 300 E. Randall St

Any objection to the issuance of this permit must be filed in writing with the Board of Estimates within three (3) days from the date of delivery on "return receipt," which shows receipt of this application by certified mail.

First Year Charge	Annual Charge	Flat Charge

Approved by the Board of Estimates upon payment of charge indicated above and subject to revocation at all times by the Board of Estimates. Adjustments and cancellations of minor privilege charges will be made only from the date of written request.

Approved	Permit Number	☐ Temporary ☐ Permanent

Revised: 7/22/11

July 18, 2014

Board of Estimates
C/o Clerk, Board of Estimates
City Hall, Room 204
Baltimore, Maryland 21202

Re: 300 E. Randall Street

Honorable President and Members of the Board of Estimates,

On behalf of the Riverside Neighborhood Association I am opposing the Minor Privilege request by the residents of 300 E. Randall Street. This request is currently denied by DGS.

It is important to note that this property is located in a heavy pedestrian traffic area as they are across the street from a church in one direction, across from Riverside Park/Riverside Pool in another direction, two blocks from the National Federation of the Blind, and one block from Thomas Johnson Elementary/Middle School. It is also important to note that the developer of this property requested a curbcut in 2007 which RNA opposed with success prior to his sale of the property to the current residents.

RNA opposes for the following reasons:

- First and foremost, we believe this type of curbcut is extremely poor urban planning.
    - Rewritebaltimore.org – The city's planners wrote of an express goal to "preserve neighborhood character which includes public realm and public walk-ability…Reducing number of curbcuts creates safer environment for pedestrians". It is clear that new curbcuts are expressly against the stated goals of the city.
    - When you insert a garage on a pedestrian friendly street, you are widening the distance between people and their destinations.
    - Removing a parking space for the public and introducing a fixed object within the pedestrian path creates a possibly dangerous pedestrian/vehicle conflict within a sidewalk, particularly given the significant number of

blind pedestrians in this neighborhood due to the close proximity to the National Federation of the Blind.
    - Reversing the denial would set a dangerous precedent that fosters bad urban design in the future.

- As there is no alley access, these cars would be attempting to park perpendicular to the home and they will not reasonably fit onto this site.
    - Minor Privilege clearly states that it allows ¼ of sidewalk width, not to exceed 4 feet.
    - ¼ of this specific sidewalk is 3.1 feet but applicant is requesting 3.6 feet.
    - The rear of the property is stated by homeowner to be 20' and as per the SDAT website, the property is 14'5" wide. While not reflected in the plans, the wall to be built on the rear of the property will likely sit on a footer of either concrete or CMU block which will be 12" wide. Assuming the opposite side of garage will be mounted directly to the house, a true length of 19' of usable space remains, rather than the stated 20'.
    - To achieve the required 360 sf needed to be considered as two parking spaces, the interior of the garage would need to be 19' x 18' 11.28". Without accounting for any thickness on the wall parallel to the sidewalk, this would require homeowner to actually absorb 4'6 ¼", and likely more, of sidewalk as opposed to the 3.6' they are requesting.
    - There would be egress concerns as they plan to cover stairs to finished basement with a grate that would have a car parked over top of it.
    - Further egress concerns would be the proposal to have rear door exit onto roof of garage.
    - Addressing one or both of the egress concerns would inevitably remove more usable space for the proposed two vehicles that need to park on site.
    - In regards to the points listed in this section, the applicant will actually need closer to 5 feet of sidewalk to get close to accommodating their request but the application erroneously requests only 3.6 feet.

- This request does nothing to improve the community.
    - As shown above, the more likely outcome if approved is that only one car will be removed from street because two will not fit on proposed site.
    - It will severely impede pedestrian traffic on this heavily travelled path to park, school, etc.
    - Our opposition to this curbcut is fully supported by the National Federation of the Blind.
    - These residents have already shown their lack of interest in improvements to the community through their admitted continuous jockeying of their vehicles so no one can park alongside their home, and leaving a dumpster overflowing with trash in front of their home for months.

  - We believe the concern that the residents have already razed their decks and removed sidewalk at some expense is not relevant. Regardless of any conversations they may claim to have had with DGS or Planning, the SPRC document and Minor Privilege application clearly state not to proceed with construction without all proper approvals and permits.
  - There will be no examples of this type of curbcut presented to the Board that are within RNA boundaries due to our successful, and consistent opposition to these requests over the past 6-8 years.
- RNA presented all of these objections to DGS and Planning which ultimately resulted in the revoking of this permit.

The Riverside Neighborhood Association could cite many mathematical variations that will prove that this proposal will not fit two cars but our major opposition is poor urban planning. The residents of our board have lived in the neighborhood for more than 10 years respectively, and we plan to stay in this neighborhood for the long-term. It is our assertion that the value of our neighborhood will increase if the city continues to cultivate the pedestrian friendly streets that urban planners across the country agree are vital to good urban design.

We respectfully request that the Board of Estimates support the goals of "Rewrite Baltimore", and support the Riverside Neighborhood Association, by rejecting this Minor Privilege request.

Regards,

Ann Fiocco
RNA Board Member
Development Chair

Taylor, Harriette

From: Amy Digges [amyqdigges@gmail.com]
Sent: Monday, July 21, 2014 9:11 AM
To: Taylor, Harriette
Cc: Sharkey, Steve; Zaied, Khalil; Benson, Cailin
Subject: Neighbor Letter of Support - 300 E. Randall St. Project

Dear Deputy Comptroller Taylor,

My name is Amy Digges. We live in Federal Hill at 1525 Battery Avenue. Our house is just two houses down from a project at 300 E. Randall St. that will be presented by our neighbors, Pete & Maura Belden, at the Board of Estimates meeting this Wednesday. My husband Kip and I have lived in the city for years and plan to raise our three children here for years to come. We love the city, especially the great young families around us.

We have known about Pete & Maura's project plan for a very long time and think it is a tremendous opportunity for them to create two parking spaces for their family. Also, this project is an opportunity for us, as well as other neighbors, to add one parking spot to the neighborhood. Parking is a huge problem in the city. The city wants a family like theirs to stay in the city to raise their family for years to come. Their project is more than feasible, and we fear that you will lose another family to the suburbs if this is not approved.

We know that you may receive some sort of opposition to the project. We want assure you that this opposition does represent the best interests of the community. Pete & Maura have spent loads of time petitioning the surrounding neighbors in the evening. Not one person opposes the project on our entire 1500 block of Battery Ave. These are the same neighbors that are mostly affected by the project. This project was somehow stopped for this minor privilege permit, even when they were told they didn't need to have one by city officials. This has placed so much undue hardship placed upon this family that none of us will ever fully appreciate. We and the other members of this community are hopeful that the city rectifies this horrible situation, approves whatever is needed next week to get this project moving again. Please feel free to contact me with any questions or concerns before the meeting on Wednesday.

Kind regards,

Amy & Kip Digges

Taylor, Harriette

From: Belden, Peter [peter.belden@cardinalhealth.com]
Sent: Tuesday, July 22, 2014 1:53 PM
To: Taylor, Harriette
Cc: Sharkey, Steve; Maura Belden; Chung Yi; jnealdesign; Zaied, Khalil; Benson, Cailin
Subject: Fwd: Letter from Pastor Simspon re: parking project

Deputy Comptroller Taylor,

Good afternoon! Please see the following message of support from the Pastor of the Salem Lutheran Church directly across the street from us. This further reiterates our community support for the project moving forward! Thank you!

Pete Belden
Maura Belden
Jason Neal, JNeal Design (Architect)
Chung Yi, CYC Design (Contractor)

Sent from my iPhone

Begin forwarded message:

> **From:** Maura Belden <mdoyle5@jhmi.edu>
> **Date:** July 22, 2014 at 1:41:32 PM EDT
> **To:** Pete Belden <petebelden@hotmail.com>, Peter Belden <peter.belden@cardinalhealth.com>
> **Subject: Fwd: Letter from Pastor Simspon re: parking project**
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** <churchoffice@salemsouthbaltimore.org>
> > **Date:** July 22, 2014 at 1:36:32 PM EDT
> > **To:** <mdoyle5@jhmi.edu>
> > **Subject: Letter from Pastor Simspon re: parking project**
> >
> > To Whom It May Concern:
> >
> > I, Pastor Jacob Simpson, representing Salem Lutheran Church (1530 Battery Avenue, Baltimore, MD 21230) offer our support of the Belden parking project moving forward. We feel it is helpful to the neighborhood and will help this family as well. If you have any questions, please contact me at 443-618-7458.
> >
> > Sincerely,
> >
> > Rev. Jacob Simpson

Taylor, Harriette

From: Cozumel Pruette [csouthe1@jhmi.edu]
Sent: Thursday, July 24, 2014 11:13 PM
To: Taylor, Harriette
Cc: Sharkey, Steve; Benson, Cailin; Zaied, Khalil
Subject: Battery Ave Neighbor Letter of Support - 300 E. Randall St.

Dear Deputy Comptroller Taylor,

Good evening! My name is Cozumel Pruette. My husband Hunter and I have lived in the city for years and started our family of four here with two kids ages 1 and 4. Recently, we put our house up for sale to move to Baltimore county. The parking in our community is no longer compatible with our professions and growing family. So we are basically being forced to make this decision to maintain our quality of life.

Several days ago, neighbors of ours approached us late on a Monday night to sign a petition in support of them adding parking spots to their rear house and giving back a spot to the community. We had seen their project at a standstill for months while walking by their house to walk the dog at the park. We were wondering what was going on. After they explained their story and the project further, we support them 100% without question. Honestly, it saddened us that they had to go to this measure to complete a project. From what they said, they followed all the proper procedures, they were approved for all permits they were told they needed, and they already started construction and have spent thousands of dollars thus far. The people opposing this project are in the minority in this community. We are not sure of their exact reasons for opposing, but there is nothing that is not feasible about this family's project. They basically are taking advantage of an opportunity to improve their family's quality of life, which is exactly what we wished we could be doing to stay in the city. Unfortunately, we don't have the configuration on our house to have 2 parking spots. They also are adding parking back to the community by taking their two cars off the street. So they are clearly helping the community's parking issues as well. Again, this opposition has no valid argument to oppose this project.

We and several other neighbors on our block were anxiously awaiting and hoping for a favorable decision yesterday as they told us that a decision would be made. Well, we stopped by last night, and they told us that their meeting had been pushed back a week by the Board. They weren't sure why this decision was made, but we told our neighbors that we wanted to provide them with another element of support beyond signing a petition. The other neighbors that stopped by may be taking the time out of their day to do the same. It is that important to us that this situation is made right. We remain hopeful for this family and our close neighbors that the Board will support this project when the meeting finally takes place. If a favorable decision is not made, my husband will advise them to take legal action. As a litigation lawyer, he questions how all required permits as explained by city officials could be issued and work be stopped in the first place. Not to mention all the time and money they have put into this project.

If the courts do have to decide this, then the community and this family would suffer even more with an open construction site sitting there for who knows how long. We can only hope that this won't be the direction that this will go. Thanks for your time in reading this letter of support. We can't wait for this family to move on with their project and keep their goal of staying in the city. Please let us know if

you have questions or concerns.

Sincerely,

Cozumel & Hunter Pruette

Re: 300 E. Randall Street Project

July 22nd, 2014

Board of Estimates
c/o Clerk, Board of Estimates
City Hall, Room 204
Baltimore, Maryland 21202

Members of the Board of Estimates:

This letter is being written in response to the protest letter you received from Ann Fiocco, one of the Board Members of the Riverside Neighborhood Association ("RNA"). First of all, Ms. Fiocco is only one member of the RNA and does not speak for all residents and members of the RNA. There are numerous other residents who support our project. To substantiate that fact, you have seen a petition signed by many of our close neighbors favoring our project. Therefore, Ms. Fiocco does not speak for the majority of the residents in our neighborhood. In fact, it is important to note that Ms. Fiocco does not even actually live in our neighborhood. She lives on Hanover St., which is five blocks south the neighborhood that the RNA encompasses according to their webpage.

In direct response to Ms. Fiocco's reasons for opposing our project, and in the order in which she sets them forth in her letter, we disagree and refute her statements as follows:

1. Everyone knows that the tightly compacted rowhouses and residences within the RNA boundaries created the urban planning problem that now must be resolved by the City for its taxpayer-residents, namely the critical shortage of parking spaces. Families needing two incomes and thus two vehicles are a fact of life. Ideally, curb cuts would not be needed to accommodate off-street parking, but that is not the reality of the world we live in in the Federal Hill District. The documented goal of the Mayor is to goal to bring new families to Baltimore. In order to do this, the city must attract and retain young married professionals with families by allowing the parking shortage to be alleviated wherever possible. Our project supports this goal.

Granting us a curb cut for off-street parking will not result in a proliferation of requests for curb cuts for parking, because there are very few properties having the configuration of our property, which is located on a corner. Our property is one, and maybe the only one, with enough side space to install an off-street parking area. Due to the large sidewalk in front of our house, a slight obtrusion of our garage will not

obstruct its free use for pedestrians. Contrary to the letter in opposition, due to the distance of our property from the National Federation for the Blind Building, it is misleading to imply that our project will hinder blind people walking on our street. It is stated by Ms. Fiocco that granting us a permit will set a dangerous precedent. The fact is that there are at least ten (10) precedents existing where Minor Privilege Permits have been granted in instances where there has been an intrusion into the sidewalk beyond the stated 25% limit. Like our project, these precedents are all successful in adding parking back to the community and have not affected public walkability.

2. With respect to Ms. Fiocco's attempt to do the mathematical calculations to prove that the configuration of our parking spaces on our property is not feasible, suffice it to say that she should leave that up to the City Officials who have the expertise to make those determinations. Our architect and contractor have worked closely with the City Officials for months to ensure the feasibility of our project. All we are asking for is a minimal variance of six inches to the stated 25% limit on the projection into our sidewalk. This was verbally accepted by the Director of General Services multiple times. Otherwise, we would not have even submitted our application.

3. Ms. Fiocco's stated reasons for expressing her personal opinion that this project will not improve the community are based on several premises that are completely incorrect. According to the City, the project is designed so that it is feasible to accommodate two (2) off-street parking spots. Without having any knowledge or expertise, Mrs. Fiocco concludes that the project is designed so that it is feasible to have only one (1) parking spot.

The minor projection of our project into the unusually wide sidewalk in front of our property allows more room for pedestrian use than numerous other sidewalk areas in the neighborhood with similar intrusions. The support or non-support of the National Federation for the Blind is not relevant to our project because of the large distance of its building from our street. Also, with the National Center for the Blind being a ¼ mile from our house, we rarely have any pedestrians on our street traveling to or from this center.

The temporary jockeying of cars which Ms. Fiocco mentioned is necessary for the transport of our two young children to and from our residence and for our job professions in the medical field. The primary purpose of our project is to allow us to avoid the necessity of doing such jockeying.

Finally, the dumpster she refers to was left on the street after the work on our project had started and had continued for thirty (30) days, including the demolition work for which the dumpster was required. It was because of the complaints of Ms. Fiocco that the project was stopped, thereby enabling the dumpster to be used for other than its intended purpose. In an effort to appease Ms, Fiocco, we actually had the

dumpster removed at our expense, even though we did not cause the problem and were not required to do so.

Ms. Fiocco states that, in her opinion, the fact that we already demolished our deck and cut the curb and have completed approximately one-third of our project, is not relevant. That statement evidences her bias and lack of judgment. It is absolutely relevant that the City issued the Curb Cut Permit and Construction Permit to authorize the work to be done at considerable expense to us, before it was stopped by the City. If Ms. Fiocco wanted to oppose the project, she should have objected before the Permits were issued and the work was started, not after. All procedures for obtaining the Permits to do the project were done in full view of the public, before all the appropriate governmental departments required to authorize the Permits. If Ms. Fiocco was remiss in her duties in allegedly speaking for the RNA in opposition to our project, she waited too long to file an objection.

Ms. Fiocco is wrong in stating that we were not told by DGS and Planning that we could proceed with our project. We were told that we could proceed without a Minor Privilege Permit, and we were allowed to proceed with construction. We have evidence to substantiate that fact. We then proceeded in good faith in reliance on that authorization to proceed with the construction and have spent over thousands of dollars on the project thus far.

In summary, the RNA is not qualified to cite mathematical variations to attempt to show our project is not feasible. Our architect and contractor, who have worked closely with the City engineers and planners to design a feasible project, have determined that the project is feasible. The SPRC would not have approved the project if this was not the case. It is unfortunate that Ms. Fiocco does not acknowledge that fact, and does not possess the foresight to recognize that, in this instance, a curb cut allowing for off-street parking is in the best interest of the neighborhood, and thus the RNA.

We request that the Board of Estimates grant the Minor Privilege Permit to allow this project to be completed without further delay.

Very truly yours,

Peter and Maura Belden

Cc: Jason Neal, JNeal Design
Chung Yi, CYC Design

j.neal design BOE PETITION REBUTTAL	PEOPLE	Jason Neal, Baltimore CIty Board of Estimates	PROJECT	RE: 300 E. RANDALL ST.	DATE 07.25.14

Board of Estimates
% Clerk, Board of Estimates
City Hall, Room 204
Baltimore, Maryland 21202

Members of the Board of Estimates:

This letter is being written on behalf of our clients, the residents of 300 E. Randall Street and in response to the petition provided by Ms. Ann Fiocco of the RNA.

Both as residents of Baltimore City and locally practicing design professionals, our firm has only the best interests at heart for our city and its development. Our Principal Architect and owner is a resident of the Riverside Neighborhood for 10 years. We also recognize that design and planning require critical thinking and adaptability, not a one-size-fits-all solution. We firmly believe that the concerns outlined in this petition are an oversimplification of a very unique set of circumstances this property possesses.

Though it is possible that a curbcut could impede upon the walkability of a sidewalk, the city has outlined a series of checks and balances to ensure otherwise. By virtue of the statutes in place, very few properties have eligibility to apply for a curbcut. This effectively eliminates the argument against this project on the basis of setting a negative precedent that facilitates superfluous curbcuts in the neighborhood.

- DGS outlines that a minor privilege for garage-type structures are not to exceed 4’-0” into the public right of way, the remaining public right of way is not to be diminished to less than 5’-0” and not to be more than 25% of the public right of way.
    - The homeowner in question is asking for a 3’-6” protrusion into the public right of way, less than the maximum allowed.
    - The public right of way remaining after deducting 3’-6” exceeds the minimum required at 8’-9”
    - Though 3’-6” does amount to more than 25% use by a total of 0’-5” or 3%, this project will not be setting precedent for privilege awarded beyond the 25% usage mark, because it is something that has been allowed previously.
- In order to be eligible for a curbcut application the property would need to meet the below criteria:
    - Be a corner lot with a 20’-0” setback at minimum
    - A minimum lot depth of 14’-0” feet
    - An unusually deep sidewalk
- Our property meets the below criteria:
    - It is a corner lot
    - The rear setback is 20’-0”
    - The property width exceeds 14’ being 14’-5”
    - The sidewalk in this location is unusually deep being 12’-4”
- In regards to concern over egress:
    - The IRC 2012 code R311.2 for egress doors dictates only 1 required exit door as means of egress.
    - The design proposal is not actually removing any of the exits from the home, but adapting them to new use.
    - Additionally, concern over egress has already been addressed in SPRC review and resolved as a non-issue.

Ms. Fiocco has made claims as to both this project and our clients with little to no insights on the matters actually at hand. She has provided blanket statements, vague numbers, and implied that she speaks with support for the collective neighborhood. This project will not set a negative precedent, for the reasons outlined above. Though it will be privatizing one public parking space, it is adding two new parking spaces, thus benefitting the neighborhood parking situation. The clients have been exemplary community members, being able to put together a petition to show that many of their neighbors are fully understanding and in favor of this project proceeding. The dumpster in question was put into place to begin the construction already approved and permitted by the city. It was only after the stop work order instigated by RNA/Ms. Fiocco that this became community nuisance. Conversely, the clients, in good faith to the community paid to have the dumpster removed before resolution on this matter.

Furthermore, when our firm was initially contracted by the client, we provided a set of drawings documenting the existing site for project viability and a proposed carport concept that had no permanent structure encroaching into any of the public right of way. After numerous meetings and presentations the Site Plan Review board approved this concept under the guidelines set. For unknown reasons, DGS was not represented at these meeting and though we contacted DGS multiple times to verify the necessity of a minor privilege for our concept we were informed the carport was not a permanent structure and thus not under their jurisdiction. We subsequently applied and received permit to begin construction. It was only after construction began that we were startled to be informed that this project had further, seemingly fabricated, requirements to be fulfilled. We then provided a series of adapted permutations of the project in to attempt to meet every set of new demands outlined before us.

We as local design professionals have done all that is within scope to appease city requirements, while best meeting the needs of our clients and the community. The disorganized city process and allowance of misleading opposition has put tremendous strain on our clients as well as us operating as a small business. The lack of essential communication between different departments has resulted in a myriad of broken promises from city representatives, and redundant meetings.

Baltimore is our home, and where we have chosen to cultivate business. We want to see this city grow and thrive through smart development. It is disheartening to run into as many communication/organization issues at a city level over a simple project. As a small business, this acts as a deterrent to pursue further architectural development within the city and makes it difficult to be optimistic on the initiative to bring in 10,000 new families to Baltimore. Although, I'm encouraged to hear that city officials agree with the need for changes and policy reform is on the horizon, it still doesn't excuse the fact the client, contractor and our firm have been victims of an ineffective system. Again, on behalf of our clients, and our own professional integrity we are writing this letter to provide clarity on the process of this project and formally disapprove of any technical argument the opposition stated against it.

Thank you for your time.

Sincerely,

Jason Neal, R.A, LEED AP
Principal/Founder
J.Neal Design

Dept. of General Services – cont'd

Ms. Fiocco: "-- sorry, I know I'm loud. Um, I'm on the Board of the Riverside Neighborhood Association, and I'm here today with Shane McCourt, who is our president of the neighborhood association. Do you want me to just start talking? Okay. Um, I sent a letter to the Board, I hope you all have seen it. Um, I don't want to belabor it, so I'll just go over a couple basic points. The um, we would just like you to honor the wording of 'RewriteBaltimore.org,' which says that um curb cuts are really bad urban planning; that we believe, we have believed that for years, we have opposed every curb cut that has come up within our neighborhood association boundaries, um, so we believe that this is a bad policy. Baltimore City believes that this is a bad policy. 'Rewrite Baltimore' says that you should be reducing the number of curb cuts, not adding to them; that pedestrian and vehicle contact on a sidewalk is always a recipe for danger; so there is a major safety issue in our eyes. That is our major objection to this plan – is that we don't think the curb cuts serve any value to the neighborhood.

Dept. of General Services – cont'd

Um, in fact, there a million studies and articles that will tell you that um, increasing a neighborhood's value is key to um, pedestrian traffic is key to keeping value in a neighborhood. Um, in a city that pushes the Circulator and the Red Line and Zip Cars and biking, um, this flies in the face of all of that -- we believe. Um, you want to get into details, we don't believe that they actually can comfortably fit two cars on their site. I think they can cram them in next to each other, but our concern is that eventually there will be difficulty getting children in and out of vehicles and that one of these cars will come off. But, furthermore, our job as a neighborhood association, is to look at the big picture, and the big picture for us is what's in the best interest of the neighborhood. I can't, we can't, think just about these specific people. I feel for these people, I'm sorry they got this far in the process before all this came out, um, but we have to look at the bigger picture, which means we have to look at the precedent that this will set.

Dept. of General Services – cont'd

We also have to look at two, three years down the road from now and they're not here, and a new owner moves in, and the new owner says 'Ah, I think I'm going to use this garage for storage.' So then, his cars are back on the street. So, you know, we have, we have to look down the road, and I think, I think that, rightly so, if it's your house, you have to think about what you need and what you want and what will make your life easier. And I completely understand that, but -- you know, I've been on the Board since 2001 and um, and this is the position we've always taken is that we look out for the best interest of the entire neighborhood, which includes the Peninsula and the City. Um, I know they have a petition; I consider that petition invalid because there's been no way to verify the signatures. Um, we've also had many requests of people who would like to rescind their signature for various reasons. Um, I wasn't there when these pitches were made for the petition signatures, but we've had varying reports of um,

Dept. of General Services – cont'd

not mentioning the garage, or the encroaching into the public Right-of-Way at all, just that they wanted to add space to park their two cars. We've heard that they've had, they have Councilman Cole's support; we've heard that they've had, they have said that they have neighborhood support; um, we have heard that they have said that they have lived without air conditioning all Summer because of this. So we, I don't know if any of that's true, I just know that several people have asked to rescind their signatures because they didn't realize, or they didn't sign because of those things. So, I'm -- I can't consider this petition as valid at all."

Mayor: "Can I ask a question?"

President: "Um hmm."

Mayor: "Do you have their names, the names of the individuals who want their names taken off the, the petition?"

Miss Fiocco: "I have uh, two, one is in writing, which is the Pastor of Salem Lutheran Church --"

Mayor: "Thank you."

Dept. of General Services – cont'd

Miss Fiocco: "-- who was out of town, so he wasn't able to really contact us when he was contacted. He was doing a church camp, and he is directly across the street. I just want to add one more quick thing. When we talk about pedestrian friendly, please keep in mind that this house is across the street from Riverside Park, which has Riverside Pool, which is a huge City pool. They are um, two blocks from The Federation of the Blind; a block from Elementary um 84, Thomas Johnson, which is also a middle school and across the street from the church. We have the support of The Federation of the Blind as well."

City Solicitor: "So um, you, you've produced to the Mayor, one letter from somebody who wants to withdraw their petition signatures so is there a second person out of the hundred signers of the petition --?"

Miss Fiocco: "There is a person, um, I, she, I honestly don't know her last name, but she is at 308 E. Randall, which is four houses up from them."

City Solicitor: "So, you just don't have anything in writing from her?"

Dept. of General Services – cont'd

Miss Fiocco: "No."

City Solicitor: "Okay, so --"

Miss Fiocco: "I, I didn't consider the petition as valid, because we have no way of seeing these signatures or anything, so I wasn't as concerned about who was on it and who wasn't on it."

City Solicitor: "And could you just explain to me, the process that the, that your association went through in adopting the position that it has taken with regard to this particular property? That had a Board meeting, or is that a members' meeting, when was the meeting held, were people notified of it, etc.?"

Miss Fiocco: "Well this is um, this is not a specific position to them. This is a decision we made six or eight years ago as a Board."

City Solicitor: "So, the Board, I'm sorry, the Board made a decision six to eight years ago to oppose curb cuts, and what

Miss Fiocco: "Yes, we discussed this --"

Dept. of General Services – cont'd

you're now doing is applying that decision six to eight years ago to this particular application, is that right?"

Miss Fiocco: "I apply it to everyone."

City Solicitor: "Okay. But, yet, not that at a separate Board meeting to focus on the particulars --?

City Solicitor: "I'm sorry, the particulars and circumstances of this specific property and its circumstances?"

Miss Fiocco: "Yes. We have discussed it."

City Solicitor: "At a, at a Board meeting?"

President: "Speak in the mic."

Comptroller: "You need to get closer."

Miss Fiocco: "I'm sorry. Yes, we have discussed it as a Board, and we are fortunate on our Board, that we have several um, developers, planners, and urban traffic planners."

City Solicitor: "So, I'm sorry, so that was discussed at a regular Board meeting?"

President: "You have to speak in the mic."

Comptroller: "State your name."

Dept. of General Services – cont'd

Mrs. Laura Belden: "Hi, I'm Laura Belden. I'm the wife of Peter Belden, and I live at 300 E. Randall. Um, I understand her stance, but I don't attend all the Riverside Association meetings, but because this project has become in the limelight of recent, I have tried to make an attempt to try and attend the most recent Riverside Association meeting. There has never been a formal discussion and we've never placed a vote on the matter as well. So, um, I just wanted to bring that to your attention."

City Solicitor: "So, has your association had meetings, let's say, since the first of the year because this project has been underway and pending for some time now?"

Miss Fiocco: "We meet every month, and the Board has met three times, and in our by-laws, the Board is allowed to make decisions at Board meetings. So, this is um, not mentioned. I try not to mention these kind of issues in the community meeting settings because I don't like drawing attention to one person and one person's house."

City Solicitor: "Okay."

Dept. of General Services – cont'd

Miss Fiocco: "So, but yes, as a Board, we have discussed it, believe me, ad nauseam we have discussed it."

Mr. Belden: "If you don't mind, if I could just comment on some of the arguments by the opposition. Uh, if our opposition truly represents the community, you would think as Board members these individuals would have the decency to approach us about these issues with the project, rather than going, kind of like, behind our backs, personally attacking my family through erroneous e-mails sent to the City officials. Also, if our opposition truly represents our community, you would think that as Board members rather than say that this does nothing for the community, that they would at least talk to our closest neighbors, including people that are in the room that are clearly affected by this project if they agree with that statement. If our opposition truly represents our community, you would think that as Board members, that they would bring this up in newsletters, meetings and -- copies of the last four newsletters where this is even discussed. If our opposition truly represents our community,

Dept. of General Services – cont'd

you would think that as Board members, that they would have all the facts concerning this project. Um, you know, we, we've had multiple meetings with them, we actually approached them and said listen, we found out after the fact, that you are protesting our project, and we think, you know, that's not the way to communicate as adults in my opinion. And we actually had meetings with these individuals next to me where we again, told them our project meets the current standards. I know she mentions ReWrite. Baltimore, but given the current policies and procedures that are in place today, our project meets those standards and I think they could probably speak to some of the things that they're doing so that, you know, within DGS, and within Planning, to make sure that our situation doesn't happen in the future 'cause we've been put through a tremendous amount of hardship. Thank you."

President: "And that was going to be my question to Mr. Sharkey. Um, why didn't they tell Mr. Belden from the start that he needed a Minor Privilege Permit? Because you know when you do that, the community association too is notified and they

Dept. of General Services – cont'd

can, you know, have a meeting with them and discuss the opposition way before he started tearing down his garage and doing the curb cut, and, and as a follow-up, you know, what are you, what are your plans to coordinate with the Site Planning Committee to make sure this does not happen again, because clearly we're at fault?"

Mr. Sharkey: "So uh, I completely agree with you, so uh, the issue here is that a letter was sent from the Site Plan Review Committee uh, within, uh with the caveat that uh, this was kind of a little bit 'buried' into the letter and that the Counter Permits staff, which is the people down at the first floor of the Abel Wolman Building, missed that piece and we definitely apologize for that. Uh, the second part is, uh, Site, DGS, I am reviewing every single uh, curb cut permit as of right now until I'm completely confident that we are "checking every single, checking every I and dotting every T. Uh, we're, you know, Eric and I have had other discussions about how we can move these processes forward and how we can keep clear communications uh, between the two groups, so I definitely have my eyes, and everybody in DGS has their eyes peeled on every single curb cut that's coming through."

Dept. of General Services – cont'd

President: "Any further discussion?"

City Solicitor: "Does the President entertain a Motion?"

Mayor: "Before we do, I just in, in follow-up, I would ask the Department of General Services and Planning to make sure that we're reviewing the policy. We are doing a major re-write and we, we do have to uh, plan for some consistency uh, throughout the city, I think we have to be mindful that we have historic neighborhoods. We also have historic neighborhoods that are only going to thrive if we find a balance between the growth that we hope to see uh, in the city and preservation of some of those characters, uh, characteristics of the community. So, my hope is that uh, you'll come back to us with uh, a review of the policies moving forward."

Mr. Sharkey: "We will."

President: "Uh, is there a Motion?"

Dept. of General Services – cont'd

City Solicitor: "Uh, I'd like to MOVE, uh, Mr. President, to approve the Minor Privilege Permit applied for with the express intention that this approval be of no precedential value whatsoever inasmuch as it involves unique circumstances, particularly; a.) that the property owner has expended, in good faith, significant funds and reliance on previous City approvals, and b.) that the non-compliance with the 25 percent requirement is only six inches and involves a wide sidewalk."

Deputy Director Public Works: "Second."

President: "All those in favor say AYE. Please note the Council President votes **NO**. Um, we are setting a bad precedent in doing this, and I do understand the problem of the family, but we should have made sure that a Minor Privilege Permit was -- so it could have been posted that we do all this work before they tore down their property, so I'm voting **NO**."

Comptroller: "The Comptroller votes **NO** also."

Miss Fiocco: "Thank you."

President: "The Motion carries."

MINUTES

Department of Transportation – Traffic Impact Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a Traffic Impact Study Agreement with Miller's Square, LLC, Miller's Square Retail, LLC and 211 W. 28th Street, LLC. The agreement is effective upon Board approval and termination will be deemed in writing by the Department.

AMOUNT OF MONEY AND SOURCE:

$40,639.81 - will be covered under Project No. 1134 On-Call Agreement, Task No. 15, approved by the Board of Estimates on December 18, 2013 with Sabra, Wang & Associates, Inc.

BACKGROUND/EXPLANATION:

Baltimore City Ordinance 06-345, approved on November 11, 2006, determined that a Traffic Impact Study was required for the Development. This agreement is necessary to perform a traffic impact analysis for Remington Row at 2700-2900 Remington Street, where the developer has applied or intends to apply for a Building Permit in Baltimore City to perform the scope of work including 45,000 square feet of office, 108 residential dwelling units, 33,000 square feet of retail, and 276 parking spaces.

The Traffic Impact Study assesses the development and its relative traffic impacts. The developer will pay for the total cost of the Traffic Impact Study.

MBE/WBE PARTICIPATION:

N/A

A PROTEST WAS RECEIVED FROM THE REMINGTON NEIGHBORHOOD ALLIANCE, INC.

RNA COMMENTS, July 18, 2014:

INTRODUCTION

From January 6, 2014 Memorandum of Evan Morville, Seawall Development Company: *"It is the intent of both DOT and Seawall to provide a draft of the TIS Scoping Agreement by January 16th and that ... RNA ... will then have 2 weeks to submit comments to the TIS Scoping Agreement (January 30th). Once the comments from RNA ... are received a revised TIS Scoping Agreement will be prepared by DOT and signed by Seawall."*

On July 15, 2014 the RNA received the following document from Evan Morville: Proposal to Perform Traffic Impact Study - Sabra, Wang & Associates, Inc. - January 14, 2014; Revised May 7, 2014; Revised May 30, 2014. The following are the RNA's comments on the Proposal, with respect to the development plans submitted in May 2014 to the City Council.

DETAILED COMMENTS AND RATIONALE:

Objection to a TIS at this time:

Since January 2014 this project has evolved into a proposal that is not permitted under the zoning regulations and, as submitted to the City Council, does not qualify to be approved as a PUD. We do not recommend that any public resources be expended on this project at this time.

If the project is processed in spite of the circumstances, the result may be denial of the project in whole or in part, or other amendments, which may eliminate the need for a TIS or change the necessary Scope. For example, the Stormwater law requires a significant amount of pervious area which could radically change the size and placement of the building in the 2700 block, west side.

We do not recommend that a TIS be initiated at this time.

Reduction of Redevelopment Area:

As currently proposed, the only portion of this project that would be developed within a reasonable time frame following a 2014 TIS is the 2700 block, west side. The current proposal for this block, as submitted to the City Council, is 108 apartments, 35,000 square feet of office space, 15,000 square feet of retail and 181 parking spaces.

Since January 2014, the developer has eliminated the 2900 block of Remington Avenue and has put off redevelopment of the other blocks until far into the future. TIS analysis in 2014 with respect to those blocks, including study of existing and future driveway usage, would be extraneous and irrelevant and should be eliminated from the Scope. Future redevelopment of those blocks will require a new TIS.

Elimination of a Major Background Development:

As of January 2014, 25th Street Station was a projected background development. Recent events, however, including the abandonment of the 25th Street Station developer's contract to purchase that 11-acre property, along with the expiration of that project's 2010 TIS, have eliminated the relevance of including 25th Street Station as a background development. These events have also eliminated the need to include the two Sisson Street intersections in the TIS for this project.

However, the RNA is informed that the Remington Avenue developer is closely associated with the parties now pursuing acquisition of the former 25th Street Station properties. It is therefore incumbent upon the developer to indicate and confirm the true status of the 25th Street Station. This information is highly relevant to the Scope of this TIS. In particular, if there is any plan, intention or even renewed desire to build the 25th Street Station project, a new TIS is needed for that project. Rather than conduct two separate TIS processes, the two proposals should be combined under a single TIS with a much larger Scope than what is needed for the Remington Avenue project alone.

On-Street Parking Study:

Study Area: For the 2700 block west side, on-street parking on 29th Street should not be included in the study. All other areas should remain.

Survey Hours: Parking impact is greatest (1) during the business day, when non-resident employees are in the neighborhood, and (2) in late evening/nighttime when residents are home from work and restaurant patrons are in the neighborhood. The proposed utilization survey hours of "weekday evening" needs to be tailored to the time of greatest parking impact. The "Saturday midday" time may need to be changed to Saturday evening/nighttime.

Traffic Count Collection:

The RNA expects certain January 2014 collection protocols to be followed. As a result of the January 2014 TIS panel meeting, and as confirmed in the developer's January 6, 2014 Memorandum, all traffic counts are to be taken as "fresh data" when schools and colleges are in session, and all weekday counts taken on Tuesday, Wednesday or Thursday.

However, the May 30, 2014 Scope now states that the consultant will "Collect recent (less than one year old) or collect new traffic data[.]" Also, Ms. LaCour of DOT recently indicated that traffic counts were scheduled for "late August." The start dates for the 2014 fall term are:

JHU:	Thursday, August 28th
UB:	Wednesday, August 27th
MICA:	Tuesday, September 2nd
Public School:	Monday, August 25th

Accordingly, traffic counts may not be taken prior to September.

Hours of collection: Weekday PM traffic counts should be collected from 4:00 to 7:00 pm.

Trip Generation:

Since January 2014, details about the proposed uses in the 2700 block, west side, have emerged to inform Trip Generation. The proposed uses are Apartments, Office, Retail or other, and Parking. The proposed Scope does not identify the ITE use codes to be applied; the RNA has concerns about this feature of the TIS. In each instance, the highest-impact use should be applied in order to calculate Trip Generation. As the proposal calls for multiple restaurants, the Trip Generation should reflect this possibility. All Apartments should be considered as full units.

Trip Reduction:

Based on prior experience, the RNA is very concerned about Trip Reduction methodology. Prior experience has shown that Trip Reduction figures have been inflated at a developer's request to artificially reduce traffic impact. Offices and retail, including restaurants, will bring people to our neighborhood in cars. This is already our experience with two of the developer's existing projects on Howard Street. The RNA requests notification of proposed Trip Reduction methodologies and rationale and an opportunity to comment in advance.

Future Conditions Project Delivery Year:

The proposed Scope uses two different project delivery years, both 2015 and 2016. From the developer's own information, it is impossible for the 2700 block west side to be completed before 2016.

"Two Most Critical Peak Periods"

The RNA is concerned that the proposal is to provide TIS analysis for only two of the three peak study periods. It is necessary for the TIS to include all three: weekday AM, weekday PM and Saturday peak.

ADDENDUM to RNA COMMENTS, July 18, 2014

New Background Development:

The developer's publicly stated proposal to move the current Baltimore Glass business to a location in the 2900 block of Remington Avenue has been identified as necessary to facilitate the proposed redevelopment of the 2700 block. It appears the proposed new Baltimore Glass facility will exceed the 15,000 square foot threshold for the requirement of a TIS.

This would make the Baltimore Glass proposal and its separate TIS a "background development" for the current project.

The RNA work group for this Remington Avenue TIS does not have sufficient information other than the fact that Baltimore Glass will have to be moved to its new location prior to the redevelopment of the 2700 block. This undoubtedly impacts this entire TIS proposal.

Department of Transportation – cont'd

President: "The final item on the non-routine agenda can be found on Page 78, Department of Transportation Traffic Impact Agreement. Will the parties please come forward? Okay. Let's go."

Mayor: "Thank you."

President: "Okay, let's, let's, let's go."

Mr. Frank Murphy: "Mr. President, Honorable Board, I'm Frank Murphy, Senior Advisor Baltimore City Department of Transportation. You will recall two weeks ago that there was a deferral on an action to approve the TIS agreement um, in response to Miss Floyd's request. Since that time there was a meeting held with Valerie Lacour, our Chief of Planning, who unfortunately can't be with us today, because she's in Ohio. She had a tragedy and loss of a 21-year-old nephew in a car crash a couple of days ago. Um, So I wasn't present at the meeting, but I had a conversation with her yesterday and she indicated to me that um, it was her determination after the meeting with Miss Floyd and the representatives of Seawall, um, that the objections raised did not require the change of the scope of the TIS.

Department of Transportation – cont'd

Um, the scope is basically the methodology of what would be used to conduct a traffic study, and while there can certainly always be differing opinions about the area that you include in the study, the intersections that you use in the study, the time treatment of, it's akin to imagine they're going to do a traffic count on a four-lane road and a utility comes up and blocks off two lanes. You're going to get a different answer, but you still do the counting the same way. So, it's our position that the scope of the study should proceed. Uh, in addition, there is a 60-day time limit when you're conducting the study and that clock is running. Um, if we don't get the study done in the 60 days that's in the statute, what happens then is that the City loses its ability to control the conducting of the traffic study and the developer retains the right to do that on their own, so we think the public will be best served by moving forward with what we view as a properly "scoped" study."

President: "Miss Floyd."

Department of Transportation – cont'd

Ms. Joan Floyd: "Thank you Mr. President. Just um, sorry, for the record, Joan Floyd, President of the Remington Neighborhood Alliance. There, there was some concern two weeks ago as to why -- was I involved in this. So, I provided the Board members packets um consistent with -- original responses to the, in December 2013, to the questionnaire that we did receive from the Department of Transportation, and then the uh, uh Mr. Morville's memorandum, follow-up memorandum of January 2014, uh, going and moving with the TIS panel and of course that was seven months ago. Um, page 2, item 9 of Mr. Morville's January memorandum did indicate that there are a minimum of two weeks um, to review the proposal, um, and to provide follow-up comments. Um, that is entirely consistent with the request I made two weeks ago that we be given an opportunity to fulfill our responsibility and with respect to this particular aspect of our project. Um, -- we did it in three days instead of the two weeks that we had originally expected. Um, our follow-up comments, I have copies of those if you don't already have them in the packets, I can hand those out.

Department of Transportation – cont'd

Um, I'd be happy to give you those. I wasn't sure whether you had those or not. Um, these were discussed as Mr. Murphy said, at a, at a meeting last week. It, it was a good meeting. We appreciated the uh, the panel's explanations. Several issues we did not agree with, we have sort of agreed to disagree. Um, so we do um, we do not agree with, with going forward with this at this time. I was a little concerned just now, on an issue of this, 60-day uh, clock actually running right now, I'm not sure why that would be. We were supposed to be given uh input prior to anything signed. That was in the memorandum, so I'm not sure why the clock is actually ticking right now, but I was there. It's some concern for some part but we didn't understand why that was the case. Um, um, just, just a couple of comments, um, it is true that the project is very different now, and is quite entwined now with the 25th Street Station project as well, and a particular concern to us is the fact that we still did not have a strong work plan that we can see, and um, the Stormwater management is really big on everyone's mind right now. So again, I'm just reiterating that we, we really do not agree with actually going ahead with this at this time. Thank you."

Department of Transportation – cont'd

President: "I'll entertain a Motion."

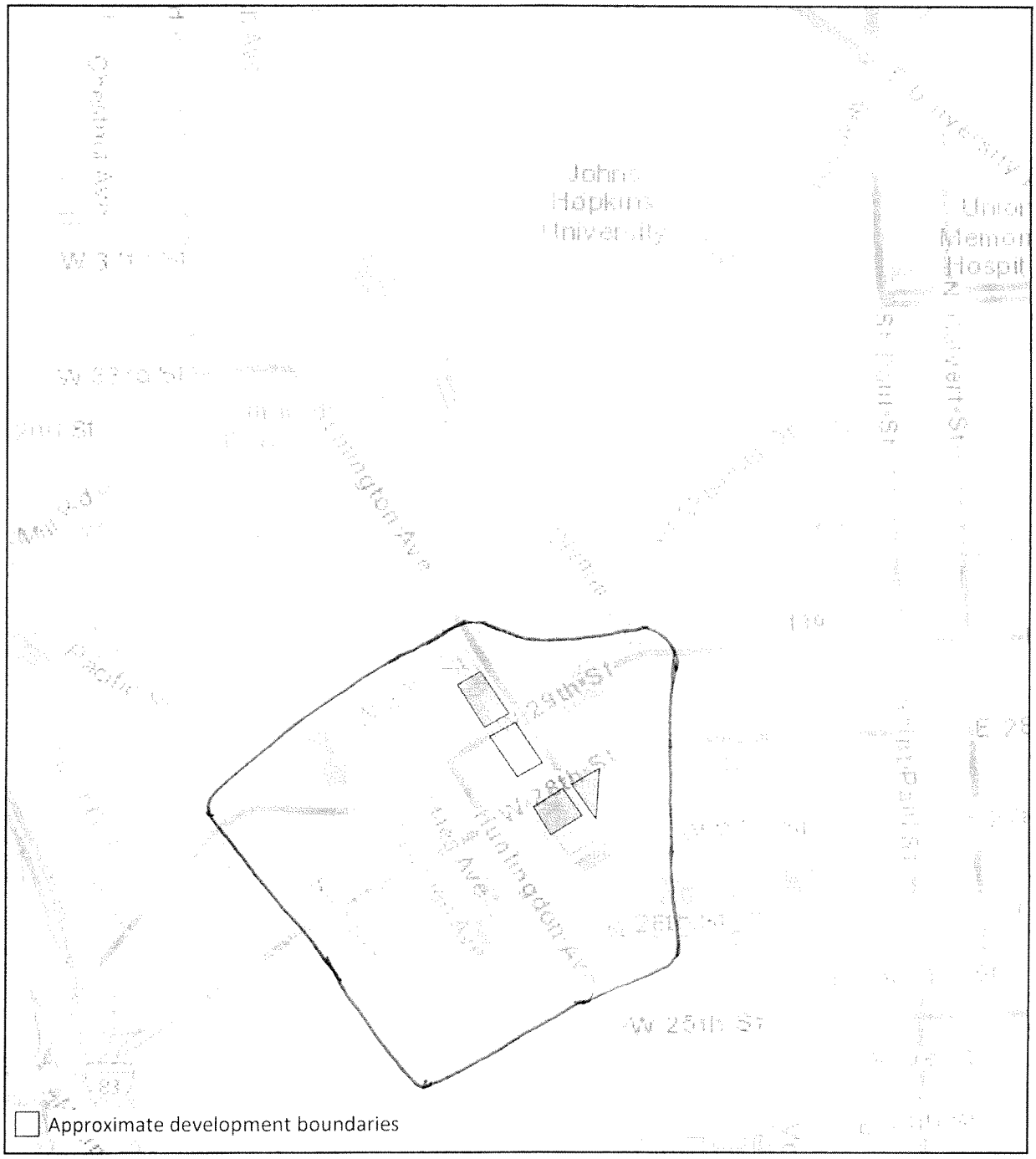
City Solicitor: "MOVE approval of the traffic impact agreement, uh, item from the Department of Transportation on page 78 as submitted."

Deputy Director Public Works: "Second."

President: "All those in favor say AYE. All opposed NAY. The Motion carries."

Remington Row Traffic Impact Study
Scoping Questionnaire

1) A TIS primarily evaluates operations at critical intersections in the vicinity of a proposed development. On the map below, please identify intersections of concern to your neighbors that should be considered as part of the scope of the Remington Row TIS.



2) RNA RESPONSE – 31 December 2013

EXISTING CONDITIONS STUDY must include:

- Weekday Peak traffic counts at all intersections, both signalized and unsignalized, within the boundary drawn in blue on the attached site map. Counts must be taken within 12 months of the study and must be taken on an average Tuesday, Wednesday or Thursday. No counts taken on days when public schools, State offices, local government offices, Johns Hopkins University, University of Baltimore, and/or Maryland Institute College of Art are closed. Counts should be taken on the same day, and must be taken on the same week.
- Current queuing conditions during Weekday Peak along 28th and 29th Streets.
- Saturday Peak traffic counts at all intersections, both signalized and unsignalized, within the boundary drawn in blue on the attached site map.
- Current ingress and egress traffic counts, for Weekday Peak and Saturday Peak, at each of the properties within the proposed PUD. Weekday counts must be taken on a Tuesday, Wednesday or Thursday and may not be taken on a day when government or institutions are closed (see above). If a property is currently unoccupied, the number zero may be used as the count.
- The correct capacity of streets. 28th Street, 29th Street, Huntingdon Avenue, Remington Avenue and Sisson Street all have 2 parking lanes and 2 travel lanes.
- Parking Space survey: Existing parallel on-street parking spaces must be inventoried by block, based on current standard parking space length. Inventoried blocks must include all blocks within the proposed PUD boundary and all blocks adjoining the proposed PUD boundary. For example, the survey of existing spaces must identify both sides of Cresmont Avenue between 27th and 28th Streets.

COMMENTS regarding the analysis:

- The points of future ingress and egress as shown on the site plan are only proposals, and may change. There is considerable concern in the community about the appropriateness of some proposed points of ingress and egress, especially along 28th and 29th Streets. The Analysis must provide data for different scenarios.

- The proposed uses within the PUD are not provided on the site plan. The Analysis must provide data for different scenarios.
- The traffic added by 25th Street Station must be included in the analysis. This must include updated traffic count projections for Sisson Street for the new 24th Street Wal-Mart location and larger Wal-Mart store.
- An additional analysis with 28th and 29th Streets as two-way streets instead of one-way streets.
- Future Parking Spaces: Analysis must include projections of future parallel on-street parking spaces based on standard parking space lengths, proposed curb cuts, and adequate site distances.

3) RNA RESPONSE – 31 December 2013

MTA bus lines #27 and #98 serve this area.

COMMENTS regarding bus stops:

- No bus stops may be moved to, or added to, the 2800 block of Remington Avenue or the 200-300 blocks of W. 27th Street.

4) RNA RESPONSE – 31 December 2013

- Unfortunately, DOT did not consult the RNA on this issue prior to the recent Site Plan Review Committee review. We reserve the right to provide input for future Site Plan Review Committee meetings and during the PUD process. As noted earlier, a concern has already arisen regarding points of ingress and egress along 28th and 29th Streets. Additional concerns will undoubtedly arise as more information is provided, such as the proposed uses within the PUD.

MEMORANDUM

TO:	Valorie Lacour – Baltimore City Department of Transportation Kyle Leggs – Baltimore City Department of Planning Paul Silberman – Sabra, Wang & Associates Matt Sosnowski – McCormick Taylor Engineering Ropy Subham – Whitman, Requardt & Associates Councilwoman Mary Pat Clarke – 14th District Councilman Carl Stokes – 12th District Joan Floyd/ Doug Armstrong – Remington Neighborhood Alliance (RNA) Judith Kunst – Great Remington Improvement Association (GRIA) Thibault Manekin – Seawall Development Company
FROM:	Evan Morville – Seawall Development Company
SUBJECT:	Remington Row – Traffic Impact Study Panel Meeting Minutes
DATE:	January 6, 2014
CC:	N/A
ATTACHMENTS:	TIS Traffic Impact Study Panel meeting sign in sheet Map of Intersections to be studied as part of TIS RNA TIS Questionnaire Response dated December 31, 2013 Remington Row Development Fact Sheet (based on Schematic Design plans dated 12-6-13)

On January 2, 2014 the Baltimore City Department of Transportation ("DOT") held a Traffic Impact Study ("TIS") Panel meeting to discuss the scope of services to be included in the TIS for the planned mixed use Remington Row project proposed by Seawall Development Company. In attendance at the meeting were the following individuals:

- Valorie Lacour – Baltimore City Department of Transportation
- Kyle Leggs – Baltimore City Department of Planning
- Paul Silberman – Sabra, Wang & Associates
- Matt Sosnowski – McCormick Taylor Engineering
- Ropy Subham – Whitman, Requardt & Associates
- Councilwoman Mary Pat Clarke – 14th District
- Joan Floyd/ Doug Armstrong – Remington Neighborhood Alliance (RNA)
- Evan Morville – Seawall Development Company

Below is a summary of the meeting and the specific DOT and Seawall responses to the TIS questionnaire that was completed and submitted by the Remington Neighborhood Alliance. A questionnaire was not received by GRIA but it is anticipated that GRIA will in fact submit a completed TIS questionnaire.

General Notes:

1. The TIS is required as a result of the change in land use of the proposed development area from mostly business to a mixed use of Business, Retail and Residential.
2. Trip generation will be calculated based on the different uses that are proposed for the development. i.e. – Grocery Store, Office, General Retail, Neighborhood Retail, etc….) It is understood that at

this time not every type of retail or businesses use can be identified and that General Retail assumptions will be used where applicable to determine trip generation estimates.

3. Loading as well as planned vehicular entrances to the development will be evaluated for their impact on the adjacent streets and intersections.
4. All curb cuts will be evaluated for their impact on adjacent streets and intersections.
5. Fox Street will be evaluated for any impacts the development may have on the street. The directional nature of Fox Street will also be taken into consideration during this evaluation.
6. There was discussion on the need to coordinate the intersection timing of 29th Street and Remington Avenue as well as 29th Street and Huntington Avenue. In addition, the study should evaluate the impact of the proposed entrances to the development on these intersections.
7. DOT proposed studying 8 intersections and RNA requested 3 additional intersections. See attached map identifying the DOT intersections with Red dots and the additional RNA intersections in blue.
8. The evaluation of the designated truck route through Remington was discussed. DOT will provide a "snap shot" of existing conditions to be presented in the TIS but this will not be a focus of the study. Seawall will work with DOT, RNA and GRIA to properly plan for and monitor truck traffic and routing generated by the proposed development.
9. It is the intent of both DOT and Seawall to provide a draft of the TIS Scoping Agreement by January 16th and that both RNA and GRIA will then have 2 weeks to submit comments to the TIS Scoping Agreement (January 30th). Once the comments from RNA and GRIA are received a revised TIS Scoping Agreement will be prepared by DOT and signed by Seawall. The TIS will take approximately 60 days from the time the TIS Scoping Agreement is executed by Seawall.

Responses to RNA Questionnaire:

Below are the responses from both DOT and Seawall to the TIS questionnaire completed and submitted by RNA. (I have attached the completed questionnaire from RNA and have taken the liberty of numbering the responses on the questionnaire to correspond with the notes below.)

1. DOT and Seawall are in general agreement with request #1. DOT proposed studying 8 intersections and RNA requested 3 additional intersections. See attached map identifying the DOT intersections with Red dots and the additional RNA intersections in blue.
    a. All data collected will be "fresh data" and not pulled from other TIS reports.
    b. All counts will be taken on an average Tuesday, Wednesday or Thursday.
    c. No counts will be taken when public school, institutions or government are closed.

2. DOT and Seawall are in general agreement with request #2. It was discussed that queuing is the result of both signalized timing issues and volume issues. The TIS report will make sure to present this information clearly and it will provide a "snap shot/ video clip" of the queuing.

3. DOT and Seawall are in general agreement with request #3. The intersection identified in response #1 will be evaluated for Saturday, mid-day traffic counts.

4. DOT and Seawall are in general agreement with request #4. Driveways counts and "net new traffic" estimates will be included in the TIS report.

5. DOT and Seawall are in general agreement with request #5. This will be the minimum standard used for the evaluation of these streets.

6. DOT and Seawall are in general agreement with request #6. In addition to providing an inventory of existing parallel spaces, the TIS will also include a summary of the net difference from existing to

planned parallel spaces as result of the proposed development. The "net parking space" evaluation will take into account site distances for entrances, ingress/ egress requirements, traffic light queuing for entrances and the potential management of the parallel spaces in the future.

7. The proposed entrances for the development are what have been submitted to the City of Baltimore and the Site Plan Review Committee. Seawall welcomes comments on the proposed entrances and the TIS will evaluate the Traffic Impact of the proposed entrances.

8. DOT and Seawall are in general agreement with request #8. As stated in General Notes #2 above, trip generation will be calculated based on the different uses that are proposed for the development. i.e. – Grocery Store, Office, General Retail, Neighborhood Retail, etc....) It is understood that at this time not every type of retail or businesses use can be identified and that General Retail assumption will be used where applicable to determine trip generation estimates.

9. DOT and Seawall are in general agreement with request #9. The TIS for the proposed development will include NEW background data collected from the 25th Street Station project based on the revised development plan which does not include the Lowe's Home Improvement Store.

10. Request #10 is outside of the scope of services for a TIS and will not be evaluated as part of the TIS for Remington Row.

11. Please see response to request #6 above.

12. Note taken on the MTA bus lines that serve the area.

13. Evaluation of the bus lines and the location of bus stops are typically outside of the scope of services for a TIS and will not be evaluated as part the TIS for Remington Row. However, DOT reserves the right to make recommendations. RNA supports removing bus stops that are located in front of residential units/ properties.

14. Seawall welcomes comments on the proposed development plans.

These meeting notes were prepared by Seawall Development Company for the purpose of recording the information covered during this meeting. Should anyone object to any statement or interpretation contained herein, please inform Seawall Development Company within seven days or the meeting notes shall stand as written.

PERSONNEL

Department of Human Resources – Personnel Matters

I. Abolish the following two positions:

a. Position No.: 2041-16734
Job Code: 33258 – Word Processing Operator III
Grade: 078 ($29,378.00 - $33,879.00)

Account: 1001-000000-2041-196500-601001

b. Position No.: 2121-13608
Job Code: 41211 – Firefighter Suppression
Grade: 334 ($39,310.00 - $63,728.00)

Account: 1001-000000-2121-226400-601001

Office of the Inspector General (OIG)

II. Create the following position:

10210 - OIG Agent
Grade: 927 ($59,600.00 - $95,400.00)
Position number to be determined by BBMR

Account: 1001-000000-1081-109300-601001

Costs: ($37,943.00)

This position will be assigned to investigate Workers Compensation and Disability Fraud cases in the Police and Fire Departments.

This position is to be considered a Position of Trust, in accordance with the policy outlined in Administrative Manual, Section 237-1.

THE PERSONNEL MATTERS WERE APPROVED BY THE EXPENDITURE CONTROL COMMITTEE.

UPON MOTION duly made and seconded, the Board approved the foregoing Personnel matters.

MINUTES

Bureau of the Budget and Management Research – Carryover of Unexpended Fiscal 2014 Appropriations to Fiscal 2015

ACTION REQUESTED OF B/E:

The Board is requested to approve the final recommendations for carry forwards by various City agencies based upon availability of funds and adherence to Article VI, §9(c) of the City Charter.

Unexpended capital project funds and special funds have been carried forward for their original purpose as is customary. All General Fund appropriations that have been encumbered have been carried forward, and all General Fund appropriations not recommended for carryover have been reverted to fund balance.

To the extent possible and pursuant to Board's approval, appropriations have been transferred within budgets to counteract such deficits in specific budget programs. In those instances where agencies have incurred deficits, these deficits will need to be covered from the Contingent Fund.

General Fund Carry Forward Requests
Fiscal 2014 Unencumbered Appropriation to Fiscal 2015

Agency	Account Number	Purpose	Amount
Board of Elections	1001-000000-1801-184300-601002	Temporary	$483,302
	1001-000000-1801-184300-603011	Rental of Business Machines	$18,490
		Total	**$501,792**
Enoch Pratt Free Library	1001-000000-4501-339600-605003	Replacement of public computers	$200,000
		Total	**$200,000**
Fire	1001-000000-2112-226000-601065	Training	$168,000
		Total	**$168,000**
General Services	1001-000000-1982-192500-603080	Replacement of windows in MECU building	$2,000,000
	1001-000000-1982-192500-603080	Project management training	$75,000
		Total	**$2,075,000**
Housing and Community Development	1001-000000-5971-719100-603050	Weatherization enhancement	$184,860
	1001-000000-5822-409100-603051	Homeownership - Edmondson Village	$25,911
	1001-000000-5822-728400-603051	Wells Fargo Settlement - St. Ambrose	$200,000
	1001-000000-5832-412899-603016	Code Enforcement office renovations	$106,994
	1001-000000-2602-261000-603051	Permit Re-engineering project	$481,660
		Total	**$999,425**

BBMR - cont'd

Agency	Account Number	Purpose	Amount
M-R: Office of the Inspector General	1001-000000-1081-109300-606001	Data Analytics software	$50,000
		Total	**$50,000**
Public Works	1001-000000-5154-388000-604009	Municipal trash can program	$968,000
	1001-000000-1901-190700-606003	Solid Waste Enterprise Fund	$750,000
		Total	**$1,718,000**
Grand Total			**$5,712,217**

2014 FISCAL YEAR
CONTINGENT FUND

Fiscal 2014 Appropriation $1,000,000.00

Recommended Transfers:

Board of Elections	$219,000.00
Human Resources	$391,342.00
Sheriff	$217,469.00

Fiscal Balance June 30, 2014 **$ 172,189.00**

UPON MOTION duly made and seconded, the Board approved the final recommendations for carry forwards by various City agencies based upon availability of funds and adherence to Article VI, §9(c) of the City Charter.

MINUTES

TRAVEL REQUESTS

Name	To Attend	Fund Source	Amount
Baltimore Police Department			
1. John E. Kowalczyk Jeremy S. Silbert	2014 National Information Officers Association Training Conference Tampa, FL Aug. 23 – 28, 2014 (Reg. Fee $695.00 ea.)	Asset For-feiture	$3,480.00
Office of the Mayor			
2. Stephanie Rawlings-Blake Andrew Smullian Stacey Jefferson	Maryland Assn. of Counties (MACO) Summer Conference Ocean City, MD Aug. 13 – 16, 2014	General	$4,049.60

The subsistence rate for this location is $260.00 per night. The hotel cost is $259.00 per night for the first two nights and $329.00 for the third night. The Department is requesting $69.00 to cover the cost of the hotel and $39.00 per day for food for the first and second day and $40.00 for the third day.

The hotel and registration were paid on a City credit card assigned to Ms. Kathe Hammond. The amount to be disbursed to Ms. Rawlings-Blake is $120.00 and for Mr. Smullian and Mr. Jefferson is $266.80 each.

TRAVEL REQUESTS

Name	To Attend	Fund Source	Amount
Office of the City Council President			
3. Helen Holton	Maryland Assoc. of Counties', 2014 Annual Summer Conf. Ocean City, MD August 13 – 16, 2014 (Reg. Fee $285.00)	Elected Officials Expense Account	$1,243.67
Department of Public Works/Bureau of Solid Waste			
4. Valentina Ukwuoma	2014 American Public Works Association International Public Works Congress and Exposition Toronto, Ontario Aug. 16 – 20, 2014 (Reg. Fee $785.35)	General Fund	$2,750.15

The Department proposes a subsistence rate for this location in the amount of $296.50 per day.

The hotel rate is $256.50 per night, not including the occupancy tax in the amount of $33.35 per night, plus a $7.70 per day hotel charge. The Department is requesting $40.00 per day to cover the cost of meals and incidentals. The airfare in the amount of $554.64 and the registration in the amount of $785.35 have been prepaid on a City-issued procurement card assigned to Ms. Patricia Murphy. Therefore, the amount that will be disbursed to Ms. Ukwuoma is $1,410.16.

TRAVEL REQUESTS

Department of Public Works/Bureau of Solid Waste – cont'd

AM 240-5 stipulates that for travel outside the continental United States, each City representative must include a proposed amount for a daily subsistence allowance that the representative believes to be both reasonable and economical.

TRAVEL APPROVAL AND REIMBURSEMENTS

Mayor's Office

TRAVEL APPROVAL

5.	Heather Brantner	2014 Florida Council Against Sexual Violence Training Summit St. Petersburg, FL May 13 – 18, 2014 ($315.00 Reg. Fee)	Grant $1,326.97 Funds

On May 13 – 18, 2014, Ms. Brantner traveled to St. Petersburg, FL to attend the FCASV Training Summit. The subsistence rate for this area is $150.00 per night. The total travel costs incurred were:

Airfare:	$ 308.00
Hotel:	503.88
Food:	140.09
Reg. Fee:	315.00
Gr. Transportation:	60.00
	$1,326.97

The airfare of $308.00 and the hotel accommodations of $360.00 plus hotel taxes of $14.28 were prepaid on a City-issued credit card assigned to Ms. Kathe Hammond. Therefore, the Department is requesting that Ms. Brantner be reimbursed in the amount $644.69, as follows:

TRAVEL REIMBURSEMENT

$129.60 – hotel (not prepaid)
60.00 - ground transportation
315.00 – registration
140.09 - meals
$644.69

The travel request is late because the employee did not receive authorization for travel in a timely manner, which did not allow enough time to submit the request to the Board prior to travel.

UPON MOTION duly made and seconded, the Board approved the travel requests and the travel approval and reimbursement. The Mayor **ABSTAINED** on item nos. 2 and 5. The President **ABSTAINED** on item no. 3.

MINUTES

PROPOSAL AND SPECIFICATIONS

1. Department of Public Works/ Bureau of Water & Wastewater – SC 857, Chlorination/De-chlorination Facilities Process Conversion at the Patapsco Wastewater Treatment Plant
   BIDS TO BE RECV'D: 09/03/2014
   BIDS TO BE OPENED: 09/03/2014

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

A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART FOR ALL ITEMS.

The Board of Estimates received and reviewed Ms. Trueheart's protests. 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.

Kim A. Trueheart

July 29, 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 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 - 85, City Council President and members of the Board of Estimates, BOE Agenda dated July 30 2014, if acted upon:
        i. The proceedings of this board routinely violates the parliamentary procedures outlined in Robert's Rules of Order, the adopted guidance for this board;
        ii. This board has failed to adopt and/or approve the meeting minutes of the board's prior meeting held on July 23, 2014 or any meeting convened by the board since December 2012;
        iii. This board has failed to publish meeting minutes of the prior board meeting held on July 23, 2014 or any meeting convened by the board since December 2012;
        iv. This board has failed to correct errors or omissions of board proceedings in the board's meeting minutes since December 2012.
        v. This board has routinely failed to uphold the laws of Baltimore City, the state of Maryland and/or the United States of America in its actions.
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 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 July 30, 2014 BOE meeting should NOT be called to order until the meeting minutes from each meeting since December 2012 has been reviewed, corrected, updated and approved for publication by the board.

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

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on July 30, 2014.

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

AGENDA BOARD OF ESTIMATES 07/30/2014 20 Department of Transportation – Emergency Procurement Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an Emergency Procurement Agreement with Concrete General, Inc. for TR 14022, Emergency Repairs to Retaining Wall and Associated Infrastructure along 26th Street between North Charles and Saint Paul Streets. The period of the agreement is April 30, 2014 through December 31, 2014.

AMOUNT OF MONEY AND SOURCE:

$11,986,560.88 – 1001-000000-5011-694700-603051

BACKGROUND/EXPLANATION:

This Emergency Procurement Agreement will authorize payment for the 26th Street Emergency Procurement.

At approximately 3:45 PM on Wednesday, April 30, 2014, a portion of a retaining wall located along the south side of 26th Street between North Charles and Saint Paul Streets collapsed onto the neighborhood track. This incident caused damage to railway, roadway, sidewalk, curbs, water main, wastewater line, and gas line infrastructure giving rise to the need to obtain supplies, materials, equipment, and services to address the emergency.

The Director of Transportation will provide an oral report at the Board of Estimates' meeting.

MBE/WBE PARTICIPATION:

The Minority and Women's Business Opportunity Office granted a waiver of the MBE/WBE goals. However, Concrete General, Inc. has committed to put forth Good Faith Efforts towards including minority and women's business enterprises in this effort.

MWBOO GRANTED A WAIVER

MINUTES

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

Bureau of Purchases - B50003558, Request for Proposals for Towing Management System
BIDS TO BE RECV'D: 08/13/2014
BIDS TO BE OPENED: 08/13/2014

Bureau of Purchases - B50003586, City of Baltimore Automatic Vehicle Location (AVL) System
BIDS TO BE RECV'D: 08/13/2014
BIDS TO BE OPENED: 08/13/2014

Bureau of Purchases - B50003627, Transportation Work-force Development
BIDS TO BE RECV'D: 08/13/2014
BIDS TO BE OPENED: 08/13/2014

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

Department of Transportation - TR 10325, Druid Hill Park Neighborhood Access

Allied Contractors, Inc.
P. Flanigan & Sons, Inc.

Bureau of Purchases - B50003510, Major Repairs, Upgrades & Replacement of Underground and Aboveground Fuel Tanks

Total Environmental Concepts, Inc.

Bureau of Purchases - B50003541, Provide Rental of Portable Chemical Toilets

Good Shepherd Septic Services
d/b/a Bobby's Pottys
United Site Services HQ
KP Enterprises, LLC t/a
A Flush Away
Gene's Johns & Rentals, Inc.

Bureau of Purchases - B50003606, OEM Parts and Service for Harley-Davidson Motorcycles

NO BIDS WERE RECEIVED.

Bureau of Purchases - B50003640, OEM Parts and Service for Caterpillar Heavy Equipment

NO BIDS WERE RECEIVED.

MINUTES

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, August 13, 2014.

JOAN M. PRATT
Secretary