

MINUTES**REGULAR MEETING**

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

The meeting was called to order by the President.

Pursuant to Article VI, Section 1(c) of the revised City Charter effective July 1, 1996, the Honorable Mayor, Stephanie Rawlings-Blake, in her absence during the meeting, designated Mr. Edward J. Gallagher, Director of Finance, to represent the Mayor and exercise her power at this Board meeting.

President: "I will direct the Board members attention to the memorandum from my office dated February 7, 2011, 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."

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

Comptroller: "Second."

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

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

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

Bowen Engineering Corporation and Subsidiaries	\$ 277,929,000.00
Dynamic Corporation	\$ 8,000,000.00
Jay Cashman, Inc.	\$ 125,559,000.00
Maryland Elevator Services, Inc.	\$ 8,000,000.00
Larry C. McCrae, Inc.	\$ 1,500,000.00
Merciers, Inc.	\$ 5,859,000.00
Most, Inc.	\$ 5,715,000.00
Native Sons, Ltd.	\$ 35,100,000.00
PDI-Sheetz Construction Corporation and Subsidiary	\$ 1,500,000.00
The Six-M Company, Inc.	\$ 8,000,000.00

2. Prequalification of Architects and Engineers

In accordance with the Resolution Relating to Architectural and Engineering Services, as amended by the Board on June 29, 1994, the Office of Boards and Commissions recommends the approval of the prequalification for the following firms:

CH2M Hill, Inc.	Architect Engineer
Dewberry Companies, LC	Architect Landscape Architect Engineer Land Survey

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BOARDS AND COMMISSIONS - cont'd

George, Miles & Buhr, LLC	Architect Landscape Architect Engineer Survey
Glyndon Engineering & Technology Co.	Engineer
Heery International, Inc.	Architect Landscape Architect Engineer
Kercher Engineering, Inc.	Engineer Survey
McCormick Taylor, Inc.	Landscape Architect Engineer
Moffatt & Nichol	Architect Engineer

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

MINUTES

Department of Audits - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds to pay the Maryland Chapter of the Association of Certified Fraud Examiners (MD-ACFE).

AMOUNT OF MONEY AND SOURCE:

\$9,625.00 - 1001-000000-1310-157800-603020

BACKGROUND/EXPLANATION:

The expenditure of funds will cover the registration of 35 staff members to attend a two-day seminar sponsored by the MD-ACFE on May 2 - 3, 2011.

Government Auditing Standards require that each auditor obtain 80 hours of continuing professional education (CPE) every two years. This program is part of the Department's scheduled training for calendar year 2011. The average cost per staff training hour is approximately \$18.33, which is well below the industry average in relation to other training of this nature.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the expenditure of funds to pay the Maryland Chapter of the Association of Certified Fraud Examiners. The Comptroller **ABSTAINED**.

MINUTES

Police Department - cont'd

These items are late because materials were recently received.

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 acceptance of the grant award and execution of the grant award agreement.

MINUTES

Police Department - Grant Adjustment Notice

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant adjustment notice from the Governor's Office of Crime Control and Prevention (GOCCP). The grant adjustment notification extends the period of the award through January 31, 2011. The Board is also requested to approve a reallocation of funds between line items.

AMOUNT OF MONEY AND SOURCE:

Funds Reallocation

<u>Amount</u>	<u>From:</u>	<u>To:</u>
\$350.00	Contractual Services	Equipment

Account: 5000-585310-5750-650400-600000

BACKGROUND/EXPLANATION:

On September 2, 2009, the Board approved acceptance of a grant award from the GOCCP for the Department's Lethality Assessment Project. This project gives officers who are responding to domestic calls an additional tool to evaluate the potential danger to domestic violence victims. By using the tool, the officers connect victims with needed support and services in order to decrease domestic violence fatalities. Grant funds provide salary for a full-time project coordinator, a part-time data entry assistant, equipment, and operating expenses.

This item is late because the materials were recently received.

MINUTES

Police Department - cont'd

NOTED FOR FUNDS BY FINANCE

AUDITS NOTED THIS NO-COST TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant adjustment notice from the Governor's Office of Crime Control and Prevention. The Board also approved the reallocation of funds between line items.

MINUTES

Department of Recreation and Parks - Memorandum of Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of understanding (MOU) with the Lincoln Hockey, LLC d/b/a Washington Capitals (W-C). The period of the MOU is effective upon Board approval through September 30, 2012.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The MOU will set forth the terms and conditions for a collaboration between the City and W-C, through which the W-C agrees to donate to the City 40 sets of new youth hockey equipment, including but not limited to helmets, shoulder pads, and 150 W-C practice jerseys. The City will accept the donation and agrees in exchange to install W-C in-ice logos, display W-C/Let's PLAY together Dasher Boards on ice surface, and to display other materials to increase the W-C brand presence at the Mount Pleasant and Mimi Di Pietro Ice Rinks.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of understanding with the Lincoln Hockey, LLC d/b/a Washington Capitals.

President: "On page 6 of the agenda is an MOU between the Department of Recreation and Parks and the Washington Capitals. I would like to thank the Capitals for reaching out to my office to expand their partnership with City and supporting my Play Initiative "Productive Lives Active Youth." This agreement will enable deserving kids to receive brand new hockey equipment and

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uniforms from the Capitals. I am proud to have facilitated this agreement and I commend Director Bayor for his creativity and commitment to our kids. I am committed to expanding recreational opportunities and keeping our kids off the street. This partnership is one more step in that direction. Thank you."

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MINUTES

Department of Recreation and Parks - Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a grant award from the Baltimore Community Foundation.

AMOUNT OF MONEY AND SOURCE:

\$ 7,500.00	-	6000-680811-4782-583801-4
2,500.00	-	6000-680811-4782-583802-4
2,000.00	-	6000-680811-4782-583803-4
<u>\$12,000.00</u>		

BACKGROUND/EXPLANATION:

The grant is in support of the City Farms Program. The Baltimore Community Foundation has awarded grants in support of operating expenses and program development for the City Farms Program, which is an integral part of the Horticulture Division. The funds will be used to expand the program, which encourages the development of community-operated vegetable gardens all over the City.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of a grant award from the Baltimore Community Foundation.

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Mayor's Office of Employment - Grant Award
Development (MOED)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of a grant award from the Maryland State Department of Labor Licensing and Regulation. The period of the grant award is January 1, 2011 through December 31, 2011.

AMOUNT OF MONEY AND SOURCE:

\$231,000.00 - 4000-806811-6312-456000-404001

BACKGROUND/EXPLANATION:

MOED will aggressively market and develop On-the-Job Training (OJT) contracts with Baltimore City businesses to reimburse employers for the extraordinary cost of training OJT participants. The MOED intends to focus its marketing strategies on small to large-sized private sector employers enrolling a total of 35 dislocated workers as OJT participants.

The purpose of this grant is to assist local employers in hiring and training OJT participants from the Baltimore City area.

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 acceptance of a grant award from the Maryland State Department of Labor Licensing and Regulation.

MINUTES

TRANSFER OF FUNDS

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

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

MINUTES

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>		
1. \$ 111,394.34 MVR	9950-903365-9509 Constr. Res. Key Highway Beautification Project	9950-902365-9508-3 Design & Studies Key Highway Beautification Project

This transfer will clear the deficit in the account and fund costs associated with change order #3 on project 954 with KCW Engineering Technologies, Inc. (BD04013) to provide additional design work for the project "Key Highway Beautification Project".

2. \$ 89,423.21 MVR	9950-901056-9512 Fiber Optic & Communication System	9950-907026-9512-3 Design & Studies On-Call Consultants
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This transfer will fund award of Task No. 10 on project 1091 (B/D # 08060) to Sabra, Wang & Associates, Inc. for design engineering services which include signals, traffic signs, traffic markings & CCTV cameras at various locations citywide.

3. \$ 99,105.65 MVR	9950-901056-9512 Fiber Optic & Communication System	9950-907026-9512-3 Design & Studies On-Call Consultants
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This transfer will fund the award of Task No. 11 on project 1091 (B/D # 08060) to Sabra, Wang & Associates, Inc. for preparing and implementing signal timing plans, collecting data, analyzing the data and developing new traffic signal timing.

MINUTESDepartment of General Services - Minor Privilege Permit Applications

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

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 1018 S. Curley St.	1018 Curley St., LLC	2 nd floor oriel window 101.5' 3 rd floor oriel window 101.5'
Annual Charge: \$1,151.00		
2. 1301 N. Charles St.	Thirteen O One North Charles, LLC	Retain one single face electric sign
Annual Charge: \$140.60		
3. 4611 Eastern Ave.	George Sevdalis	Retain awning w/ signage 14'9" x 1/7"
Annual Charge: \$140.70		
4. 1000 Lancaster St. k/a 701 S. Exeter St.	Harbor East- Apartment, LLC	One canopy 165 sq. ft.
Annual Charge: \$415.80		

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Department of General Services - cont'd

5. 1000 Lancaster St. Harbor East-Office, One canopy 132.5'
k/a 710 S. Central LLC
Ave.

Annual Charge: \$333.90

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

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

MINUTES

Department of General Services (DGS) - Sub-grant Agreements

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the sub-grant agreements with 1) the Reservoir Hill Improvement Council, 2) the Neighborhood Design Center, 3) Civic Works, and 4) Chesapeake Covenant Community. The period of the sub-grant agreements is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$ 39,998.00	- Reservoir Hill Improvement Council
35,000.00	- Neighborhood Design Center
20,000.00	- Civic Works
50,000.00	- Chesapeake Covenant Community
\$144,998.00	- 9916-913900-9197-910013-703032

BACKGROUND/EXPLANATION:

The DGS has been successful in obtaining a grant from the U.S. Department of Energy - Energy Efficiency and Conservation Block Grant. This project will use four community non-profits to organize, promote, and educate target communities in energy efficiency measures.

The Reservoir Hill Improvement Council will organize, promote, and train residents about energy conservation and track improvements. The Neighborhood Design Center will target Healthy Neighborhood participants in Brooklyn and Curtis Bay. Civic Works will work in blocks with high participation in "Project Light bulb." The Chesapeake Covenant Community will work in collaboration with the Baltimore Jewish Environmental Network and Civic Works to train volunteers in 20 religious congregations to work with congregants and neighbors.

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Department of General Services - cont'd

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the sub-grant agreements with the Reservoir Hill Improvement Council, the Neighborhood Design Center, Civic Works, and Chesapeake Covenant Community.

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Department of General Services (DGS) - Sub-grant Agreements

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the sub-grant agreements with 1) the Baltimore Museum of Art, 2) the American Visionary Art Museum, 3) Creative Alliance, and 4) Bristol Players, Inc., d/b/a Fells Point Corner Theater. The period of the sub-grant agreements is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$ 44,611.00	- Baltimore Museum of Art
27,170.00	- American Visionary Art Museum
4,070.00	- Creative Alliance
985.00	- Bristol Players, Inc., d/b/a Fells Point Corner Theater
<u>\$ 76,836.00</u>	- 9916-913900-9197-910013-703032

BACKGROUND/EXPLANATION:

The DGS has been successful in obtaining a grant from the U.S. Department of Energy - Energy Efficiency and Conservation Block Grant. This project will provide these four community non-profits the ability to conduct energy audits at their facilities. These non-profits will hire professional auditors to study, evaluate and prioritize energy saving upgrades and retrofits on the buildings. These recommendations can then be used as documentation in subsequent grant applications for funds to implement such improvements.

MINUTES

Department of General Services - cont'd

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the sub-grant agreements with the Baltimore Museum of Art, the American Visionary Art Museum, Creative Alliance, and Bristol Players, Inc. d/b/a Fells Point Corner Theater. On behalf of the Mayor, Mr. Gallagher

ABSTAINED.

MINUTES**OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Option</u>			
1. Wendy Perlberg, Custodian for Benjamin Stoyenko	2751 Tivoly Ave.	Sub-G/R \$240.00	\$ 1,686.66

Funds are available in Account No. 9990-908326-9593-900001-704040, Coldstream Homestead Montebello Project.

DHCD - Rescissions and Approvals

2. Pansy J. Boone	3053 W. North Ave.	G/R \$96.00	\$ 640.00
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Funds are available in Account No. 9910-908087-9588-900000-704040, 3000 Block of W. North Avenue Project.

On January 12, 2011, the Board approved the purchase by condemnation of the \$96.00 ground rent interest in 3053 W. North Avenue. Since the original approval, the owner, Ms. Pansy J. Boone, has agreed to the offer price and would like to proceed with a voluntary settlement.

3. Ilene H. Powers	1626 N. Montford Ave.	G/R \$84.00	\$ 800.00
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Funds are available in Account No. 9912-904488-9591-900000-704040, American Brewery Project.

On August 29, 2007, the Board approved an option to purchase the \$84.00 ground rent interest in 1626 N. Montford Avenue for \$560.00 from Mr. Alan E. Berkowitz, Trustee. Since the original Board approval, it was discovered that the Trust was liquidated and the new owner is Ms. Ilene H. Powers. She has negotiated a higher price for the ground rent.

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

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OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations</u>			
4. Bugless Collins	1902 N. Castle St.	L/H	\$ 2,280.00
5. Kenneth M. Coleman	1904 N. Castle St.	L/H	\$ 2,560.00
6. Robert A. Flett	1906 N. Castle St.	L/H	\$ 2,367.00
7. MAL Realty, Inc.	1908 N. Castle St.	L/H	\$ 2,560.00
8. Franklin Z. Njieugoue	1910 N. Castle St.	L/H	\$ 2,560.00
9. Jose C. Arroyo MD PA Retirement Trust	1912 N. Castle St.	L/H	\$ 2,340.00
10. Andre Humphrey	1916 N. Castle St.	L/H	\$ 4,260.00
11. Linda J. Brown	1918 N. Castle St.	L/H	\$ 2,567.00
12. James I. Smith	1920 N. Castle St.	L/H	\$ 4,060.00
13. Associates First Capital Corporation, successor by merger to Associates Financial Services Corporation	1922 N. Castle St.	L/H	\$ 2,560.00
14. JAM #6 Corporation	1924 N. Castle St.	L/H	\$ 2,560.00
15. Kenneth M. Coleman	1926 N. Castle St.	L/H	<u>\$ 2,560.00</u>
Total			\$33,234.00

Funds are available in Account No. 9910-908087-9588-900000-704040,
Columbus School Project.

MINUTES**OPTIONS/CONDEMNATION/QUICK-TAKES:**

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations or Redemptions</u>			
16. Ilene H. Powers	1902 N. Castle St.	G/R \$78.00	\$ 520.00
17. Marion I. and Henry J. Knott Foundation	1904 N. Castle St.	G/R \$36.00	\$ 240.00
18. Florence Mahaffey	1906 N. Castle St.	G/R \$65.00	\$ 433.00
19. Estate of Anna Blinder	1908 N. Castle St.	G/R \$36.00	\$ 240.00
20. Constance R. Caplan, Mark M. Caplan, Jonathan C. Caplan, Catherine R. Caplan and Eugene H. Schreiber, Trustees	1910 N. Castle St.	G/R \$36.00	\$ 240.00
21. Miriam Winder Kelly, Trustee of MWK Trust	1912 N. Castle St.	G/R \$69.00	\$ 460.00
22. Constance R. Caplan, Mark M. Caplan, Jonathan C. Caplan, Catherine R. Caplan and Eugene H. Schreiber, Trustees	1916 N. Castle St.	G/R \$36.00	\$ 240.00
23. Marlene J. Lenick	1918 N. Castle St.	G/R \$65.00	\$ 433.00

MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - Condemnations or Redemptions</u>			
24. Constance R. Caplan, Mark M. Caplan, Jonathan C. Caplan, Catherine R. Caplan and Eugene H. Schreiber, Trustees	1920 N. Castle St.	G/R \$36.00	\$ 240.00
25. Estate of Henry Caplan	1922 N. Castle St.	G/R \$36.00	\$ 240.00
26. Jack & Harvey, Inc.	1924 N. Castle St.	G/R \$36.00	\$ 240.00
27. Estate of Sophie Fox	1926 N. Castle St.	G/R \$36.00	<u>\$ 240.00</u>
Total			\$3,766.00

Funds are available in Account No. 9910-908087-9588-900000-704040, Columbus School Project.

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

UPON MOTION duly made and seconded, the Board approved the options, condemnations/redemptions.

MINUTES

EXTRA WORK ORDERS

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UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders listed on the following page:

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All of the EWOs have been reviewed and approved

by the Department of Audits, CORC, and MWBOO,

unless otherwise indicated.

The President **ABSTAINED** on items 1 - 5.

MINUTES

EXTRA WORK ORDERS

<u>Contract</u>	<u>Prev. Apprvd.</u>	<u>Contractor</u>	<u>Time</u>	<u>%</u>
<u>Awd. Amt.</u>	<u>Extra Work</u>		<u>Ext.</u>	<u>Compl.</u>
<u>Bureau of Water and Wastewater</u>				
1. EWO #002, \$800,000.00 - S.W.C. 7761, Drainage Repairs and Improvements at Various Locations				
\$ 453,076.43	\$ 258,000.00	Monumental Paving & Excavating, Inc.	0	35
2. EWO #011, \$0.00 - S.W.C. 7756, Charles Street Box Culvert Rehabilitation at Stony Run				
\$ 857,487.72	\$ 87,285.86	Monumental Paving & Excavating, Inc.	52	50 CCD
3. EWO #013, 0.00 - S.W.C. 7756, Charles Street Box Culvert Rehabilitation at Stony Run				
\$ 857,487.72	\$ 101,295.01	Monumental Paving & Excavating, Inc.	33	100 CCD
4. EWO #003, \$717,860.80 - S.C. 839RR, Lower Stony Run Inter- captor				
\$40,440,440.40	\$2,000,000.00	Carp Seca Corp.	0	45
5. EWO #005, \$130,710.19 - S.C. 839RR, Lower Stony Run Inter- captor				
\$40,440,440.40	\$2,723,148.28	Carp Seca Corp.	0	56

MINUTES

Health Department - Agreements

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is July 1, 2010 through June 30, 2011, unless otherwise indicated.

1. **HEALTH CARE FOR THE HOMELESS, INC.** **\$140,400.00**

Account: 4000-424511-3023-274438-603051

The organization will provide comprehensive HIV ambulatory outpatient medical care to 60 homeless individuals who have a coexisting medical, substance abuse or mental health diagnosis and have great difficulty accessing medical services from traditional providers and agencies.

2. **HEALTH CARE FOR THE HOMELESS, INC.** **\$159,423.00**

Account: 4000-424511-3023-274414-603051

The organization will furnish an on-call provider to the medical team daily for referrals, attempt to locate identified clients who do not present on-site for care by going to local shelters, soup kitchens, areas in the City where homeless individuals are known to congregate and provide appointment or walk-in slots within 5 days of referral.

3. **THE JOHNS HOPKINS UNIVERSITY** **\$ 41,327.00**

Account: 4000-424511-3023-274426-603051

The organization will provide services to promote the reproductive health of residents of Baltimore City and prevent the spread of HIV and sexually transmitted diseases through comprehensive reproductive health services. Outreach will consist of both educational presentations and the development of referral relationships with agencies serving the Latino population of Baltimore City.

MINUTES

Health Dept. - cont'd

4. **CHASE BREXTON HEALTH SERVICES, INC.** **\$ 78,000.00**

Account: 4000-424511-3023-274428-603051

The organization will educate patients about HIV illnesses, the benefits of medications, and the importance of adherence to medications and medical appointments. Services will also include psychosocial screening to identify and address adherence barriers before the patient begins taking medications and provide routine follow-up with patients to ensure that they are remaining adherent to their medications.

5. **THE JOHNS HOPKINS UNIVERSITY** **\$ 18,555.00**

Account: 4000-424511-3023-274429-603051

The Johns Hopkins University AIDS service provides care and develops services that are integrated, comprehensive, and adaptive to the changing needs of clients. Project LINK is a readiness program that uses a multi-disciplinary approach to address medication adherence and retention in care barriers.

The agreements are late because the State AIDS Administration programmatically manages Ryan White Part B services. The Department is responsible for processing contracts after receipt of an approved budget and scope of services and making payments to the provider after the State selects the provider through the Request for Proposal process.

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

Account: 4000-432911-3024-268400-604014

The organization will serve meals for 20 elderly residents per/day at N. M. Carroll Manor, Inc. located at 701 N. Arlington Avenue at a cost of \$4.41 per meal. All meals will be reviewed by a licensed dietitian or a licensed nutritionist and/or the Maryland Department of Aging. The period of the agreement is October 1, 2010 through September 30, 2011.

MINUTES

Health Department - cont'd

The agreement is late because of the transition between the Commission on Aging and Retirement Education and the Baltimore City Health Department and obtaining signatures.

7. **ASTHMA AND ALLERGY FOUNDATION** **\$ 28,246.00**
OF AMERICA, MARYLAND-GREATER DC CHAPTER

Account: 4000-428711-3031-579200-603026

The organization will be responsible for planning, organizing, and delivering an Asthma Summit on June 28, 2011 for approximately 150 participants. The period of the agreement is January 1, 2011 through September 29, 2011.

The agreement is late because it was recently completed.

8. **THE MARYLAND INSTITUTE d/b/a MARYLAND** **\$ 15,000.00**
INSTITUTE COLLEGE OF ART (MICA)

Account: 1001-000000-3030-271800-603051

MICA will assist the Baltimore Health Department in developing a STD/HIV prevention campaign to decrease risky sexual behavior and increase HIV and syphilis testing among men who have sex with men and who are at high risk for HIV and syphilis. The period of the agreement is January 1, 2011 through June 30, 2011.

9. **UNIVERSITY OF MARYLAND, BALTIMORE/** **\$137,912.00**
THE TAGHI MODARESSI CENTER

Account: 5000-587410-5750-672212-603051 \$108,327.00
 4000-428211-3080-294399-603051 \$ 29,585.00

The Taghi Modaresi Center for Infant Study (CIS) will assist the Department's Baltimore Infants and Toddlers Program to develop and implement strategies to address the emotional and social development of children from birth to three years of age.

The CIS staff provides mental health services to families with very young children dealing with a variety of mental and behavioral health needs including family stressors and

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Health Department - cont'd

risk factors, such as lack of resources, family violence, and familial mental illness.

The agreement is late because budget revisions delayed the processing.

MWBOO GRANTED A WAIVER (EXCEPT ITEM NOS. 5 AND 8).

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 various agreements. The President **ABSTAINED** on item nos. 3 and 5.

MINUTES

Health Department - Notification of FY'2011 Grant Award

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the FY'2011 interim notification of grant award from the Maryland Department of Aging for State Senior Center Operating Fund allocations. The period of the grant award is July 1, 2010 through June 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$ 7,514.00	-	5000-535711-3024-268405-603051
2,031.00	-	5000-535711-3024-268401-603051
12,185.00	-	5000-535711-3024-268414-603051
14,458.00	-	5000-535711-3024-268403-603051
6,092.00	-	5000-535711-3024-268409-603051
4,062.00	-	5000-535711-3024-268410-603051
18,144.00	-	5000-535711-3024-268406-603051
20,308.00	-	5000-535711-3024-268408-603051
10,154.00	-	5000-535711-3024-268411-603051
8,000.00	-	5000-535711-3024-268404-603051
12,185.00	-	5000-535711-3250-268412-603051
14,136.00	-	5000-535711-3250-268402-603051
<u>\$129,269.00</u>		

BACKGROUND/EXPLANATION:

The Department will utilize the funds to provide activities and services for seniors at various senior centers.

The grant award is late because it was recently received from the Maryland Department of Aging.

MINUTES

Health Department - cont'd

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved acceptance of the FY'2011 interim notification of grant award from the Maryland Department of Aging for State Senior Center Operating Fund allocations.

MINUTES

Health Department - Notification of Grant Award FY 2011

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of a notification of a grant award (NGA) from the Maryland Department of Aging. The period of the grant award is October 1, 2010 through September 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$ 1,500,704.00	-	4000-433511-3023-273300-404001
1,680,467.00	-	4000-432911-3252-514300-404001
882,044.00	-	4000-434311-3254-316200-404001
55,584.00	-	4000-436111-3255-316200-404001
600,580.00	-	4000-436111-3255-316200-404001
65,472.00	-	4000-433911-3023-273300-404001
\$ 4,784,851.00		

BACKGROUND/EXPLANATION:

This interim NGA is for approximately half of the FY 2011 Title III allocation. This grant is contingent upon approval of the FY 2011 Area Plan and upon the enactment of the FY 2011 Federal Appropriation of funds for the Administration of the Older Americans Act. Once the final appropriation is enacted, the grant award will be revised.

The funds will allow the Health Department to provide coordinated and accessible services for seniors in Baltimore City.

The grant award is late because it was recently received.

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 acceptance of the notification of a grant award from the Maryland Department of Aging.

MINUTES

Health Department - Notification of Grant Awards

The Board is requested to approve acceptance of the FY 2011 notifications of grant awards (NGA) and a NGA interim grant award from the State of Maryland Department of Aging (MDoA) for various Baltimore City Health Department (BCHD) programs. The period of the grant award is July 1, 2010 through June 30, 2011, unless otherwise indicated.

<u>Programs</u>	<u>Amount</u>
1. MONEY FOLLOWS THE PERSONS (MFP)	\$301,405.00
Account: 5000-533811-3044-273300-404001	
The BCHD will use these grant funds for services under the MFP Program. The program helps seniors transition from a nursing home facility to community living.	
2. SENIOR MEDICARE PATROL (SMP)	\$ 16,333.00
Account: 4000-436411-3255-316200-404001	
The BCHD will use these grant funds for the services under the SMP Program.	
3. SENIOR MEDICARE PATROL - HEALTH CARE FRAUD PROGRAM EXPANSION (SMP - HCFPE)	\$ 7,500.00
Account: 4000-436411-3255-316200-404001	

The BCHD will use these grant funds to provide services under the SMP-HCFPE Program. The NGA for FY 2011 reflects the award for the Senior Medicare Patrol - Health Care Fraud Program Expansion grant based upon the BCHD's approved budget. The period of the grant award is October 1, 2010 through September 30, 2011.

MINUTES

Health Dept. - cont'd

4. **STATE MEDICAID WAIVER AND CASE MANAGEMENT PROJECTS** **\$881,304.00**

Accounts:	5000-532811-3023-273300-404001	\$440,652.00
	5000-532811-3023-273300-404001	\$440,652.00

The BCHD will use these funds to provide services for seniors under the State Medicaid Waiver and Case Management Project.

5. **NUTRITION SERVICE INCENTIVE PROGRAM (NSIP)** **\$308,364.00**

Account: 6000-633511-3254-316200-404001

This interim NGA is for 50% of the 2011 NSIP funding and reflects the BCHD award based on actual FY 2010 meal counts and the FY 2011 award notification.

The BCHD will use funds to provide services for senior nutritional programs at designated meal sites or home-delivered meals.

The grant awards are late because they were recently received from the grantor.

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

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved acceptance of the FY 2011 notifications of grant awards and NGA interim grant award from the State of Maryland Department of Aging for the aforementioned Baltimore City Health Department programs.

MINUTESHealth Department (BCHD) - Grant Award Agreement and a Revised Grant Agreement

The Board is requested to approve and authorize execution of a grant award agreement and a revised grant agreement.

GRANT AWARD AGREEMENT

1. **MARYLAND PARTNERSHIP FOR PREVENTION (MPP)** **\$ 1,000.00**

Account: 6000-625711-3080-294501-406001

The grant will provide funds to support nursing staff to provide influenza immunization delivery at the Department's main and satellite buildings. The period of grant agreement is July 1, 2010 through June 30, 2011.

REVISED NOTICE OF GRANT AGREEMENT

2. **DEPARTMENT OF HEALTH AND HUMAN SERVICES CENTERS FOR DISEASE CONTROL AND PREVENTION** **\$275,000.00**

Account: 4000-421711-3030-271500-404001

On August 16, 2010, the BCHD received the Notice of Grant Award for Project Title: To Implement a Health Intervention (Project Choices). Due to an oversight, this Notice of Grant Award (NGA) was not presented for the Board's approval.

On January 21, 2011, the BCHD received a revised NGA to reflect the updated project Title: Alcohol Exposed Pregnancy Intervention. This award provides funds to implement services focused on reducing the risk of alcohol exposed pregnancies.

MINUTESHealth Department - cont'd

The revised grant agreement is for the period September 30, 2010 through September 30, 2011.

The grant agreement and the revised NGA are being presented at this time because the Department recently received them from the grantor.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant award agreement and a revised grant agreement.

MINUTES

Health Department - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to pay an invoice from the National Gift Card Corporation. The Board is also requested to approve the purchase of Safeway gift cards.

AMOUNT OF MONEY AND SOURCE:

<u>Organization</u>	<u>Total Cards</u>	<u>Denomination</u>	<u>Total</u>
<u>NATIONAL GIFT CARD CORPORATION</u>			
Target	400	\$25.00	\$10,000.00
Wal-Mart	200	\$25.00	5,000.00
		Shipping & Handling Fee	<u>9.99</u>
		TOTAL:	\$15,009.99
Account: 4000-427710-3040-278101-604051			
<u>SAFEWAY</u>			
	208	\$25.00	\$ 5,200.00
		Discount 4%	<u>208.00</u>
		TOTAL:	\$ 4,992.00

Account: 4000-427911-3042-274400-604051

BACKGROUND/EXPLANATION:

The incentive cards will be distributed to HIV+ consumers receiving medical and supportive services through hospitals, clinics and community-based programs receiving Ryan White Part A and Minority AIDS Initiative funding. The program staff will administer surveys to eligible consumers onsite. The Ryan White office utilizes incentive cards to encourage consumers to be involved in the assessment of the clinical and programmatic services by funded agencies. The use of incentives also contributes toward improved self-management and adherence to treatment.

MINUTESHealth Department - cont'd

The Ryan White Program adheres to all policies associated with the usage of incentives and has sufficient procedures in place to address the safeguarding and accountability of incentives purchased. The program has been reviewed by the Fiscal Supervisor. The most recent fiscal review is submitted.

The Baltimore City Health Department has adopted a consolidated policy for the purchase, distribution, and documentation of all incentive cards. The central tenets of this policy account for: 1) a single means of procuring all incentive cards through the Board of Estimates, 2) the documentation of each incentive card and its recipient, 3) a monthly reconciliation for all purchases that account for all distributed and non-distributed cards, and 4) periodic internal reviews of programs' activity vis'à-vis the internal policy. The policy has been reviewed by both the Solicitor's Office and by the Department of Audits. Consistent with the original Board of Estimates approval on November 19, 2008, all requests for payment for the above incentive cards will be subjected to Department of Audits approval.

APPROVED FOR FUNDS BY FINANCE**AUDITS REVIEWED AND HAD AND OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay an invoice from the National Gift Card Corporation. The Board also approved the purchase of Safeway gift cards.

MINUTES

Department of Housing and - Agreements
Community Development (DHCD)

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

1. **COST PLANS PLUS, LLC.** **\$ 19,500.00**

Account: 2089-000000-5930-599600-603026

Pursuant to the Office of Management and Budget (OMB) Circular A-87, the DHCD is required by the U.S. Housing and Urban Development to have an Indirect Cost Allocation Plan prepared to support charges made to the Community Block Grant Program. Under this agreement, the organization will prepare a Departmental Cost Allocation Plan for FY 2009 and 2010, which will support the DHCD's administrative costs. The period of the agreement is effective upon Board approval for one year.

2. **HARBEL COMMUNITY ORGANIZATION, INC.** **\$ 62,100.00**

Accounts: 2089-208911-5930-432235-603051 \$ 50,300.00
2089-208911-5930-432291-603051 \$ 11,800.00

This agreement will provide funds to assist in community efforts to prevent crime and bring safety and stability in the communities of Belair Edison, Harford, and Coldstream-Homestead-Montebello. The organization's crime awareness efforts will be carried out by the NorthEast Citizens Patrol and the Northeast District Police. The organization will also provide homebuyer education and housing counseling services to low and moderate-income persons. The period of the agreement is September 1, 2010 through August 31, 2011.

FOR FY 2011, MBE AND WBE PARTICIPATION GOALS FOR THE ORGANIZATION WERE SET ON THE AMOUNT OF \$13,662.00, AS FOLLOWS:

MBE: \$1,366.00
WBE: \$ 683.00

MINUTES

DHCD - cont'd

3. **COPPIN HEIGHTS COMMUNITY DEVELOPMENT CORPORATION, INC.** **\$ 48,165.00**

Account: 2089-208911-5930-426526-603051

The organization is dedicated to being a catalyst to stimulate economic development within the Greater Coppin Heights/Rosemont community by offering The Road Map to Financial Freedom (RMFF) literacy program. The RMFF program aims to combat financial illiteracy, evictions and foreclosures in Baltimore City by providing low to moderate-income residents with the skills to manage their money and make sound financial decisions and decrease their debt. The period of the agreement is October 1, 2010 through September 30, 2011.

(FILE NO. 57026)

On June 30, 2010, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2010 Annual Action Plan for the following formula programs:

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

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2010 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

MINUTES

DHCD - 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 various aforementioned agreements.

The Comptroller **ABSTAINED** on item no. 3.

MINUTES

Office of City Council President - Consultant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a consultant agreement with Mr. John T. Willis. The period of the agreement is effective upon Board approval through May 31, 2011.

AMOUNT OF MONEY AND SOURCE:

\$35,000.00 - 1001-000000-1000-104800-603018

BACKGROUND/EXPLANATION:

Mr. Willis, a member of the Maryland Bar, is the Executive in Residence and Director of the Government and Public Policy Program at the University of Baltimore, College of Public Affairs. Mr. Willis was the Secretary of State for the State of Maryland from 1995 to 2003, designed and managed Maryland's Census 2000 efforts and chaired the Governor's Redistricting Advisory Committee from 2001 - 2002.

Mr. Willis has the requisite experience and expertise necessary to assist the Baltimore City Council with its obligations under Baltimore City Charter, 1996 Edition as amended, Art. III, Sec. 7, Council Districts. Mr. Willis will work in cooperation with the President of the Baltimore City Council and the Redistricting Committee of the Baltimore City Council and provide the following services:

- a. assist the Baltimore City Council and the Redistricting Committee of the Baltimore City Council with any and all services required pursuant to the Baltimore City Council mandate and authority under the Baltimore City Charter, Art. III, Sec. 7;
- b. attend all official public meetings on Redistricting, as required;
- c. meet with individual Council Members as requested;

MINUTESOffice of the City Council President - cont'd

- d. meet with the President of the Baltimore City Council and the Redistricting Committee, as requested;
- e. analyze and evaluate all pertinent data from the 2010 U.S. Census;
- f. review and analyze the redistricting ordinance prepared by the Mayor, pursuant to the Charter mandate in Art. III, Sec. 7;
- g. review all prior redistricting ordinances for informational purposes;
- h. assist with the drafting of a new Redistricting Ordinance for the Baltimore City Council, if necessary;
- i. ensure that any redistricting ordinance to be adopted by the Baltimore City Council, conforms to all necessary standards, data, and the law; and
- j. perform all other services necessary to effectuate the terms of and purpose of this agreement.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the consultant agreement with Mr. John T. Willis. The President **ABSTAINED**.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

* * * * *

On the recommendations of the City agencies

hereinafter named, the Board

UPON MOTION duly made and seconded,

awarded the formally advertised contracts

listed on the following pages:

394 - 395

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

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

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:

Department of Recreation and Parks

1. RP 10821, Cloverdale JLN Construction \$414,700.00
 Basketball Court Services, LLC
 Improvements and Field
 House Renovations

MBE: Harvey Harris Contractors, \$82,940.00 20.00%
 Inc.

WBE: K L Phillips Trucking, LLC \$24,882.00 6.00%

MWBOO FOUND VENDOR IN COMPLIANCE.

2. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 41,500.00	9938-905769-9475	
Rec. & Parks	Reserve	
24 th Series	Park Building	
	Renovation FY09	
174,000.00	9938-904795-9475	
State	Reserve	
	Community Parks	
	and Playgrounds	
	FY10	
204,500.00	9938-905793-9475	
Rec. & Parks	Reserve	
25 th Series	Citywide Park	
	Maintenance	
<u>\$420,000.00</u>	-----	9938-903795-9474
		Active
		Community Parks &
		Playgrounds FY10

This transfer will provide funds to cover costs associated with the award of the Cloverdale Basketball Court Improvements and Field House Renovation, Contract No. RP 10821 to JLN Construction Services, LLC.

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:**Department of Recreation and Parks

3. RP 10835, Baltimore Mirable Construc- \$234,647.05
 Playlot Project FY09 tion Company, Inc.
- MBE:** Priority Construction \$23,464.71 10.00%
 Corporation
- WBE:** McCall Trucking, Inc. \$ 7,034.41 3.00%

MWBOO FOUND VENDOR IN COMPLIANCE.4. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$290,000.00	9938-905767-9475	9938-908767-9474
State	Reserve	Active
	Baltimore Playlot	Baltimore Playlot
	Program FY09	Program FY09

This transfer will cover the costs associated with the award of the Baltimore Playlot Project FY09, Contract No. RP10835 to Mirable Construction Company, Inc.

Bureau of Purchases

5. B50001634, Police Range Maintenance, \$100,000.00
 Range Maintenance Inc.

MWBOO GRANTED A WAIVER.

MINUTES

Office of the Mayor - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with the Greater Homewood Community Corporation (GHCC). The period of the agreement is September 01, 2010 through August 31, 2011.

AMOUNT OF MONEY AND SOURCE:

\$200,000.00 - 1001-000000-4460-692100-607001

BACKGROUND/EXPLANATION:

This grant agreement will allow the GHCC to continue the Experience Corps program in 20 elementary schools in Baltimore City during the 2010-2011 academic school year.

Experience Corps is a national program in 23 cities. Baltimore City Experience Corps began in 1998 as a partnership of the Johns Hopkins University's Center on Aging and Health and the Greater Homewood Community Corporation. Program operations are now the responsibility of Greater Homewood Community Corporation. Older adult volunteers are placed in Baltimore City Public Schools K-3 classrooms and perform a range of roles. Volunteers receive training and are coordinated by a team leader provided by the Experience Corps program.

The GHCC operates the Experience Corps program, which seeks to improve academic success and behavioral outcomes of children in Baltimore City Public Elementary School grades K-3 by utilizing the time and experience of older adults. In exchange, the pairing of older adults with the elementary school children enriches and contributes to the successful aging of the adults.

MINUTES

Office of the Mayor - 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 grant agreement with the Greater Homewood Community Corporation. On behalf of the Mayor, Mr. Gallagher **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Amendment No. 2 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 2 to agreement with KCI Technologies, Inc., for Project No. 1067K, Environmental Engineering Services for Hazardous Waste Management. The amendment extends the agreement through March 19, 2013.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On March 19, 2008, the Board approved the original agreement in the amount of \$500,000.00, for two years. On September 2, 2009, the Board approved an additional one-year term and an increase of \$500,000.00 to allow the consultant to continue to provide engineering services.

Amendment No. 2 is being requested to accommodate the completion of the current tasks and associated activities, as well as the final invoicing period of all ongoing tasks.

The consultant has been approved by the Office of Boards and Commissions and Architectural and Engineering Awards Commission.

AUDITS NOTED THE TIME EXTENSION AND WILL REVIEW THE TASK ASSIGNMENTS.

(FILE NO. 56533)

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 2 to agreement with KCI Technologies, Inc. for Project No. 1067K, Environmental Engineering Services for Hazardous Waste Management. The President **ABSTAINED**.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment to agreement with Glyndon Engineering & Technology, Company for Project No. SC 868, Improvements to the Liquid Oxygen Plant at Patapsco Wastewater Treatment Plant. This amendment to agreement will extend the period of the agreement for 18-months or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$35,828.96 - 9956-903552-9551-900020-703000

BACKGROUND/EXPLANATION:

On October 21, 2009, the Board approved the original 18-month agreement, in the amount of \$695,777.63, with Glyndon Engineering & Technology, Company for Project No. SC 868, Improvements to the Liquid Oxygen Plant at Patapsco Wastewater Treatment Plant.

After a comprehensive review of the facility during the study phase of the project, it was determined that additional work was necessary. The consultant will design new header piping to the oxygen reactor decks and their structural supports. In addition, the consultant will relocate the newly calibrated oxygen flow meters, design a new roof with proper lightning protection, and add flame retardant walls to the building.

The original agreement will expire April 21, 2011. This amendment to agreement will extend the agreement for 18-months and increase the upset limit by \$35,828.96, for a total contract award of \$731,606.59. All other terms and conditions of the original remain unchanged.

MINUTES

BW&WW - cont'd

Glyndon Engineering & Technology, Company has been approved by the Architect and Engineering Awards Commission (AEAC) procedures, under AEAC Project No. 1099.

APPROVED FOR FUNDS BY FINANCE

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to agreement with Glyndon Engineering & Technology, Company for Project No. SC 868, Improvements to the Liquid Oxygen Plant at Patapsco Wastewater Treatment Plant. The President **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Amendment No. 3 to Post
Award Services Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 3 to the post award services agreement with George, Miles & Buhr, LLC, for Water Contract 8652, Ashburton Filtration Plant Renovation.

AMOUNT OF MONEY AND SOURCE:

\$323,303.80 - 9960-904432-9557-9000020-703032

BACKGROUND/EXPLANATION:

George, Miles & Buhr, LLC will conduct additional site visits to assist the contractor with the startup of the newly installed instrumentation and control system. The consultant will also provide additional engineering services to develop consolidated record drawings of projects at the Ashburton Filtration Plant.

APPROVED FOR FUNDS BY FINANCE

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

THE TRANSFER OF FUNDS WAS APPROVED BY THE BOARD ON JANUARY 12, 2011.

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 3 to the post award services agreement with George, Miles & Buhr, LLC, for Water Contract 8652, Ashburton Filtration Plant Renovation. The President **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Amendment No. 2 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 2 to agreement with EA Engineering, Science and Technology, Inc. for Project No. 1067E, Environmental Engineering Services for Hazardous Waste Management. The amendment no. 2 extends the agreement through January 15, 2013, or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On January 16, 2008, the Board approved the original agreement with the consultant for two years.

On August 19, 2009, the Board approved amendment no. 1 for an additional one year and an increase of \$500,000.00, to allow the consultant to continue to provide engineering services for hazardous waste management.

Under amendment no. 2, the Department is requesting a no-cost time extension through January 15, 2013 to allow the consultant to complete the current tasks and associated activities, as well as the final invoicing period for all ongoing tasks.

AUDITS NOTED THIS NO-COST TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 2 to agreement with EA Engineering, Science and Technology, Inc. for Project No. 1067E, Environmental Engineering Services for Hazardous Waste Management. The President and **ABSTAINED**. The Comptroller **ABSTAINED**.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | |
|---|-------------|----------|
| 1. ALLIED WASTE/BFI
WASTE SERVICES | \$31,650.00 | Only Bid |
| Solicitation No. B50001769 - Rental of Vertical Baler -
Baltimore Convention Center - Req. No. R564772 | | |

The award is for the period February 9, 2011 through February 8, 2012, with four 1-year renewal options.

- | | | |
|--|-------------|-------------|
| 2. SMITH DETECTION | \$37,500.00 | Sole Source |
| Solicitation No. 08000 - Hazmat ID 360 - Fire Department -
Req. No. R567822 | | |

The vendor is the manufacturer and the sole distributor.

- | | | |
|--|-------------|-------------|
| 3. KERSHNER ENVIRONMENTAL
TECHNOLOGIES, LLC | \$26,103.00 | Sole Source |
| Solicitation No. 08000 - Replacement Parts for Netzsch Pump -
Department of Public Works - Req. No. R564641 | | |

The vendor is the manufacturer's authorized sole distributor for Maryland. The period of the award is February 9, 2011 through February 8, 2012.

- | | | |
|--|--------------|---------|
| 4. REHRIG PACIFIC
COMPANY | \$115,000.00 | Renewal |
| Solicitation No. B50000311 - Recycling Containers - Department
of Public Works, Bureau of Solid Waste | | |

On April 2, 2008, the Board approved the initial award in the amount of \$239,200.00. The award contained two 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This is the second and final renewal for the period March 15, 2011 through March 14, 2012.

MWBOO GRANTED A WAIVER.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

5. W.W. GRAINGER, INC.	\$1,100,000.00	Renewal
BPO-001B8900505 Maryland State Contract - Supplies for Maintenance, Repair and Operations - Various Agencies - Req. Nos. Various		

On March 25, 2009, the Board approved the initial award in the amount of \$500,000.00. Subsequent increases have been approved. On February 24, 2010, the Board approved a renewal for the amount of \$1,100,000.00. The Board is requested to approve a renewal for the amount of \$1,100,000.00 to cover the period of March 1, 2011 through February 28, 2012 with no renewal options remaining.

MWBOO FOUND VENDOR IN COMPLIANCE.Department of General Services

6. PETROLEUM SERVICES, INC.	\$ 12,795.00	Low bid
IC-544 - Replacement Hydraulic Post Assembly at Northwestern Garage - Req. No. N/A		

UPON MOTION duly made and seconded, the Board approved the informal awards, and renewals of contracts. On behalf of the Mayor, Mr. Gallagher **ABSTAINED** on item no. 1.

MINUTES

Mayor's Office of Human Services - Grant Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a grant agreement with the Joseph Richey Hospice, Inc. The period of the agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$200,000.00 - 4000-490911-3572-333672-603051

BACKGROUND/EXPLANATION:

Under the terms of this grant agreement, the City will provide the Joseph Richey Hospice, Inc. with Housing Opportunity for Persons with AIDS funding for expenses associated with construction services.

The funds will be expended for the construction of Dr. Bob's Place, a hospice for children. The services under this grant agreement will include masonry pointing, brick paving, hardware and food service.

MWBOO FOUND VENDOR IN COMPLIANCE.

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 grant agreement with the Joseph Richey Hospice, Inc. On behalf of the Mayor, Mr. Gallagher

ABSTAINED.

MINUTES

Office of the State's Attorney - Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Graphic Computer Solutions trading as Judicial Dialog Systems. The period of the agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$30,000.00 - 1001-000000-1150-117900-603026

BACKGROUND/EXPLANATION:

Since Fiscal Year 2000, Judicial Dialog Systems has been responsible for the design and development of the Dialog applications and system integration solutions used by the Office of the State's Attorney, and is the only company in the nation that provides technical support for its highly specialized solutions. The company's software applications and integration solutions comprise the Office's most important case management resources, and failure of these core systems could result in significant disruptions to the public safety and law-enforcement mission of the office. It is essential to sustain the effective case management system for the Office of the State's Attorney.

APPROVED FOR FUNDS BY FINANCE.

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Graphic Computer Solutions trading as Judicial Dialog Systems.

MINUTES

Bureau of Budget - Fee Changes and Fee Policy
Management & Research (BBMR)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize a change to fees charged by various City Departments. The fee changes will be effective March 1, 2011. The Board is also requested to approve the proposed comprehensive fee policy for the City.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

In an effort to implement a transparent fee policy, the City contracted with Public Financial Management (PFM) in 2008 to perform a cost analysis of City fees. The PFM developed a fee inventory of over 2,000 fees utilized by the City. They examined in depth 300 fees in the areas of development, public safety, health, and environmental protection. The analysis utilized Activity Based Costing (ABC) to determine the cost of fees in eight City agencies. The ABC is a costing technique that identifies both the direct and indirect costs of a specific task or activity. For example, a Fire Department inspection of a sprinkler protection system includes not only the cost associated with the inspector performing the inspection, but also costs associated with travel, equipment, supervision, clerical support and other overhead, and employee fringe benefits. The ABC identifies these costs and allocates them to the specific performance of a given task, resulting in a per unit cost for the task or activity.

Additionally, the PFM collected data on comparable fees in the jurisdictions of Anne Arundel, Baltimore and Howard counties and the cities of Austin, Indianapolis, Memphis, Minneapolis, and Portland. A steering committee of senior City officials reviewed the data and made final recommendations.

On March 18, 2010, the Board approved fee changes for the EMS services and the Board of Municipal and Zoning Appeals, which came out of the fee study.

MINUTES

BBMR - cont'd

The steering committee's recommendations include the following changes proposed for Board approval:

- 5 of the 55 fees are recommended new fees,
- 43 of the 55 fees are recommended to be increased,
- 7 of the 55 fees are recommended to be decreased, and
- establish the *City of Baltimore User Fee Policy*.

It is important to have a transparent approach to fees for the City. In reviewing these fees, the BBMR has found instances where fees have not been changed since 1985, while others were changed just recently. Failing to regularly adjust all fees for changes in cost creates inconsistency in the manner in which fees are administered. Under the proposed fee policy, all fee rates will be kept current and tied to the cost of providing the service.

Fee Change Summary

Following is a summary at the departmental level of the recommended fee changes. Appendix A of this document includes a listing of all the fee changes proposed. Some fees do not require Board approval but are included to ensure that the fee process is transparent to both the Board and the citizens of Baltimore.

ENVIRONMENTAL CONTROL BOARD (ECB)

The study recommends instituting a new fee of \$15.00 for the initial environmental citation hearing. It is recommended that the appeal be raised from \$37.00 to \$50.00 plus the \$3.00 per page cost of transcripts. The estimated net additional annual revenue from these fee adjustments is \$226,860.00.

MINUTES

BBMR - cont'd

FIRE DEPARTMENT

There are 27 fees in the Fire Department that are recommended for adjustment and three new fees. Most of the adjusted fees for the Fire Department are for inspections of protection systems such as foam, halon, sprinkler, dry chemical, and carbon dioxide. Other fees are for buildings inspections or for fire or incident reports. Three new fees consist of commercial kitchen inspection, high-rise fire drills and fire watch. The fire watch is currently combined with crowd management, a special events fee. Fire watch is a function the Department performs for private entities to safeguard against fire. The net increase in annual revenue from these fee adjustments is \$424,161.00.

GENERAL SERVICES

It is recommended that two fees be increased. The permit inspection fee and the zoning appeal plat preparation fees are both very low volume. The permit inspection fee is used for special inspection requests. The zoning appeal plat preparation fee is charged when zoning plats are prepared. Citizens may now perform this task themselves using online services provided by the City. This fee is charged only when General Services is requested to generate a plat. The estimated net additional annual revenue from these fee adjustments is \$4,355.00.

PUBLIC WORKS

The Department of Public Works has five fees in this package, all of which have been recommended for increases. These fees are primarily for storm water and sediment control reviews. The net increase in annual revenue from these fee adjustments is \$16,400.00.

HEALTH DEPARTMENT

The Health Department has ten fees related to food merchants, well permits and swimming pools are included in this recommendation. Two new fees are being recommended. The first

MINUTES

BBMR - cont'd

is to cover new health plan reviews. Food vendors must submit health plans both before they sell food and then periodically thereafter. Plans that are resubmitted are less costly to review than the initial plan, however the Department is currently charging the same price for both situations. It is recommended that new vendors pay an additional \$75.00 to cover the City's cost. The second new fee recommended is for hazard analysis critical control point plans (HACCP). The HACCP is a USDA approved process that looks at the critical components and critical points that contribute to food hazards. Currently the City performs this service free for food vendors, while consultants in the area are charging for the same services. Food dealer permits are also recommended for adjustment, with the high-risk category permits increasing and the moderate and low risk category permit fees decreasing. Well and catering permits are recommended for increases to help cover costs, as are food manager certification, swimming pool inspection and re-inspection fees. The re-inspection and food dealer permits require City Council approval. The net increase in annual revenue from these fee adjustments is \$46,995.00.

PLANNING DEPARTMENT

There are nine proposed fee changes for the Planning Department. Included in the recommendations are adjustments to two "notice to proceed" fees and tax credit application fees. The net increase in annual revenue from these fee adjustments is \$114,350.00.

The total estimated change in annual revenue is listed below by fund and by department. As the tables illustrate, it is estimated that the General Fund will receive an additional \$816,721.00 in annual revenue and the Motor Vehicle Fund an additional \$16,400.00 in annual revenue.

MINUTES

BBMR - cont'd

Fee Increase by Department			
Department	General Fund	MV Fund	Total
ECB	\$226,860.00		\$226,860.00
Fire Department	424,161.00		424,161.00
General Services	4,355.00		4,355.00
Public Works		\$16,400.00	16,400.00
Health	46,995.00		46,995.00
Planning	114,350.00		114,350.00
Total	\$816,721.00	\$16,400.00	\$833,121.00

City of Baltimore Fee Policy

The Steering Committee also recommended the establishment of a fee policy for the City. Based on best practices from other jurisdictions, the policy will provide guidelines for department heads for adjusting their fees. The proposed policy is submitted. It outlines the following principles for setting fee levels:

- Fees should not exceed the reasonable cost of providing the service.
- Cost recovery of the service should be based on the full cost of the service.
- Cost recovery should consider the nature of the service and the population receiving the service in setting fee levels.
- Comparable jurisdictions' fees should be considered in setting fees.
- Cost recovery levels should be consistent across similar programs.

The policy also:

- Requires all fees to be adjusted annually for inflation or deflation based on a consumer price index.
- Requires all fees to undergo a comprehensive five-year review to establish the base cost of providing the service.
- Requires the Finance Department to publish guidance on how agencies are to determine ongoing fee adjustments.

MINUTES

BBMR - cont'd

City of Baltimore User Fee Policy**A. Objective**

The goal of this written policy on fees is to provide guidelines for setting and reviewing user fees and charges by the City of Baltimore, (forthwith referred to as City).

This user fee policy is intended to be used as a guide to department heads in order to assist in the determination of the appropriate level for fees. Department heads are encouraged to use their best judgment in determining fair and reasonable fee levels in order to promote current public policy goals.

B. Transparency

Integral to the establishment of this fee policy is the intent to make fee administration more transparent. Transparency includes the adoption, administration, compliance and payment of fees. This policy is designed to ensure that the adoption of fees is done in an open process. To preserve contract integrity, fees are not retroactive but implemented with advance notice of the change. Administration of City fees are based on objective criteria such as the cost of the good or service. The policy further ensures that fees are not subject to negotiation and payment is based on a uniform application of the law. Citizens should be able to understand how the fee is charged, the unit of the charges and have an understanding of what will be expected in the terms of payment. They will know that fees are not revenue raising opportunities, but rather tied to the cost of the good or service that is being provided and that there is a logical basis for the price of the fee.

MINUTES

BBMR - cont'd

C. User Fee Principles

The following principles will be applied in developing and implementing service charges:

1. Revenues should generally not exceed the reasonable cost of providing service.
2. Cost recovery goals should be based on the total cost of delivering the service, including direct costs, departmental administration costs, and organization-wide support costs such as accounting, personnel, data processing, vehicle maintenance and insurance.
3. The City should take into account, and possibly charge for, the incremental costs driven by negative externalities created by the activities for which a license or permit is provided (e.g., additional police service costs at establishments with liquor licenses).
4. The City should take into account what comparable jurisdictions charge for similar services.
5. The method of assessing and collecting fees should be simple in order to reduce the administrative cost of collection.
6. Cost recovery goals will depend on the nature of the service provided and be consistent with policy goals. Generally, fees should reflect full cost recovery. However, the City will seek low cost recovery for services intended to be widely accessible, when charging the full cost of service would prohibit access to citizens based on their ability to pay. The City will seek high cost recovery for services that are regulatory in nature and provided to for-profit entities. The Department of Finance will issue detailed guidance to agencies on how to set cost-recovery goals.
7. A consistent approach should be used in determining cost recovery levels for various programs based on the factors discussed above.

MINUTES

BBMR - cont'd

D. Ongoing Review

Fees will be reviewed and updated on an ongoing basis to ensure that they keep pace with changes in the cost-of-living as well as changes in methods or levels of cost recovery. In implementing this goal, a comprehensive analysis of City costs and fees should be made at least every five (5) years. In the interim, fees will be adjusted by annual changes in the Chained Consumer Price Index for All Urban Consumers (C-CPI-U). Fees may be adjusted during this interim period based on supplemental analysis whenever there have been significant changes in the method, level or cost of service delivery.

The City will compile and maintain a master fee schedule, which will make implementing a comprehensive user fee review and setting a systematic process for periodic adjustments of fees more manageable.

UPON MOTION duly made and seconded, the Board approved and authorized the change to fees charged by various City Departments. The Board also approved the proposed comprehensive fee policy for the City. The President **ABSTAINED** on the fee changes for the Health and Planning Departments.

MINUTES

Office of the Inspector General (OIG) - Self-Reporting Program

ACTION REQUESTED OF B/E:

The Board is requested to approve the Self-Reporting Program for the inclusion in the Administrative Manual.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The foundation of the OIG Self-Reporting Program is to provide a meaningful incentive for contractors and vendors to self-report illegal conduct.

The program is intended to foster an environment that permits contractors, sub-contractors and others doing business (referred to hereinafter generically as "vendors") with the City to disclose the illegal conduct of its employees in a way that minimizes any negative impact on the vendor as a whole. The City recognizes that the surreptitious actions of individual actors are not always reflective of the vendor as a whole. As such, the City seeks to provide a mechanism for vendors to disclose illegal conduct when discovered and preserve a healthy and positive business relationship.

The Office of the Inspector General will report to the Board of Estimates, the guidelines for the Self-reporting Program in 30 days.

MINUTES**Self Reporting Program****Purpose**

The foundation of the Office of the Inspector General's ("OIG") Self-Reporting Program (SRP) is to provide a meaningful incentive for contractors and vendors to self-report illegal conduct. The program is intended to foster an environment that permits contractors, sub-contractors and others doing business (referred to hereinafter generically as "vendors") with the City to disclose the illegal conduct of its employees in a way that minimizes any negative impact on the vendor as a whole. The City recognizes that the surreptitious actions of individual actors are not always reflective of the vendor as a whole. As such, the City seeks to provide a mechanism for vendors to disclose illegal conduct when discovered and preserve a healthy and positive business relationship.

Scope and Authority

This policy applies to all City business conducted in whole or in part with City funds. Any actions taken by the OIG or the City under this program shall not waive any rights of State or Federal authorities to investigate and prosecute a vendor for fraudulent acts. In addition the City will adhere to all reporting and accounting requirements mandated by the terms of any State or Federal funds administered by the City.

Subtitle 40 of the Finance and Procurement Article of the Baltimore City Code authorizes the Board of Estimates to debar a person from entering into a contract with the City under a variety of circumstances. Through the acceptance of this policy the Board of Estimates agrees to extend all those incentives cited in this policy and within their authority to the extent provided by law to any vendor self-disclosing fraud against the City and complying with all provisions of this policy.

This policy does not alter or interfere with in any way the authority and obligations provided by the Charter of Baltimore City, 1996 Edition, as amended, in Article V, §7-10, to the Department of Audits. The Inspector General will coordinate with the Department of Audits in all matters disclosed under this policy.

MINUTES

Self Reporting Program - cont'd

SRP Program

The SRP requires disclosures in compliance with the rules set forth below, acceptance into the program by the Inspector General and continued cooperation during any subsequent inquiry determined necessary.

Requirements for Acceptance into the Self-Reporting Program

For a vendor to qualify for the SRP and be accepted into the program the following conditions must be met:

- The OIG, Comptroller's Office, or Law Department has not received or developed information about the activity before it was reported and the disclosure was not triggered by the vendor's recognition that the underlying facts were about to be reported to the OIG by a third party or otherwise discovered by the government.
- The disclosure was on behalf of the business entity, in contrast to admissions by officials or employees in their personal capacities.
- The vendor took prompt and complete corrective action, including disciplinary action and restitution, where appropriate, in response to the matters disclosed.
- The vendor promptly reported the matter after discovery with candor and completeness.
- The vendor agrees to preserve and protect all documents related to the disclosure and the overall contract with the City.
- The vendor provided full, continuing, and complete cooperation to the OIG throughout the investigation, including during any investigation or prosecution of individuals.
- The vendor agrees to implement recommended internal controls to prevent reoccurrence and permit verification after 6 months.

A contractor may be removed from the program if the contractor ceases to cooperate with the OIG investigation or takes other action inconsistent with the purpose of this program.

MINUTESSelf Reporting Program - cont'd**SRP Incentives**

Once a vendor has been accepted into the program and continues to act in accordance with the procedures set forth above, the OIG and the City agree to extend the following guarantees:

1. The City agrees not to initiate debarment proceedings regarding the self reporting entity.
2. The City agrees to recommend to appropriate prosecutorial authorities that transactional immunity be offered on matters the company discloses.
3. The City agrees not to pursue administrative actions in any venue based on the matters disclosed.

Contractor/Vendor Internal Investigation

The OIG generally will allow a vendor accepted into the SRP the opportunity to conduct an internal investigation, subject to verification by the OIG in an expedited manner. The steps in this process are as follows:

- **Internal Investigation.** The vendor determines whether an internal investigation will be conducted. While the City does not require such an investigation, it generally is in the best interest of the contractor to conduct its own investigation and submit a written report describing the results. The OIG reserves the right to verify or corroborate the vendor's results or to conduct its own investigation, if it is determined that it is in the best interest of the City.
- **Timely Completion of Report.** Contractors choosing to provide the OIG with a written report describing the results of their internal investigation are required to submit their report within 60 days of the initial disclosure. If the contractor is unable to complete the report within 60 days, the contractor should request an extension of time. The OIG will determine if and on what basis an interim report(s) should be provided.

MINUTES

Self Reporting Program - cont'd

- **Timing of OIG Investigation.** Generally, the OIG does not begin the verification process or conduct its own verification review or investigation until it has received the contractor's internal report of investigation. The OIG, however, reserves the right to begin its own review or investigation at any time. Under certain circumstances, the contractor may be asked to discontinue or limit its internal investigation.
- **Statute of Limitations.** During completion of the vendor's internal investigation, if the City determines that the criminal or civil statute of limitations will expire as to the matter disclosed, or any part thereof the City, at its option, may request the contractor to waive the statute of limitations for a period it deems appropriate. Refusal to waive the statute of limitations will be considered in evaluating the cooperation of the vendor.
- **Verification Process.** Following receipt of the vendor's internal report, the OIG will begin the verification process. The verification review and additional investigation will be given sufficient high priority to allow for its expedited completion. The scope of the verification audit and investigation will focus specifically on the matters disclosed by the contractor and include the quantification of City losses. Evidence of fraud unrelated to the initial disclosures that is developed during the verification process will be referred to the Department of Audits to be addressed in accordance with normal procedures.

Vendors may be removed from the program if they cease to cooperate with an OIG verification or investigation or take other action inconsistent with the purpose of this program.

MINUTES

Self Reporting Program - cont'd

Other Factors

Based on the results of investigation and/or audit, the contractor may be requested to make institutional changes designed to provide enhanced reporting and audit trails. These requests may include, but will not be limited to, the following.

- Development or enhancement of a compliance protocol to include:
 - o Strong written institutional policy against the type of illegal activity that occurred, including enforcement of well-publicized disciplinary standards.
 - o Implementation of reasonable safeguards, such as training, a fraud assessment program, a hotline, an ombudsman, and a compliance officer.
 - o Regular procedures, such as compliance and internal audits and investigations, to detect, evaluate, and remedy circumstances leading to the illegal activity.
 - o Effective mechanisms to permit complex or questionable contractual or accounting decisions to be raised to higher managers or those with expertise for review and approval.

Notice of Disclosures

The Director of Finance and the Board of Estimates shall be notified upon initial disclosure and again upon completion of the disclosure process.

UPON MOTION duly made and seconded, the Board approved the Self-Reporting Program for the inclusion in the Administrative Manual.

MINUTES

Office of the Inspector General (OIG) - Rewards Program

ACTION REQUESTED OF B/E:

The Board is requested to approve the Rewards Program for the inclusion in the Administrative Manual.

AMOUNT OF MONEY AND SOURCE:

\$50,000.00 - Account No. to be determined by BBMR

BACKGROUND/EXPLANATION:

The funds have been requested as part of the FY'12 budget cycle through the OIG's budget proposal.

The Rewards Program is designed to facilitate actionable information being brought forward and to reward those who are willing to do so monetarily. Central to this program is that a source of information (source) may be eligible to receive a cash reward for disclosing to the OIG information concerning criminal or unlawful activities involving City programs, contractors and personnel.

The OIG cash rewards would be paid to a source for providing substantial information not previously known by the OIG, Comptroller's Office and/or Law Department and leads to a successful prosecutorial effort and/or a substantial monetary recovery by the City.

The Office of the Inspector General will report to the Board of Estimates, the guidelines for the Self-reporting Program in 30 days.

APPROVED FOR FUNDS BY FINANCE

MINUTES**Rewards Program****Rewards Program**

The Rewards Program is designed to facilitate actionable information being brought forward and reward those who are willing to do so monetarily. Central to this program is that a source of information ("source") may be eligible to receive a cash reward for disclosing to the Office of Inspector General ("OIG") information concerning criminal or unlawful activities involving City programs, contractors, and personnel. OIG cash rewards would be paid to a source for providing substantial information not previously known by the OIG, Comptroller's Office, and/or Law Department and that leads to a successful prosecutorial effort and/or a substantial monetary recovery by the City.

Eligibility

Rewards may be given to any person, including City employees, former employees, contractor employees, or others. Current and former OIG employees, law enforcement personnel, appointed officials, and other employees who have the responsibility for discovering the type of activity being reported are not eligible to receive any monetary awards under this program.

Definitions

Source: A source may be any individual with knowledge concerning fraudulent activities involving Baltimore City government. Information may involve either City employees or employees of contractors and vendors doing business with the City if the City has incurred a loss as a result of the conduct. A source may not include someone who is determined to have engaged in criminal conduct relating to the activity disclosed.

Reward: A monetary payment not to exceed 10% of the actual recovery made by the City or as a result of successful prosecutorial efforts as described below. In the event of a successful prosecution where there is no associated recovery, any reward assessed would be limited to no more than \$5000.00.

Monetary Recovery: Court orders, judgments, or other "awards" do not qualify as a monetary recovery under this policy.

MINUTESRewards Program - cont'd

Successful Prosecutorial Effort: In the case of prosecutorial action, no conviction is necessary. However, to be considered as "successful" under this program there must be a felony indictment that results in either a trial being held, regardless of outcome, or plea bargain resulting in a felony guilty plea. The specific procedures for rewards under this policy are set forth as follows.

Reward Process

The success of the Rewards Program is dependent upon the potential sources of information having a clear understanding of program parameters and their obligations, as well as fair and consistent assessment by the Inspector General of the factors relevant to the allocation and amount of any reward.

Program Parameters and Eligibility

Upon the initial request for participation in the Rewards Program or a determination that a source may be eligible for participation in the program, the following program requirements will be provided:

- A source of information may remain confidential to fullest extent permitted by law.
- Payments may be made only if the information provided is new to the OIG, Comptroller's Office, and/or Law Department and leads directly to successful prosecutorial action related to a felony, as described above, or results in a substantial monetary recovery by the City.
- Continued cooperation throughout the investigation, to the extent determined reasonable under the circumstances, is a significant aspect of the reward assessment process.
- A reward will only be provided upon 1) an actual monetary recovery or 2) the successful conclusion of prosecutorial action, as well as a complete assessment by the Inspector General.

MINUTESRewards Program - cont'd

- Information provided by the source will be documented, in writing, and evaluated upon the conclusion of the investigation and/or prosecution. Only information provided to the OIG from a verified source will be eligible for rewards under this policy. This does not preclude the eligibility of information initially brought forward to the Comptroller's Office or the Law Department.
- As a prerequisite to approving a reward, the Inspector General may require the person under consideration for a reward to submit a sworn affidavit detailing how he/she obtained the information that formed the basis for the disclosure.

Rewards Assessment Process

Upon conclusion of the case, OIG assessment of whether a reward is merited and the amount will include review of the following:

- The specific information provided by the source and the significance of that information to the outcome.
- The timeliness, accuracy, specificity, scope, and usefulness of the disclosure.
- Whether an existing investigation had already been initiated in the same program area or function.
- Whether the source remained cooperative and responsive throughout the course of the investigation and prosecution.
- The Inspector General also may consider: (1) the circumstances under which the source acquired the information, (2) the source's culpability, if any, for the matters disclosed, (3) the sources conduct and forthrightness during any official investigation, audit or inquiry conducted by local, state or federal authorities and (4) the potential risk to the source, if any, for having made the disclosure.

The final decision will be made by the Inspector General, who will be guided by the criteria established in this policy with the concurrence of the City Solicitor.

MINUTES

Rewards Program - cont'd

Computation of Rewards**Monetary Recovery**

In cases where the City makes a monetary recovery, the total award, regardless of the number of sources involved, may not exceed 10% of the recovery total. A \$100,000.00 recovery by the City would result in a reward total not to exceed \$10,000.00, while a recovery by the City of \$1,000,000.00 would result in a reward total not to exceed \$100,000.00. **There is no upper limit on the award amount where monetary recovery is made by the City.**

Successful Prosecution Only

In cases where the information results only in a successful prosecution, the OIG may still assess a reward which may not exceed \$5000.00. The amount assessed would be based on the non-monetary criteria set forth elsewhere in this policy.

Multiple Sources

If the OIG receives information about the same matter from more than one source, the Inspector General may divide any reward for the disclosure among the sources, based on the criteria set forth in this policy. The amount of any reward will be based on any relevant factors deemed appropriate by the Inspector General, e.g., the significance of the information provided, risks involved, time spent, expenses incurred, extent of fraud, and cost savings to the City.

Reward Presentation

The source(s) will be contacted to determine if he/she wishes to have a public or private reward presentation. The source's request for a private presentation takes precedence over the public relations value of a public event. The source is to be informed that such compensation must be reported as income when filing income tax returns. The identity of any person who receives a reward under this program may remain publicly confidential at that recipient's request.

MINUTESRewards Program - cont'd

Notwithstanding that the reward recipients' names will not be released without their consent, the Inspector General will, as appropriate, disseminate information within City government and to the public regarding the number and amount of rewards, recoveries, and a synopsis of actions taken because of the disclosures.

Confidentiality/Anonymity of Sources

A person can provide information to the OIG anonymously through various methods and still be eligible for the OIG rewards program. The person would be identified by a unique source identification number during the investigation. Communication with anonymous sources is conducted through a variety of means during the course of the investigation to include email and voicemail. An anonymous source would be advised via these methods regarding eligibility for a reward based on the criteria set forth above.

However, prior to actually receiving a reward, the individual would have to formally identify himself or herself in order for the Inspector General to complete the evaluation of the reward prerequisites and assessment factors. The City must be able to verify the source's identity in order to process payment and report said payments to the proper taxing authorities as required by law. The source's identity would remain confidential and protected to the fullest extent possible by law.

Board of Estimates

Through the approval of this program, the Baltimore City Board of Estimates authorizes the Director of Finance to make payments under this policy from funds approved for this purpose and upon approval by both the Inspector General and the City Solicitor. Documentation of such approvals will be submitted to the Board of Estimates in the Annual Report of the Office of the Inspector General.

MINUTES

Rewards Program - cont'd

Finance Department

No later than the fiscal year commencing after the Board of Estimates approval of the Rewards Program, the Director of Finance shall ensure that funding in the amount of \$50,000.00 is budgeted for this program. Additional funds will be assessed in accordance with regular course of conduct for special appropriations as deemed necessary.

The Director of Finance will also direct recovered funds be returned to the appropriate City agencies, net of any proceeds paid, for general funds, internal service funds, or enterprise funds; and returned in full to state and federal agencies.

Third Party Rights

It is not intended that this policy creates any rights in third parties and that the decision of whether or not to make a reward rests solely on the Inspector General's and City Solicitor's discretion and is not subject to further review.

UPON MOTION duly made and seconded, the Board approved the Rewards Program for the inclusion in the Administrative Manual.

MINUTES**PROPOSAL AND SPECIFICATIONS**

There being no objections, the Board, UPON MOTION duly made and seconded, approved the following Proposal and specifications to be advertised for receipt and opening of bids on the date indicated:

1. Department of Transportation - TR 04318, Jones Falls Trail Phase II from Lee Street to Charles Street
BIDS TO BE RECV'D: 3/16/2011
BIDS TO BE OPENED: 3/16/2011

President: "If there is no further business, the Board is in recess until twelve o'clock noon for the receiving and opening of bids."

MINUTES

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

BIDS, PROPOSALS AND CONTRACT AWARDS

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

MINUTES

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

Bureau of Purchases - B50001762, Tree & Stump
Removal: Group VIII

Lewis Tree Service, Inc.
Harford Tree Experts & Landscaping
HF Huber & Son
Forest Valley Tree & Turf, LLC
Lorenz, Inc

Bureau of Purchases - B50001806, Transportation,
Cremation, and Disposal of
Animal Carcasses

Greenlawn Cemetery Co., Inc.

* * * * *

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, February 16, 2011.


JOAN M. PRATT
Secretary