

## MINUTES

REGULAR MEETING

Bernard C. "Jack" Young, President  
Stephanie Rawlings-Blake, Mayor  
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

The meeting was called to order by the President.

President: "I will direct the Board members attention to the memorandum from my office dated March 14, 2011, identifying matters to be considered as routine agenda, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

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

City Comptroller: "Second."

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

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**MINUTES**

Department of Real Estate - Deed

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the execution of a deed with the State of Maryland for the use of the University System of Maryland on behalf of its Constituent Institution, University of Maryland, Baltimore for the closing and conveyance of the 100 block of Diamond Street between the north side of Fayette Street and the south side of Shad Alley, which has been legally closed.

**AMOUNT OF MONEY AND SOURCE:**

\$38,000.00 - appraised value

**BACKGROUND/EXPLANATION:**

On September 2, 2008 the City entered into a closing agreement with the State of Maryland for the closing and conveyance of the former beds of the 100 block of Diamond Street between the north side of Fayette Street and the south side of Shad Alley. In the closing agreement, the State of Maryland, agreed to pay the fair market value for the property.

The sale of the public right-of-way was authorized by means of sales Ordinance No. 11-410 approved on January 31, 2011. The street closing process is intricate, involves public notice and other procedures before the deed can be prepared for submission to the Board for approval. The process has now concluded and

## MINUTES

Dept. of Real Estate - cont'd

the deed was recently submitted by the Department of Public Works to the Law Department. The Law Department has completed its review of the deed, and therefore it is being submitted to the Board of Estimates.

**(FILE NO. 56664)**

UPON MOTION duly made and seconded, the Board approved the deed with the State of Maryland for the use of the University System of Maryland on behalf of its Constituent Institution, University of Maryland, Baltimore for the closing and conveyance of the 100 block of Diamond Street between the north side of Fayette Street and the south side of Shad Alley, which has been legally closed.

## 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 - Options</u>			
1. Herbert Stanley Anthony, Jr.	1717 Ellsworth St.	F/S	\$ 7,500.00
2. Clarence Redd	2062 E. Eager St.	F/S	\$ 7,500.00
3. Blake Holley	2014 E. Madison St.	F/S	\$70,000.00

Funds will be transferred prior to settlement into, Account No. 9910-906416-9588-900000-704040, EBDI Project, Phase II.

**(FILE NO. 56017)**

4. Solid Rock Assembly of Yahweh	631 W. Lafayette Ave.	F/S	\$68,000.00
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Funds are available in Account No. 9910-904602-9588-900000-704040, Upton Vacants.

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.

**(FILE NO. 57221)**

<u>Dept. of Housing and Community Development - Condemnations</u>			
5. Michelle C. Johnson-Taborn	2744 Tivoly Ave.	L/H	\$34,300.00
6. Gloria Matthews	2719 Tivoly Ave.	L/H	\$37,250.00
7. Cleo and Nancy Scott	2715 Tivoly Ave.	L/H	\$37,300.00

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OPTIONS/CONDEMNATIONS/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development - Condemnations - cont'd</u>			
8. Eddie and Cynthia Morgan	2712 Tivoly Ave.	L/H	\$33,250.00

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

**(FILE NO. 57188)**

DHCD - Rescissions and Approval of Options

9. Florence Mahaffey	1906 N. Castle St.	G/R	\$ 433.00
			\$65.00

On February 9, 2011, the Board approved the purchase by condemnation of the ground rent interest in the property, 1906 N. Castle Street, for \$433.00. Since the approval, the owner has agreed to a voluntary settlement. Therefore, the Board is requested to rescind its prior approval of the condemnation and to approve an option in the amount of \$433.00 to acquire the property interest.

10. Ilene H. Powers	1902 N. Castle St.	G/R	\$ 715.00
			\$78.00

On February 9, 2011, the Board approved the purchase by condemnation of the ground rent interest in the property, 1902 N. Castle Street, for \$715.00. Since the approval, the owner has agreed to a voluntary settlement. Therefore, the Board is requested to rescind its prior approval of the condemnation and to approve an option for the amount of \$715.00 to acquire the property interest.

Funds are available in account 9910-908087-9588-900000-704040, Columbus School Project.

**(FILE NO. 57222)**

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

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.

UPON MOTION duly made and seconded, the Board approved the options, condemnations, and rescissions and approval of options.

**MINUTES**

Fire Department - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with the Maryland Stadium Authority (MSA). The period of the agreement is March 1, 2011 through February 28, 2012, with the option to renew for four additional one-year terms.

**AMOUNT OF MONEY AND SOURCE:**

\$400.00 per home game - 1001-000000-2110-225900-601065 -  
(potential total of \$32,400.00 for the Orioles baseball season)

**BACKGROUND/EXPLANATION:**

On May 17, 2006, the Board approved an agreement with the MSA for Emergency Medical Services for Orioles games at Camden Yards Stadium. The period of the original agreement was for five years. This contract stipulates that one medic unit with staff will be provided at Camden Yards for Emergency Medical Services during the Orioles home games.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**(FILE NO. 55782)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Maryland Stadium Authority.

**MINUTES**

Fire Department - Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of a grant award from the Federal Emergency Management Agency (FEMA), U.S. Department of Homeland Security. The period of the grant award is February 5, 2011 through February 4, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$1,302,000.00 - 4000-458311-2121-226400 - Federal Share  
325,500.00 - 1001-000000-2142-658600 - City Match  
**\$1,627,500.00**

**BACKGROUND/EXPLANATION:**

The Department has been awarded the FEMA Assistance to Firefighters Grant. In an effort to protect the health and safety of the firefighting personnel, the grant will provide for the purchase of new updated Self-Contained Breathing Apparatus for the members of the Department.

**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 grant award from the Federal Emergency Management Agency, U.S. Department of Homeland Security.

**MINUTES**

Department of Recreation and Parks - Right-of-Entry Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a right-of-entry agreement with Midtown Development Corporation (MDC). The period of the right-of-entry agreement is effective upon Board approval for six months.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The MDC has been awarded a grant from the Healthy Neighborhoods Capital Grant Program to perform improvements to the existing fountain at St. Mary's Park in the Seton Hill Community.

The MDC will collaborate with the Seton Hill Community Association to preserve and promote the Park, and to assist with general park related improvement projects. This right-of-entry agreement will allow the MDC and its contractor to perform the improvements.

**(FILE NO. 55221A)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the right-of-entry agreement with Midtown Development Corporation.

MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

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 a report

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

**MINUTES****TRANSFER OF FUNDS**

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Baltimore Development Corporation</u>			
1.	\$1,000,000.00	9910-901860-9600	9910-905852-9601
	22 <sup>nd</sup> EDF	Constr. Res.	Econ. Dev. Incen.
		Ind. & Coml.	
		Financing	
	435,000.00	9910-902873-9600	9910-905852-9601
	22 <sup>nd</sup> EDF	Constr. Res.	Econ. Dev. Incen.
	<u>\$1,435,000.00</u>	Brownsfield	
		Incentive Fund	

This transfer will provide funds to reimburse the Baltimore Development Corporation for eligible capital expenditures in connection with Citywide projects for the Fiscal Year 2011.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a contractual agreement with Sinai Hospital of Baltimore, Inc. The period of the agreement is January 15, 2011 through May 31, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$81,343.21 - 4000-894109-6330-497805-603051

**BACKGROUND/EXPLANATION:**

Under this agreement, the service provider will provide occupational skills training, adult education, employment support and follow-up services for residents of Park Heights under MOED's Park Heights Partnership for Jobs Initiative. The training will focus on Baltimore's Healthcare industry targeting five demand-driven occupational areas; environmental services, patient transport, food services, mailing services and print services.

The agreement is late because of the extended negotiation process.

**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 contractual agreement with Sinai Hospital of Baltimore, Inc.

## 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. **FAMILY HEALTH CENTERS OF BALTIMORE, INC. \$234,808.00**

Account: 5000-585310-5750-679995-603051

The organization will implement the Safe Streets Program, using the CeaseFire Chicago model and all its components with fidelity. The five components to the model are Community Mobilization, Public Education, Cooperation with Law Enforcement, Outreach, and Faith-based involvement.

The agreement is late because budget revisions delayed processing.

**MWBOO GRANTED A WAIVER.**

2. **CENTER FOR A HEALTHY MARYLAND, INC. \$ 30,000.00**

Account: 4000-422311-3030-513211-603051

The organization will provide technical assistance to Maryland delivery hospitals regarding rapid HIV testing. The organization will assess the current use of rapid HIV testing in hospital labor and delivery units and promote the availability of technical assistance regarding rapid HIV testing to hospital labor and delivery units in Maryland.

The agreement is late because the grant request was received late in the grant year and the delay in receiving an acceptable scope and budget.

**MWBOO GRANTED A WAIVER.**

## MINUTES

Health Dept. - cont'd

3. **GREENMOUNT SENIOR CENTER, INC.** **\$ 74,888.00**

Account: 4000-433511-3024-268408-603051

The organization will operate a senior program, which will serve as the community focal point for seniors and their caregivers. Services will include but are not limited to transportation, social, recreational, and educational programs. The period of the agreement is October 1, 2010 through September 30, 2011.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**MINUTES**

Health Department - Intergovernmental Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an intergovernmental agreement with the Department of Juvenile Services. The period of the agreement is July 1, 2010 through June 30, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$1,150,000.00 - 5000-518611-3160-308000-405001

**BACKGROUND/EXPLANATION:**

The funds will be used for the Operation Safe Kids (OSK) Program. The OSK program provides intensive community-based case management and monitoring annually to approximately 250 high-risk youth in the Violence Prevention Initiative. The goal is to prevent them from becoming victims or perpetrators of violent crime.

The agreement is late because it was received on February 1, 2011.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the intergovernmental agreement with the Department of Juvenile Services.

**MINUTES**

Health Department - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an expenditure of funds to pay Howard Community College (HCC). The period of the expenditure is for a conference held on September 23 - 24, 2010.

**AMOUNT OF MONEY AND SOURCE:**

\$4,483.50 - Audio/Visual  
3,000.00 - HCC Administrative Fee  
**\$7,483.50** - 4000-422110-3030-272900-603026

**BACKGROUND/EXPLANATION:**

On July 12, 2010, the Maryland State Department of Health and Mental Hygiene, the Infectious Disease and Environmental Health Administration, Office of Disease Control, contracted with the HCC to sponsor the North East Regional Tuberculosis (TB) Control Summit. The event was held September 23 - 24, 2010 at the Westin Hotel in Annapolis, Maryland.

The Department's TB Program cosponsored this conference in accordance with conditions of a grant award. The funding for the program is provided by a grant from the United States Department of Health and Human Services, Centers for Disease Control and Prevention.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**MINUTES**Health Department - Grant Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement with Reach Out and Read, Inc. (ROR). The period of the grant agreement is effective upon Board approval through June 30, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$ 557.87	-	6000-622507-3080-292300-604008	(Wm. T. Baker Fund)
2,555.56	-	6000-622508-3080-293600-604008	(H & J Weinberg Fdn.)
10,505.20	-	6000-622508-3080-293601-604008	(Reading is Fundamental)
23,055.04	-	6000-622509-3080-293601-604008	(Reading is Fundamental)
5,896.24	-	6000-622707-3080-292300-604008	(ROR)
60.73	-	6000-622708-3080-293300-604008	(ROR)
15.36	-	6000-622709-3080-294800-604008	(ROR)
<b>\$42,646.00</b>			

**BACKGROUND/EXPLANATION:**

On November 25, 2009, the Board approved the Coalition agreement with the ROR in the amount of \$15,000.00 for the period of September 17, 2009 through June 30, 2010 to purchase materials, equipment, supplies, and books.

The ROR is a national non-profit organization that promotes early literacy in pediatric exam rooms across the nation. The organization seeks to make literacy promotion a standard part of pediatric care by giving new books to children and advice to parents about the importance of reading aloud.

The ROR has decided that the ROR Program in Baltimore would be better accomplished through a non-profit corporation and will allow the Department, through this grant agreement, to use funds

**MINUTES**

Health Dept. - cont'd

for salary support of the Coalition Leader, site sustainability and expansion, and books.

**MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with Reach Out and Read, Inc.

**MINUTES**

Baltimore Police Department - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with the University of Maryland University College (University). The period of the agreement is January 01, 2011 through December 31, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$125,000.00 - 6000-611211-2013-197500-603026

**BACKGROUND/EXPLANATION:**

The Department desires to increase the leadership skills of selected police officers by having them participate in an undergraduate Criminal Justice Leadership Certificate Program (Program) at the University.

The University will develop and deliver the Program to 25 participants in each cohort. The University may increase the number of program participants by mutual agreement of the parties.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the University of Maryland University College.

**MINUTES**

Bureau of Water and Wastewater - Task Assignment No. 001

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an assignment of Task No. 001 to Johnson, Mirmiran & Thompson under Project No. 1120J, S.C. 852R, Construction Management Services.

**AMOUNT OF MONEY AND SOURCE:**

\$191,509.50 - 9956-910533-9551-900010-705032

**BACKGROUND/EXPLANATION:**

Under this task assignment no. 001, the consultant will provide construction management services in connection with S.C. 852R.

**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 the assignment of Task No. 001 to Johnson, Mirmiran & Thompson under Project No. 1120J, S.C. 852R, Construction Management Services.

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 for Project 1106, Cathodic Protection Services with Russell Corrosion Consultants, Inc. The amendment changes the period of the agreement to be effective September 23, 2009 for two years and three months or until the upset limit is reached, whichever occurs first.

**AMOUNT OF MONEY AND SOURCE:**

\$386,219.51 - 9960-906658-9557-900020-703032

**BACKGROUND/EXPLANATION:**

On September 23, 2009, the Board approved a two-year agreement with Russell Corrosion Consultants, Inc. for cathodic protection services to provide engineering services for the City's water system, including design, post award services for cathodic protection, cleaning and lining projects, mitigation of system problems, and other related issues on an as-needed basis.

Because of a higher volume of cathodic protection design work for new water main installations than originally anticipated under this project, the budgeted amount has been exhausted. Additional funds and a three-month time extension of the agreement are requested with this agreement.

**MBE/WBE PARTICIPATION:**

<b>MBE:</b> EBA Engineering, Inc.	\$ 57,768.27	14.96%
Peer Consultants, P.C.	<u>48,139.77</u>	<u>12.46%</u>
	<b>\$105,908.04</b>	<b>27.42%</b>
 <b>WBE:</b> Phoenix Engineering, Inc.	 \$ 34,695.02	 8.98%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

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

**MINUTES**Bureau of Water and Wastewater - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$300,000.00	9960-903130-9558	9960-905658-9557-900020-3
Water Utility	Constr. Res.	Engineering
Funds	Cathodic Protection	

The funds are required to cover the cost of amendment no. 2 for Project 1106, Cathodic Protection Services.

UPON MOTION duly made and seconded, the Board approved and authorized execution of Amendment No. 2 to Agreement for Project 1106, Cathodic Protection Services with Russell Corrosion Consultants, Inc. The transfer of funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. The President **ABSTAINED.**

MINUTES

EXTRA WORK ORDERS

\* \* \* \* \*

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 had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The President **ABSTAINED** on item no. 2.

## 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. Compl.</u>	

Department of Transportation

1. EWO # 012, \$323,000.00 - TR 04311, Pennington Avenue				
<u>Bascule Bridge Rehabilitation</u>				
\$14,530,627.00	\$10,032,667.52	Cianbro Corporation	-	-

Bureau of Water and Wastewater

2. EWO # 002, \$0.00 - W.C. 1194, Montebello Filtration Plants				
<u>Chemical Feed Improvements</u>				
\$590,958.00	\$4,675.17	Cianbro Corporation	47	70.0
			CCD	

**MINUTES**Bureau of Water and Wastewater - Amendment to Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an amendment to agreement with EMA, Inc. under Project 1082, On-Call Process Control and SCADA Engineering Services. The amendment will extend the period of the agreement through July 23, 2013, or until the upset limit is reached, whichever comes first.

**AMOUNT OF MONEY AND SOURCE:**

\$750,000.00 - Various accounts depending on assigned tasks

**BACKGROUND/EXPLANATION:**

On July 23, 2008, the Board approved the original three year agreement with EMA, Inc. in the amount of \$750,000.00 to provide On-Call Process Control and SCADA Engineering Services.

At its various treatment plants, filtration plants, pumping stations, yards, and other installations, the Bureau has a need for Process Control and SCADA Engineering Services, as needed. Typically, the work involved is limited in scope or of an urgent nature, which in either case, should not be postponed until the customary architect and engineering selection process can be executed. Calls for these services will be made as needs are identified.

The cost of services rendered will be on a negotiated not-to-exceed price for each task assigned. The fees will be based on actual payroll rates, not including overhead and burden times a set multiplier. The payroll rates and multiplier have been reviewed by the Department of Audits.

This amendment to agreement will increase the upset limit by \$750,000.00 and extend the period of the agreement through July 23, 2013. This amendment will allow the consultant to continue providing Process Control and SCADA Engineering Services for various tasks assigned by the Water and Wastewater Division and Facilities, including treatment plants and pumping stations, etc., on an as-needed basis. All other terms and conditions of the original agreement remain unchanged.

**MINUTES**

BW&WW - cont'd

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

**MBE/WBE PARTICIPATION:**

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

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of an amendment to agreement with EMA, Inc. under Project 1082, On-Call Process Control and SCADA Engineering Services. The President **ABSTAINED**.

**MINUTES**

Bureau of Solid Waste - Task Assignment No. 011

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an assignment of Task No. 011 to KCI Technologies, Inc. under Project No. 1067K, Environmental Monitoring and Reporting Services.

**AMOUNT OF MONEY AND SOURCE:**

\$141,648.09 - 9948-902047-9517-900020-702064

**BACKGROUND/EXPLANATION:**

Under this task assignment no. 011, the consultant will provide continued environmental monitoring and reporting services. The services are required to stay in compliance with the Maryland Department of the Environment regulations.

**APPROVED FOR FUNDS BY FINANCE**

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

**(FILE NO. 56533)**

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 011 to KCI Technologies, Inc. under Project No. 1067K, Environmental Monitoring and Reporting Services.

**MINUTES**

Department of Finance - Flood Coverage Renewal  
Office of Risk Management

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the renewal of flood coverage for the Baltimore City Police Department Headquarters Building with the National Flood Services. The renewal period begins April 22, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$27,668.00 - 2043-000000-1450-162900-603014

**BACKGROUND/EXPLANATION:**

On September 13, 2003, storm surge and heavy rain from Hurricane Isabel flooded the basement of the Baltimore City Police Headquarters Building to a depth of 22". A claim was made with FEMA. Public Assistance reimbursement has been approved. Since the facility is located in a 100 year floodplain, distribution of FEMA Public Assistance is contingent on securing and maintaining coverage for flood.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the renewal of flood coverage for the Baltimore City Police Department Headquarters Building with the National Flood Services.

**MINUTES**

Department of Transportation - Partial Release of Retainage Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a partial release of retainage agreement to M. Luis Construction Company, Inc. for Contract No. TR 07032.

**AMOUNT OF MONEY AND SOURCE:**

\$193,004.86 - 9950-903836-9514-000000-200001

**BACKGROUND/EXPLANATION:**

All work on Contract No. TR 07032 is substantially completed and all items on the punch list are completed. The contractor has requested a partial release of retainage in the amount of \$193,004.86. The City holds \$195,004.86 in retainage. The remaining \$2,000.00 is sufficient to protect the interests of the City.

Pursuant to Section 10.04-81 of the Specifications, a "Conditional Inspection" for Contract No. TR 07032 was held on March 3, 2009.

**MBE/WBE PARTICIPATION:**

M. Luis Construction Company, Inc. has demonstrated a good faith effort towards achieving both the MBE and WBE goals.

**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 partial release of retainage agreement to M. Luis Construction Company, Inc. for Contract No. TR 07032.

**MINUTES**Law Department - Settlement Agreement and Release

The Board is requested to approve and authorize execution of the settlement agreement and release for the below listed claim. The settlement agreement and release has been reviewed and approved by the Settlement Committee of the Law Department.

1. Melissa Fulton v. Mayor and **\$55,000.00**  
City Council of Baltimore

Account: 2036-000000-1759-175200-603070

UPON MOTION duly made and seconded, the Board approved and authorized execution of the settlement agreement and release.

**MINUTES**

Department of Law - Debarment of Individuals  
from City Tax Lien Auctions

**ACTION REQUESTED OF B/E:**

The Board is requested to institute debarment proceedings against several individuals who purchased tax liens at auctions in Baltimore City.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

Several individuals, who purchased tax liens at auctions in Baltimore City, colluded to keep the prices low by agreeing before the auctions to allocate the bids among themselves. This reduced competitive bidding, violated Federal anti-trust laws and resulted in the City obtaining less revenue for its tax liens.

The Baltimore City Code (Code) provides for the debarment of individuals who commit certain criminal offenses. Debarment is a process by which the Board prohibits an individual or entity from entering into contracts with the City of Baltimore.

Article 5, Section 40-1 (Finance and Procurement) of the Baltimore City Code provides that the Board of Estimates "may debar a person from entering into a contract with the City if that person, or a principal of that person, or any other person substantially involved in that person's contracting activities...has been convicted of a criminal violation of an anti-trust statute...of the United States." Similarly, a person may be debarred if he has admitted in writing or under oath that his actions constitute grounds for conviction under the law described above. Finally, the Code provides that the Board may debar a person who is a "principal, successor, assignee, subsidiary, or affiliate of a person who is debarred or suspended."

## MINUTES

Department of Law - cont'd

Three of the individuals in the bid rigging (Messers Steve Berman, Jack Stoloff, and Harvey Nusbaum) pled guilty to violating federal anti-trust law. Three other individuals, (Messers John Reiff, Anthony De Laurentis, and Terry Turer) who were partners in a law firm and in an investment partnership, were able to enter into a cooperation agreement with the government and received amnesty. This latter group, however, participated extensively in the illegal conduct.

Of the six principals involved in the federal bid rigging, five have voluntarily agreed to debarment. Mr. Harvey Nusbaum has not agreed to debarment. (The City has made several offers to Mr. Nusbaum through his counsel). Mr. Nusbaum, who is currently incarcerated for his participation in the federal bid rigging scheme, is unable to directly participate in tax lien auctions at this time, but his daughter, Ms. Tacey Himelfarb, who worked with her father prior to his conviction, remains actively involved in the purchase of tax liens in Baltimore City.

The actions of the above-named individuals who violated federal anti-trust law have tarnished the integrity of the tax lien auction process in Baltimore City and cost the City many thousands of dollars in revenue because of depressed prices. Likewise, the continued participation of Mr. Nusbaum's daughter, a close affiliate and participant in his business entities during the time that he was engaging in illegal conduct, continues to put a blemish on the tax lien process. Therefore, the City Solicitor is recommending the Board institute debarment proceeding against Mr. Harvey Nusbaum and Ms. Tacey Himelfarb.

The City Solicitor further recommends that Mr. Harvey Nusbaum and Ms. Tacey Himelfarb be suspended from entering into contracts with the City pending completion of debarment proceedings, as permitted by the Baltimore City Code, in light of the Baltimore City tax sale, which will occur in May 2011.

**A PROTEST HAS BEEN RECEIVED FROM SHAPIRO SHER GUINOT & SANDLER ON BEHALF OF MS. TACEY HIMELFARB.**

City Solicitor: "Just a note of explanation on the one item

which is a Law Department request that was withdrawn from the

## MINUTES

Department of Law - cont'd

Agenda. Dealing with debarment of individuals who had been previously convicted of bid rigging in connection with the tax sale. That's been withdrawn, because the individual in question has reached a debarment by Consent Agreement with the Law Department and will be debarred from participating in tax sales for the next four years. So, the Board's action was not necessary for that reason."

President: "Thank you."

\*\*\*\*\*

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with Mi Casa, Inc., developer, for the sale of the property located at 806, 808, 810, 812, 814, 816, 818, 820, 822, 826, 828, 834, 702, 706, 708, 710, 712, 714, 716, 718, 722, 724, 732, 734, 736, 738, 715, 717, 733, and 741 E. Preston Street.

**AMOUNT OF MONEY AND SOURCE:**

<u>Sale price</u>	<u>In-House Valuation (INV)</u>	<u>Discount from INV</u>
\$30.00	\$137,607.00	\$137,577.00

**BACKGROUND/EXPLANATION:**

The assessed value for each property is less than \$20,000.00, so an in-house valuation using recent comparable sales was performed for three representative properties. Based on the comparable sales and amount of subsidy needed for the project, the reduced sales price of the properties will be \$30.00, which will be paid by the Developer by cash or certified check at settlement. The City will convey all of its rights, title, and its interest at the offer price of \$1.00 per property. Once transferred and redeveloped, the properties will be active on the tax rolls of Baltimore City preventing tax abandonment.

In 2008, the Developer was awarded the development rights to develop City and Housing Authority of Baltimore City (HABC) owned properties in the Johnston Square neighborhood. The Developer recently completed Phase One, which was the rehabilitation of ten existing public housing units at 800, 802, 836 and 838 E. Preston Street for the HABC. Phase Two will consist of the conveyance and rehabilitation of 12 City-owned properties into 12 units for affordable homeownership. Phase Three will consist of the conveyance and rehabilitation of 18 City-owned properties into 18 units for affordable homeownership, with 834 E. Preston Street containing one rental unit.

**MINUTES**

DHCD - cont'd

The Developer plans to invest approximately \$9,098,063.00 into this project. The Developer applied for and was awarded \$5,078,000.00 in Federal Neighborhood Stabilization Program 2 Funds to help primarily fund the construction of homeownership units. The City is also reviewing a request from the Developer for approximately \$2,000,000.00 in CDBG funds to subsidize the construction, which is contingent on a final development plan and other financing.

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE APPRAISED VALUE:**

---

In accordance with the City's appraisal policy, as approved on November 3, 2010, an appraisal is not required for this disposition, as the determination of market value is uncomplicated and less than \$20,000.00.

The properties are to be sold below the appraised value and in-house value to allow for the creation of 30 single-family affordable homeownership units.

- The community will receive the benefit of the development of 30 affordable homeownership units. These units will be affordable to households earning 80% or less of the area median income.
- If the properties were sold for the in-house valuation, an additional subsidy of City CDBG funds in the amount of \$137,577.00 would be required to subsidize the development. As it is now, the project is already maximizing the amount of available CDBG funds.

**MINUTES**

DHCD - cont'd

- The development will eliminate neighborhood blight caused by the City's vacant buildings and revitalization of the 700 and 800 blocks of Preston Street in the Johnston Square neighborhood. The vacant buildings will be renovated and sold as affordable homeownership units which will complement several adjacent developments and projects, including the new City Arts Apartments in the 1500 block of Greenmount Avenue in the Greenmount West neighborhood, HABC's renovation of 38 scattered site public housing units in Johnston Square using Federal Stimulus money, and the construction of a 73 unit, green, affordable multi-family apartment building in the 1300 block of Greenmount Avenue by the French Development Company.

**MBE/WBE PARTICIPATION:**

The Developer has signed the Commitment to comply with Article 5, Subtitle 28 of the Baltimore City Code and MBE and WBE goals established in the original agreement.

**(FILE NO. 56595)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Mi Casa, Inc., developer, for the sale of the property located at 806, 808, 810, 812, 814, 816, 818, 820, 822, 826, 828, 834, 702, 706, 708, 710, 712, 714, 716, 718, 722, 724, 732, 734, 736, 738, 715, 717, 733, and 741 E. Preston Street.

**MINUTES**

Department of Housing and - Community Development Block  
Community Development Grant Recovery Loan (CDBG-R)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a CDBG-R loan to People's Homesteading Group, Inc., (Borrower), in the amount of \$50,000.00. The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval by the Department of Law.

**AMOUNT OF MONEY AND SOURCE:**

<u>Sources</u>		<u>Uses</u>	
\$ 50,000.00*	CDBG-ARRA	\$221,500.00	Construction Costs
170,000.00	Home Buyer 1 <sup>st</sup> Mortgage	6,000.00	Fees - Architect Project Manager
40,000.00	CDA Historic Mortgage	20,000.00	Carry Charges
4,000.00	Settlement Expense Grant	14,000.00	Settlement Expense
10,000.00	CDA SELP Settlement Loan	5,000.00	Buyer Support
<u>5,000.00</u>	Seller Contri- bution to Buyer	<u>12,500.00</u>	Developer Fee
<b>\$279,000.00 - Total</b>		<b>\$279,000.00 - Total</b>	

Account: 4000-485710-5750-644600-603051\*

**BACKGROUND/EXPLANATION:**

The Borrower has been working to revitalize the 400 block of East 22<sup>nd</sup> Street since 2005. Their mission is to historically renovate the houses in the area and sell them to first time homebuyers. The Borrower is a certified Community Housing Organization and a Maryland non-profit, 501(c) (3) organization

## MINUTES

DHCD - cont'd

with offices located at 410 East North Avenue, Baltimore, Maryland.

In Phase I of Anchors of Hope III (Phase I), the Borrower renovated and sold eight homeownership units in the 400 Block of East 22<sup>nd</sup> Street. Six units of Phase I were supported in part by a HOME Loan in the amount of \$320,000.00 approved by the Board in 2005 and two supplemental HOME loans approved by the Board in 2008 and 2010 in the aggregate principal amount of \$240,000.00. The Borrower has completed and sold the six units supported by HOME funds. The final two units will be renovated and sold with private funds.

In this Phase of the project (Phase II), the Borrower will rehabilitate and sell nine additional units before it moves to another block in the Barclay-Midway neighborhood. The Borrower has finished renovating the first unit of Phase II at 431 East 22<sup>nd</sup> Street and obtained a valid contract from an approved, income-eligible first time homebuyer (the CDBG-R Qualified Buyer). The home has been completed and has been approved for occupancy by the Baltimore City Building and Inspections Division of Baltimore Housing. Settlement with the CDBG-R Qualified Buyer must occur before March 31, 2011, as the potential homebuyer holds an approved Section 8 voucher, which will be used to cover a portion of the monthly mortgage payment. Southern Mortgage will be the first lien holder on the first mortgage of \$170,000.00. The CDBG-R Loan in the amount of \$50,000.00 is to be disbursed as follows: \$32,500.00 of the CDBG-R loan amount will be used to write-down to the project costs (\$5,000.00 of the \$32,500.00 will be used to purchase kitchen appliances and complete the corrective punch out items). The remaining \$17,500.00 will be used to support the purchase by the CDBG-R Qualified Buyer.

Time is of the essence as the prospective buyer will not be eligible to utilize the approved Section 8 voucher for homeownership after March 31, 2011.

## MINUTES

DHCD - cont'd

Participating Parties:

- A. Developer: People's Homesteading Group, Inc.
- B. General Contractor/Architect: The rehabilitation of historic preservation standards has been completed and the home has received an occupancy permit from the Baltimore Housing Division of Building Inspection. Except for final punch out items and kitchen appliances, all work has been completed and inspected by the CDBG-R Qualified Buyer and by Baltimore Housing.
- C. Participating Lenders:

The construction lender is Capital Bank, N.A. of Rockville, Maryland and requires pay-off at closing.

Baltimore City, by the action of the Board of Estimates, is providing a \$50,000.00 loan from CDBG-R funds (CDBG-R Loan). The CDBG-R loan will have an interest rate of zero percentage per annum on sums advanced, and have a maturity date of sixty days (the Maturity Date) from Board approval.

Upon the sale of the unit, the CDBG-R Qualified Buyer will enter into documents satisfactory to the City to indicate that the CDBG-R Qualified Buyer is assuming \$17,500.00 of the CDBG-R Loan (the Buyer's CDBG-R Loan), which is to be evidenced by a promissory note and structured as an unsecured loan with a term not to exceed 15 years commencing from the date of purchase (the period of affordability) and an interest rate of zero percent per annum. The CDBG-R Qualified Buyer will also execute and record a regulatory agreement (the Buyer's Regulatory Agreement) continuing certain affordability and other restrictions required by the CDBG-R Program. Under the terms of the Buyer's Regulatory Agreement, if the CDBG-R Qualified Buyer complies with all applicable

**MINUTES**

DHCD - cont'd

terms and covenants of the Buyer's CDBG-R Loan through the period of affordability, the Buyer's CDBG-R Loan is forgiven in its entirety. In the event a conveyance or a refinance occurs during the period of affordability, the CDBG-R Qualified Buyer is required to repay the Department all or a portion of the Buyer's CDBG-R Loan out of net proceeds, depending on how long the CDBG-R Buyer has lived in the unit.

When the unit is sold to a CDBG-R Qualified Buyer, the Borrower's obligation under this CDBG-R Loan will be forgiven.

The Department is requiring the Borrower to pay to the Department 50% of all sales proceeds in excess of the construction costs, as determined by a costs certification of allowable costs, plus the certified carrying charges, professional fees and developer fee as approved by the Department. This profit-sharing requirement will be addressed through provisions in the documents evidencing the CDBG-R Loan. It is anticipated, however, that even with the price support provided by the CDBG-R Loan, the sales price of the unit will be less than the costs of construction.

**MBE/WBE PARTICIPATION:**

Article 5, Subtitle 28 of the Baltimore City Code for Minority and Women's Business Opportunity is fully applicable and no request for waiver or exception has been made.

**(FILE NO. 56258)**

UPON MOTION duly made and seconded, the Board approved the CDBG-R loan to People's Homesteading Group, Inc., in the amount of \$50,000.00. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval by the Department of Law.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with Jonathan Bassford, developer, for the sale of the property located at 619 Willow Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$1,000.00 - Sale price

**BACKGROUND/EXPLANATION:**

A good faith deposit in the amount of \$500.00 has been received from the Developer.

The project will consist of the conversion of this vacant lot into a side yard for the adjacent property located at 627 Willow Avenue. Once transferred and redeveloped the property will be active on the tax rolls of Baltimore City thereby preventing tax abandonment.

**STATEMENT OF PURPOSE AND RATIONALE FOR SALE BELOW THE APPRAISED VALUE:**

The appraised value of this property is \$6,750.00, however due to the proposed use as a side yard, and the buyer's current maintenance of this property, such as removing trash and debris and cutting the grass at his own expense, the purchase price was reduced. The adjacent owner plans in the future to consolidate 619 Willow Avenue, currently in leasehold interest with 627

**MINUTES**

DHCD - cont'd

Willow Avenue, which is also in leasehold interest at their own expense and through their title company and maintain both properties in fee simple. The purchase will eliminate blight and offer a specific benefit to the immediate community.

**MBE/WBE PARTICIPATION:**

The properties are not subject to Article 5, Subtitle 28 of the Baltimore City Code because they will be sold for less than \$25,000.00.

**(FILE NO. 57211)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Jonathan Bassford, developer, for the sale of the property located at 619 Willow Avenue.

**MINUTES**

Department of Housing and - HOME Loan  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a HOME Investment Partnership Program (HOME) loan to Franklin Square Housing Limited Partnership (Borrower). The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval by the Department of Law.

**AMOUNT OF MONEY AND SOURCE:**

<u>Sources</u>		<u>Uses</u>	
\$3,680,000.00	CDA Tax-Exempt Bonds	\$ 969,300.00	Acquisition
820,000.00	MD DHCD MHRP	4,729,876.00	Construction
500,000.00	HOME*	671,580.00	Construction Fees
662,239.00	GBAHC-NSP Acquisition Loan	764,779.00	Financing Fees
150,000.00	NeighborWorks	88,291.00	Syndication Fees
180,000.00	MEEHA	504,931.00	Guarantee/Reserves
351,683.00	Deferred Developer Fee	950,494.00	Developer Fees
2,335,329.00	Equity		
<b>\$8,679,251.00</b>	<b>TOTAL</b>	<b>\$8,679,251.00</b>	<b>TOTAL</b>

\$500,000.00 - 9910-913022-9610\* (not to exceed)

**BACKGROUND/EXPLANATION:**

The HOME loan will support a portion of the hard construction costs of an apartment complex located at the 1500 block of West Fayette Street to be known as Union Rowe Apartments.

## MINUTES

DHCD - cont'd

The Union Rowe Apartments will involve the rehabilitation of a 72 unit apartment building (Project) located at the 1500 block of West Fayette Street in the Franklin Square community of West Baltimore. In addition to the gross leasable area, the proposed development will feature a surface parking lot, a community room, a laundry room, and an on-site management office. The building will be constructed to meet "Green Community" standards and will feature Energy Star light fixtures and appliances, as well as low flow faucets and high efficiency toilets, HVAC and water heaters. The tenants will also benefit from several amenities installed into their units, such as dishwashers, garbage disposals and over-the-range microwaves. In addition, resident services staff will assist residents with accessing no or low-cost adult education and after-school programs in the area. In 2010, Greater Baltimore AHC Inc. (GBAHC), the developer and the principal of the Borrower, completed the acquisition of the project out of foreclosure using Neighborhood Stabilization Program (NSP) funds.

Upon completion of the construction, there will be approximately 18 one-bedroom, 32 two-bedroom and 22 three-bedroom units. One hundred percent of the project's units will be affordable to families with incomes at or below 60% AMI for 40 years. The property currently has a one-year Housing Assistance Payment (HAP) Contract, which will be renewed for twenty years once renovations are completed. The Borrower will provide no fewer than 11 units that are "long-term affordable" and reserved for the Non-Elderly Persons with Disabilities (NED) so that such NED Units meet the requirements of the Bailey Consent Decree. The term "Non-Elderly Person with Disabilities" means a household that meets the following criteria: (i) whose sole member, head of household, or head of household's spouse has a disability and is under age 62; (ii) which is eligible for a one-bedroom public housing unit or for a two bedroom public housing unit because a second bedroom is needed for disability-related reasons; and (iii) which is on the HABC waiting list for public or Section 8 subsidized housing.

## MINUTES

DHCD - cont'd

Diversified Property Services Inc. prepared an appraisal for the Maryland Community Development Administration (CDA) dated January 7, 2011. The estimated market value of the subject property as if completed and stabilized at restricted rents with consideration to the tax credits is \$4,088,400.00. The appraisal has been submitted to the Real Estate Department. The appraised value is below the total development cost of the project which is common for transactions involving low-income housing tax credits, subsidized rents and preferred governmental financing. As the low-income housing tax credits provide equity, they are not considered to be long-term debt to the property. The rents are considered "restricted" because they are supported with financing that requires long-term income and rent restrictions, as a result, the rent levels are set below the market rate thereby decreasing the property's appraised value. Gap financing, such as the HOME loan and the other governmental sources, is in place in order to allow for continuing affordability. The appraised value meets the underwriting standards for the must-pay permanent superior mortgage. The Department is comfortable with recommending the HOME loan as described under these circumstances.

PARTICIPATING PARTIES:

A. Owner/Developer

Franklin Square Housing Limited Partnership (Borrower) will be the borrower of record; the GBAHC will act as the Developer and is the general partner of the Borrower. The Community Preservation and Development Corporation, or an affiliate thereof, will own approximately 21% of the limited partnership interests for tax purposes but will not have any management duties or responsibilities with regards to the Borrower.

B. General Contractor/Architect:

Linden Contracting will act as general contractor. Marks Thomas Architects will provide architectural services.

## MINUTES

DHCD - cont'd

C. Participating Lenders:

CDA - Tax-Exempt Bonds - Construction/Permanent 1<sup>st</sup> lien position.

The CDA, a unit of the Division of Development Finance of the Department of Housing and Community Development, a principal department of the State of Maryland (MD DHCD) will issue one or more series of tax-exempt bonds in an aggregate principal amount not to exceed \$3,680,000.00. During both the construction loan period and permanent loan period, the interest rate will not exceed 4.55%. Interest only payments will be charged during the construction term of 18 months, which includes cost certification. During the permanent loan period, payments of principal and interest will be amortized until the bonds mature, which is expected to be between 37 and 40 years from the end of the construction loan period.

MD DHCD MRHP Program - Construction/Permanent 2<sup>nd</sup> lien position

The MD DHCD will make a loan from its MRHP program in an amount not to exceed \$820,000.00 to fund permitted development costs. During the permanent loan period the loan will carry an interest rate of 4%; no interest will be charged during the construction period of 18 months (which includes cost certification). During the permanent period, the loan will be amortized on a 40-year term with payments made from available surplus cash flow. All outstanding principal balance and any deferred and accrued interest is due and payable on the maturity date.

## MINUTES

DHCD - cont'd

Baltimore City HOME Program - Construction/Permanent 3<sup>rd</sup>  
lien position

During the permanent loan period the loan will carry an interest rate of 0%. No interest will be charged during the construction period. During the permanent period, the loan will be amortized on a 40-year term with payments made from available surplus cash flow. All outstanding principal balance and any deferred and accrued interest is due and payable on the HOME maturity date. The period of affordability, the term of rent and income restrictions required by the HOME program, will be 20 years. The HOME loan will be long term, subordinate, non-recourse debt.

Baltimore City NSP Program - Acquisition 4<sup>th</sup> lien position

To finance in part the acquisition of the Project, the City, from funds obtained through the Neighborhood Stabilization Program (NSP), previously made a loan to the GBAHC in an aggregate principal amount of \$662,239.00 (NSP Loan). This transaction was approved by the Board on April 14, 2010. According to the terms of the NSP loan, when the City made the loan to the GBAHC, the GBAHC simultaneously made a secured loan to the Borrower (the GBAHC NSP Loan). The GBAHC also entered into an agreement whereupon it agreed to comply and make the Borrower comply with the various NSP requirements. The State is requiring the lien of the GBAHC NSP loan to be subordinated to the liens described above. Certain changes to the documents evidencing the GBAHC NSP loan will be required in order to implement the financing transaction as described herein, such changes to be in accordance with the NSP Program and approved by the Department of Law.

NeighborWorks Program - Construction/Permanent 5<sup>th</sup> lien  
position.

The GBAHC will make a loan funded by the NeighborWorks Program in the approximate amount of \$150,000.00 (NeighborWorks Loan) to fund permitted hard construction costs. The NeighborWorks loan will carry an interest rate equal to the applicable federal rate (AFR), which will be set at closing. During the construction period of 18

**MINUTES**

DHCD - cont'd

months, interest will accrue but no payments will be required. During the permanent loan period, principal will be amortized on a 40 year term with payments of principal and accrued interest made from available surplus cash flow. All outstanding principal balance and any deferred and accrued interest is due and payable on the maturity date. The NeighborWorks loan will be long term, subordinate, non recourse debt.

The MD DHCD MEEHA Program - Construction/Permanent 6<sup>th</sup> lien position.

The GBAHC will receive a grant from MD DHCD's Multifamily Energy Efficiency and Housing Affordability (MEEHA) Program and then make a loan to the Borrower in the approximate amount of \$180,000.00 (the MEEHA Loan) to fund permitted energy efficiency improvements. The MEEHA loan will carry an interest rate equal to AFR, which will be set at closing. During the construction period of 18 months, interest will accrue but no payments will be required. During the permanent loan period, principal will be amortized on a 40 year term with payments of principal and accrued interest made from available surplus cash flow. All outstanding principal balance and any deferred and accrued interest is due and payable on the maturity date. The MEEHA loan will be long term, subordinate, non recourse debt.

**MBE/WBE PARTICIPATION:**

Article 5, Subtitle 28 of the Baltimore City Code for Minority and Women's Business Opportunity is fully applicable and no request for waiver or exception has been made.

## MINUTES

DHCD - cont'dTRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$500,000.00</b>	9910-926010-9609	9910-913022-9610
Federal Home	Reserve	Union Rowe
FY 2010	Home FY 2010	Apartments

This transfer will provide HOME Funds to Franklin Square Housing Limited Partnership for the construction of Union Rowe Apartments.

**(FILE NO. 57220)**

UPON MOTION duly made and seconded, the Board approved and authorized the HOME Investment Partnership Program loan to Franklin Square Housing Limited Partnership. The Board further authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval by the Department of Law.

## 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:

791 - 792

to the low bidders meeting the specifications,

or rejected bids on those as indicated

for the reasons stated.

The President **ABSTAINED** on item no.4.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Purchases

- |                                    |                       |              |
|------------------------------------|-----------------------|--------------|
| 1. B50001828, Spring 2011<br>Trees | John Deere Landscapes | \$ 68,611.75 |
|------------------------------------|-----------------------|--------------|

**MWBOO GRANTED A WAIVER**

- |  |                                  |              |
|--|----------------------------------|--------------|
| 2. B50001762, Street<br>Tree and Stump<br>Removal-Group VIII | Lorenz Lawn &<br>Landscape, Inc. | \$ 52,977.00 |
|--|----------------------------------|--------------|

**MWBOO SET MBE GOALS AT 20% AND WBE GOALS 0%**

**MBE:** 4-Evergreen Lawn Care            20.76%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

- |  |                                 |              |
|--|---------------------------------|--------------|
| 3. B50001577, Street<br>Tree and Stump<br>Removal-Group IX | Asplundh Tree<br>Expert Company | \$ 33,425.32 |
|--|---------------------------------|--------------|

**MWBOO SET MBE GOALS AT 27% AND WBE GOALS 0%**

**MBE:** L. Johnson Tree Service,    27.00%  
          LLC

**MWBOO FOUND VENDOR IN COMPLIANCE.**

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS:Bureau of Water and Wastewater

4. WC 1214, Repaving Utility Cuts at Various Locations      **REJECTION** - In accordance with the opinion of the Department of Law, Department of Public Works, and the BW&WW, upon receipt of bids, it was determined that at least one bidder had not included critical items that were added by addendum in their bid price. After review, it was determined that the City was unable to confirm that the addendum had been received by two bidders. In order to insure a fair and equal bidding opportunity, the BW&WW is requesting permission to reject all bids and re-advertise at a later date.

**MINUTES**Department of General Services - Minor Privilege Permit Applications

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

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1.	1221 Washington Boulevard	Charles H. Gerlack, Sr.	Steps 14'x 5'
	Flat Charge: \$32.50		
2.	1500 Union Ave.	Seawall Union Ave., LLC	Six conduits @ 40'
	Annual Charge: \$840.00		
3.	4405 Belair Road	Chong H. Kim, Inc.	One handicap ramp 17' x 5'
	Annual Charge: \$70.30		
4.	1131 Light Street	Quang Le	One bracket sign 2'x 1', one cornice sign 160" x 7"
	Annual Charge: \$87.90		
5.	3101-03 Walbrook Avenue	Devesh D. Kanjarpane	One handicap ramp 27' x 4'
	Annual Charge: \$70.30		

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

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

**MINUTES**

Department of General Services - Task Assignment No. 005

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an assignment of Task No. 005 to STV, Inc. under Project No. 1099S, Design Services for Demolition of Greyhound Bus and Other Retail Buildings.

**AMOUNT OF MONEY AND SOURCE:**

\$116,968.00 - 9910-905825-9603-000000-703001

**BACKGROUND/EXPLANATION:**

The Baltimore Development Corporation requested the Department to contract with STV, Inc. to provide contract documents for the demolition of the Greyhound building, located at 200-218 West Fayette Street and a retail building located at 101 Howard Street.

**MBE/WBE PARTICIPATION**

<b>MBE:</b> EBA Engineering, Inc.	\$47,990.11	40.78%
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**MWBOO FOUND VENDOR IN COMPLIANCE.**

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded approved the assignment of Task No. 005 to STV, Inc. under Project No. 1099S, Design Services for Demolition of Greyhound Bus and Other Retail Buildings.

**MINUTES**Department of General Services - Sub-grant Agreements

The Board is requested to approve and authorize execution of the sub-grant agreements with the various community non-profit organizations. The period of the agreement effective upon Board approval for one year.

- |    |   |                    |
|----|---|--------------------|
| 1. | <b>THE TRUSTEES OF NORTHWOOD-APPOLD<br/>METHODIST CHURCH, BALTIMORE</b> | <b>\$ 5,258.00</b> |
| 2. | <b>TUERK HOUSE, INC.</b>  | <b>\$ 7,975.00</b> |
| 3. | <b>NEWBORN HOLISTIC MINISTRIES, INC.</b>                                | <b>\$ 880.00</b>   |

Account: 9916-913900-9197-910013-703032

The Department has received an award under the Energy Efficiency and Conservation Block Grant Program from the U.S. Department of Energy.

Under the terms of the sub-grant agreements, the community non-profits will conduct energy audits at its facilities. The 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 the funds to implement such improvements.

**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 various community non-profit organizations.

**MINUTES**

Department of - Agreement for Energy Performance  
General Services Contracting Phase II - Department of  
 Transportation (DOT) Street Lights

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement for the Energy Performance Contracting Phase II with Energy Systems Group, LLC (ESG) for the construction of Energy Conservation Measures (ECM), and to authorize financing through a Bureau of Treasury Management Master lease.

**AMOUNT OF MONEY AND SOURCE:**

\$15,698,426.94 - Financed through the City Master Lease for Energy Performance Contracting Projects, provided through the City's Office of Treasury Management

**BACKGROUND/EXPLANATION**

On February 10, 2010, the Board approved the Phase I - Energy Performance Contract with the ESG to provide a detailed energy audit and guaranteed savings program to reduce the City's energy consumption and maintenance costs for the DOT's street lights. The scope of work under Phase II will be retrofitting the DOT street lights, including 11,000 cobra head fixtures in the northeast quadrant of the City and 115 shoe box fixtures under I-83, Jones Falls Expressway. The ESG will also provide monitoring services to verify the resulting energy savings and system equipment maintenance services. This agreement will provide for the implementation of energy savings measures, guarantee the resulting savings, and provide maintenance for all installed equipment for the life of the contract.

The amount to be financed by the Master Lease is \$15,698,426.94. This includes capital costs, construction and project inspection and oversight. Annual loan payments will be made by the City utilizing funds that will be saved by the reduction of energy consumption through implementing the scope of work as proposed by the ESG.

**MINUTES**Department of General Services - cont'd

In addition, the energy and operational savings will fund a fifteen-year maintenance and services agreement in the amount of \$4,100,000.00 and a one-year monitoring and verification agreement in the amount of \$27,500.00. The amount of energy savings as related to each implemented ECM is guaranteed by the ESG for the life of the contract, which is 15 years after the completion of construction, which will be documented by a Certificate of Substantial Completion.

**MBE/WBE PARTICIPATION:**

<b>MBE:</b> Hunt Consulting, LLC	\$1,888,748.18	12.60%
<b>WBE:</b> Oelmann Electric Supply, Co.	\$ 112,413.00	0.75%
Lighting Maintenance, Inc.	337,560.00	2.25%
<b>Total</b>	<b>\$ 449,973.00</b>	<b>3.00%</b>

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**(FILE NO. 56030)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement for the Energy Performance Contracting Phase II with Energy Systems Group, LLC for the construction of Energy Conservation Measures and authorized financing through a Bureau of Treasury Management Master lease.

**MINUTES**Department of Planning - Fiscal Year 2012 - 2017 Capital Budget  
and Capital Improvement Program

On March 3, 2011 the Planning Commission adopted the recommended Fiscal Year (FY) 2012 Capital Budget and FY 2012 - 2017 Capital Improvements Program.

The Board is requested to **NOTE** receipt of the recommended FY 2012 Capital Budget and the FY 2012 - 2017 Capital Improvement Program and to **REFER** both to the Director of Finance and the Board of Finance for review and to make a report and recommendations to the Board of Estimates.

The recommended program totals \$2,980,000,000.00 for capital projects during FY 2012 - 2017, and \$402,000,000.00 to be appropriated in July as part of the FY 2012 budget.

The submitted Baltimore Capital Improvements Program FY 2012 - 2017 book has been corrected to reflect the proposed amendment and recommendations of the Planning Commission.

The Board **NOTED** receipt of the recommended FY 2012 Capital Budget and the FY 2012 - 2017 Capital Improvement Program and **REFERRED** both to the Director of Finance and the Board of Finance for review and to make a report and recommendations to the Board of Estimates.

**MINUTES**Department of Planning - Report on Previously  
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds subject to receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. Today, the Board is requested to **NOTE 7** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on February 9 and February 23, 2011.

The Board **NOTED** receipt of the seven favorable reports.

**MINUTES**Department of Audits - Audit Reports and Related Audit Digests

The Board is requested to **NOTE** receipt of the following Audit Reports and Related Digests:

1. Audit of the City of Baltimore Parking Facilities Fund Financial Statements for the Year Ended June 30, 2010,
2. Audit of the City of Baltimore Wastewater Utility Fund Financial Statements for the Years Ended June 30, 2010 and 2009,
3. Audit of the City of Baltimore Loan and Guarantee Program for the Fiscal Year Ended June 30, 2010, and
4. Audit of the City of Baltimore Water Utility Fund Financial Statements for the Years Ended June 30, 2010 and 2009.

The Board **NOTED** receipt of the above-listed Audit Reports and Related Digests. The President **ABSTAINED** on item nos. 2 and 4.

## 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. VINCE'S SALE<br>SERVICE, INC.   | \$ 0.00 | Renewal |
| Solicitation No. B50001022 - Forklift and Lift Truck<br>Maintenance - Req. No. P507719 |         |         |

On April 27, 2009, the Board approved the initial award in the amount of \$14,000.00. The award contained two 1-year renewal options at the sole discretion of the City. This renewal is for the period April 15, 2011 through April 14, 2012.

- |   |             |          |
|---|-------------|----------|
| 2. SAFEWARE, INC.   | \$37,031.20 | Only Bid |
| Solicitation No. B50001859 - Inflatable Tent System - Police<br>Department - Req. No. R569696 |             |          |

The price is considered fair and reasonable.

- |  |             |         |
|--|-------------|---------|
| 3. DELTA OMEGA<br>COMMERCIAL CLEANING, LLC   | \$12,000.00 | Renewal |
| Solicitation No. B50000960 - Janitorial Services - Department<br>of Housing and Community Development - Req. No. P512841 |             |         |

On March 4, 2009, the Board approved the initial award in the amount of \$11,400.00. The award contained three 1-year renewal options at the sole discretion of the City. Subsequent actions have been approved. This renewal in the amount of \$12,000.00 is for the period April 1, 2011 through March 31, 2012.

- |   |             |          |
|---|-------------|----------|
| 4. TIPCO TECHNOLOGIES, INC.   | \$14,000.00 | Increase |
| Solicitation No. 07000 - Steel Toe Hip Boots - Department of<br>Public Works - Req. No. Various |             |          |

On May 19, 2010, the Board approved the initial award in the amount of \$8,625.24. Subsequent actions have been approved. Due to an increase in demand, an increase in the amount of \$14,000.00 is necessary, making the total award amount \$37,625.24.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

5. HERCULES FENCE OF MARYLAND, LLC	\$ 41,600.00	Low Bid
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Solicitation No. B50001860 - Fencing Installation at Northwood Field 1 & 3 - Department of Recreation and Parks - Req. No. R568223

Vendors were solicited by posting on CitiBuy. Four bids were received and opened on March 7, 2011.

**MWBOO GRANTED A WAIVER.**

6. PARKSON CORPORATION	\$625,339.00	Sole Source/ Agreement
---------------------------	--------------	---------------------------

Solicitation No. 08000 - Service-Rebuild Screen Assemblies - Department of Public Works, Bureau of Water and Wastewater - Req. No. R560798

The Board is requested to approve and authorize execution of an agreement with the Parkson Corporation. The period of the agreement is effective upon Board approval for one year.

The vendor is the only vendor able to perform the required factory rebuild of these custom made screens.

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

**(FILE NO. 57210)**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

## 7. KEMIRA WATER

SOLUTIONS	\$150,000.00	Increase
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Solicitation No. B50001140 - Ferric Chloride - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P510045

On August 26, 2009, the Board approved the initial award in the amount of \$77,825.00. This increase in the amount of \$150,000.00 is due to an increase in usage of this chemical, and will make the total award amount \$227,825.00.

## 8. LORENZ, INC.

\$500,000.00	Increase
--------------	----------

Solicitation No. B50000769 - Winter Snow Removal - Department of Transportation - P.O. No. P506535

On January 28, 2009, the Board approved the initial award in the amount of \$125,000.00. An increase in the amount of \$75,000.00 was approved on April 21, 2010. Additional funds are required to meet an increased demand for this service, making the total award amount \$700,000.00.

**MWBOO GRANTED A WAIVER.**

## 9. GREEN POWER TECHNOLOGY,

LLC	\$ 80,000.00	Sole Source
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Solicitation No. 08000 - Electric Vehicle Charging Units - Department of General Services - Req. No. R567486

This requirement is specific for ten Coulomb CT 2100 Dual Plug electric vehicle charging units per a grant from the Maryland Energy Administration. The vendor is the sole distributor of this product in Maryland.

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

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

## 10. RECYCLED GREEN

INDUSTRIES, LLC	Revenue Contract	Term Purchase Order
Solicitation No. 06000 - Waste Wood Removal from Camp Small - Department of General Services - P.O. No. P510452		

On September 2, 2009, the Board approved the initial award. A term purchase order under the same terms and conditions as the original award, B50001127, is needed to provide time for the vendor to complete the removal of debris from the worksite. The period of the term purchase order is March 17, 2011 through September 14, 2011.

## 11. MOSAIC CROP NUTRITION,

LLC	\$ 0.00	Assignment Agreement
Solicitation No. 50001612 - Hydrofluosilicic Acid for Water Filtration Plants City of Baltimore - Department of Public Works, Bureau of Water and Wastewater - Req. Nos. Various		

On November 3, 2010, the Board approved an award for Solicitation No. B50001612 - Hydrofluosilicic Acid for Water Filtration Plants City of Baltimore to Lucier Chemical Industries, Ltd, d/b/a LCI, Ltd., P.O. Box 49000, Jacksonville Beach, FL 32240.

Mosaic Crop Nutrition, LLC has acquired the assets and employees of the Lucier Chemical Industries, Ltd, d/b/a LCI, Ltd. and is requesting assignment of Contract No. B50001612. The Board is requested to approve and authorize execution of the consent to assignment.

**MWBOO GRANTED A WAIVER.**

**(FILE NO. 57210)**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |  |              |           |
|--|--------------|-----------|
| 12. VIP SPECIALITY SERVICES,<br>LLC  | \$ 80,000.00 | Extension |
| Solicitation No. BP 07137 - Requirements for Windows and Trusses Cleaning, Washing, and Related Work - Departments Various - Req. Nos. Various |              |           |

On April 18, 2007, the Board approved the initial award in the amount of \$350,000.00. Subsequent actions have been approved. A new solicitation for this requirement is being prepared for bidding and an extension is requested to allow additional time to make an award and provide a sufficient transition period. The period of the extension is April 15, 2011 through July 14, 2011.

- |  |   |  |
|--|---|--|
| 13. DEPENDABLE RELIABLE SERVICE<br>PERSONAL TOUCH HOME AIDES OF<br>BALTIMORE, INC. | \$ 40,500.00 (\$7,593.75/\$32,906.25)<br>50,000.00 (\$9,375.00/\$40,625.00) |  |
| PB HEALTH HOME CARE AGENCY,<br>INC.  | <u>38,100.00</u> (\$7,143.75/\$30,956.25)                                   |  |

<b>\$128,600.00</b>	Ratification/ Term Purchase Order
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Solicitation No. 06000 - Provide In-Home Personal Care/Homemaker Services - Health Department - P.O. Nos. P510613, P510614, P510684

On November 26, 2008, the Board approved the original award in the amount of \$505,000.00. Subsequent actions have been approved. This request makes the total award \$933,200.00.

While the Department was reassessing how this former Commission on Aging and Retirement Education contract will be administered, the current contract expired. Ratification of expenditures from March 2, 2011 through March 16, 2011 is

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

requested and a term purchase order is recommended under the same terms and conditions as B50000747 to allow time for this matter to be resolved. The period of the ratification is March 2, 2011 through March 16, 2011 and the period of the term purchase order is March 17, 2011 through June 30, 2011.

**MWBOO GRANTED A WAIVER.**

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

14. DONALD FRITTS HOME  
REMODELING N/A Amendment  
 Solicitation No. B50001658 - Snow Removal Contract -  
 Department of Transportation - Req. Nos. Various

The Board is requested to approve and authorize execution of an amendment no. 1 to agreement with Donald Fritts Home Remodeling. The contract expires June 30, 2013.

On December 22, 2010, the Board approved the initial award. The amendment will remove the performance bond requirement, which was inadvertently included for this contract.

**MWBOO GRANTED A WAIVER.****(FILE NO. 57210)**

15. GENETEC  
INCORPORATED N/A Renewal  
 Solicitation No. BP 06182 - Provide Mobile License Plate  
 Recognition System - Department of Transportation - PO. Nos.  
 Various

On September 13, 2006, the Board approved the initial award

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

for the amount of \$266,500.00. Subsequent renewals have been approved. The fourth renewal is requested to cover the period of March 18, 2011 through March 17, 2012.

**MWBOO SET MBE AND WBE GOALS AT 0%.**

- |  |     |            |
|--|-----|------------|
| 16. MARCOR   |     | Assignment |
| ENVIRONMENTAL, LP  | N/A | Agreement  |
| Solicitation No. 06000 - Cleaning of Middle Branch Area of Patapsco - Department of Public Works, Bureau of Solid Waste - P.O. No. P503093 |     |            |

The Board is requested to approve and authorize execution of an assignment agreement with Marcor Environmental, LP.

On March 8, 2006, the Board approved an award to Marcor Remediation, Inc. Marcor Environmental, LP has purchased the rights, title, obligations, conditions, assets, and interests of Marcor Remediation, Inc. Marcor Remediation, Inc. is requesting assignment of the contract.

**MWBOO SET MBE AND WBE GOALS AT 0%.**

**(FILE NO. 57210)**

- |  |              |          |
|--|--------------|----------|
| 17. GTSI CORPORATION   | \$111,842.92 | Increase |
| Solicitation No. BP 06158 - Public Procurement Automation Systems - Department of Finance - Req. No. Various |              |          |

On August 23, 2006, the Board approved the initial award in the amount of \$1,347,635.00. This increase will make the total award \$2,510,211.25. Subsequent actions were approved. Additional funds are needed to extend existing CitiBuy functionality to allow vendors to submit invoices electronically for approval by the Bureau of Accounting and Payroll Services (BAPS). This feature will aid in BAPS' efforts to reduce the time it takes the City to pay its con-

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

tractors. This contract will expire on October 5, 2011 with one 5-year renewal option.

**MWBOO SET GOALS OF 10% MBE AND 6% WBE.**

**MBE:** IT-CNP, Inc. 46.59%

**WBE:** Bee Trained 6.46%

This is a requirements contract, therefore dollar amount will vary.

UPON MOTION duly made and seconded, the Board approved the foregoing informal awards, renewals, increases to contracts and extensions. The Board is also approved and authorized execution of the agreement with Parkson Corporation (item no. 6) and Marcor Environmental, LP (item no. 16). The Board also approved and authorized execution of the assignment agreement with Mosaic Crop Nutrition, LLC (item no. 11) and the amendment to amendment with Donald Fritts Home Remodeling (item no. 14). The President **ABSTAINED** on item nos. 6, 7 and 11.

**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:

Cleo Enterprises, Inc.	\$ 432,000.00
French Construction Services, Inc.	\$ 5,958,000.00
Inland Waters Pollution Control, Inc. - Guarantee of \$30,000,000.00 from parent corporation, Inland Pipe Rehabilitation, LLC and \$84,816,000.00 from Inland Waters Pollution Control, Inc.	\$114,816,000.00
Kimball Construction Co., Inc.	\$ 8,000,000.00
M & F Construction	\$ 819,000.00
Ruff Roofers, Inc.	\$ 8,000,000.00
Structural Preservation Systems, LLC - Guarantee of \$20,000,000.00 from the parent corporation, Structural Group, Inc.	\$ 20,000,000.00
Towson Mechanical, Inc.	\$ 40,194,000.00

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:

Engineering & Software Consultants, Inc.	Engineer
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## MINUTES

BOARDS AND COMMISSIONS - cont'd

KCI Technologies, Inc.	Landscape Architect Engineer Land Survey
Mahan Rykiel Associates, Inc.	Landscape Architect
M.E. Simpson Co., Inc.	Engineer
Patton Harris Rust & Associates	Landscape Architect Engineer Survey
P.E.L.A. Design, Inc.	Landscape Architect

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

MINUTES

PERSONNEL MATTERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

812 - 814

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

**MINUTES****PERSONNEL**Department of Planning

	<u>Hourly Rate</u>	<u>Amount</u>
1. <b>JOHN TRAVIS PATE</b>	\$25.64	<b>\$47,000.00</b>

Account: 1001-000000-1220-146350-6010099

Mr. Pate will work as a Demographer to help analyze and report on the data products from the 2010 Census and 2009 American Community Survey. His duties will include but are not limited to analyzing and reporting on data products from the 2010 Census and 2009 American Community Survey; utilizing database and GIS software to perform demographic analysis and to design and create accurate cartographic products for City agencies in response to the data releases. In addition, Mr. Pate will assist and advise City agency staff on data projects and requests; respond to agency requests for general Census data and GIS technical assistance; analyze and process completed demographic data profiles at various Census geographies to City agencies and the general public and following data releases from the U.S. Census Bureau (Bureau). Mr. Pate will maintain contact with Bureau personnel. The period of the agreement is effective upon Board approval for one year.

Department of Finance

2. <b>GEORGE W. KELSO</b>	\$25.00	<b>\$28,470.00</b>
---------------------------	---------	--------------------

Account: 1001-000000-1480-166400-601009

Mr. Kelso will work as an Administrative Analyst II to the Chief of the Bureau of Revenue Collections. His duties will include, but are not limited to conducting analytical reviews of the beverage tax law. Mr. Kelso will develop and implement recommended policies and procedures to enforce the Beverage Tax Law. In addition, he will train all license inspectors to determine on-site compliance with the beverage Tax Law as well as develop and implement procedures for examining the records of distributors and retailers for compliance with the Beverage Tax Law. The period of the agreement is effective upon Board approval for one year.

**MINUTES****PERSONNEL**Department of Recreation and Parks

	<u>Hourly Rate</u>	<u>Amount</u>
3. <b>CHARLES R. MURPHY</b>	\$25.00	<b>\$47,666.50</b>
Account: 3001-000000-5051-385300-601009		\$16,000.00
1001-000000-5051-363600-601009		\$31,666.50

Mr. Murphy is being rehired by the Department of Recreation and Parks to work as an Urban Forest Restoration Specialist. He will develop and oversee natural resource restoration projects such as reforestation and restoration of native vegetation. He will implement educational outreach programs, academic internships, and volunteer training in restoration techniques and practices and collaborate with Departmental staff to implement projects that enhance the City's schools and parks. Under the prior contract, Mr. Murphy was employed as a Community Outreach Coordinator at an hourly rate of \$18.00 per hour. The new duties and responsibilities are similar to those of other City positions. The period of the agreement is effective upon Board approval for one year.

Fire Department

4.   a.   Create the following class:
- 41254 - Fire Captain, Investigation  
          and Prevention Services  
          Grade 341 (\$56,363.00 - \$69,521.00)
- b.   Abolish the following class:
- 33295 - Fire Investigation and  
          Prevention Processing Supervisor  
          Grade 089 (\$39,745.00 - \$48,257.00)

## MINUTES

PERSONNEL

c. Reclassify the following three positions:

FROM: 41213 - Fire Captain  
Grade 341 (\$56,363.00 - \$69,521.00)  
Job Numbers: 2132-32951, 2132-34006  
(2 Positions)

10136 - Fire Public Assembly Specialist  
Grade 341 (\$56,363.00 - \$69,521.00)  
Job Number: 2132-13913  
(1 Position)

TO: 41254 - Fire Captain, Investigation  
and Prevention Services  
Grade 341 (\$56,363.00 - \$69,521.00)

Costs: There are no costs associated with these actions.

## MINUTES

PROPOSAL AND SPECIFICATIONS

1. Department of Transportation - TR 07025R, Mount Auburn  
Cemetery Perimeter  
Rehabilitation  
**BIDS TO BE RECV'D: 4/20/2011**  
**BIDS TO BE OPENED: 4/20/2011**

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

\* \* \* \* \*

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 the following agency had issued an Addendum extending the dates for receipt and opening of bids on the following contract.

Dept. of Transportation - TR 04318, Jones Falls  
Trail Phase II  
**BIDS TO BE RECV'D: 03/30/2011**  
**BIDS TO BE OPENED: 03/30/2011**

"There being no objections."

Deputy City Solicitor: "So Ordered."

## 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:

Dept. of Transportation - TR 11010, Resurfacing Highways  
at Various Locations Citywide  
Emergency-JOC

P. Flanigan & Sons, Inc.  
M. Luis Construction Co., Inc.  
Civil Construction  
Machado Construction Co., Inc.

Department of Recreation - RP 10853, Jack Paulsen Memorial  
and Parks Field, 4700 Reisterstown Road

Allied Contractors, Inc.  
K&K Adams, Inc.  
Bensky Construction Co., LLC  
P&J Contracting Co.

Bureau of Purchases - B50001834, Street Tree and  
Stump Removal

Forest Valley Tree & Turf, LLC  
Lorenz, Inc.

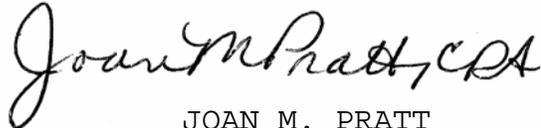
Bureau of Purchases - B50001857, Emergency Medical  
Service Vehicles ¾ Ton  
SUV Type

Fast Lane Emergency Vehicles  
Criswell Chevrolet

\* \* \* \* \*

## MINUTES

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, March 23, 2011.

A handwritten signature in black ink that reads "Joan M. Pratt, CPA". The signature is written in a cursive style with a large initial "J".

JOAN M. PRATT  
Secretary