

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 - **ABSENT**
Bernice H. Taylor, Deputy Comptroller and Clerk

The meeting was called to order by the President.

ANNOUNCEMENT

Clerk: "I would like to also announce that the Board of Estimates will have a Special Meeting on Monday, June 20th, 2011 at 4:00 p.m. to receive the Report on the Fiscal Year 2012 Ordinance of Estimates and to Certify the FY 2012 Real and Personal Property Tax Rate."

President: "I will direct the Board members attention to the memorandum from my office dated June 13, 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."

MINUTES

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

Comptroller: "Second."

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

* * * * *

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

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

| | | |
|--|--------------------|---------------|
| Bay Town Painting & Marine Repair, Inc. d/b/a Bay Town Painting, Inc. | \$ | 1,500,000.00 |
| BuilderGuru Contracting, Inc. | \$ | 7,668,000.00 |
| C & W Construction Company | \$ | 1,500,000.00 |
| Clark Construction Group, LLC. | \$1,496,133,000.00 | |
| Delaware Building Concepts of America, Inc. a/k/a Building Concepts of America, Inc. | \$ | 8,000,000.00 |
| E.J. Breneman, L.P. | \$ | 23,283,000.00 |
| East Coast Concrete Specialists, Inc. | \$ | 1,500,000.00 |
| Emjay Engineering & Construction Co., Inc. | \$ | 8,000,000.00 |
| J & K Contracting, Inc. | \$ | 1,500,000.00 |
| Locust Lane Farms, Inc. | \$ | 1,500,000.00 |
| Power Component Systems, Inc. | \$ | 7,290,000.00 |
| Progressive Contracting Company, Inc. | \$ | 8,000,000.00 |
| Spiniello Companies | \$ | 45,000,000.00 |

MINUTES**BOARDS AND COMMISSIONS** - cont'd2. Prequalification of Architects and Engineers

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

| | |
|---|----------------------------------|
| Faisant Associates, Inc. | Engineer |
| LandStudies, Inc. | Landscape Architect Engineer |
| Marks, Thomas Architects, Inc. | Architect |
| Mehta Consultants, Inc. | Engineer |
| Site Resources, Inc. | Landscape Architect Engineer |
| W Architecture and Landscape Architecture, LLC | Architect Landscape Architect |
| Ziger/Snead LLP Architects | Architect |

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.

MINUTESSpace Utilization Committee - Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a lease agreement with St. Francis Xavier Roman Catholic Congregation, Inc., St. Francis Xavier Head Start Center, lessee, for the rental of a portion of the property known as 1400 E. Federal Street, Oliver Multi-purpose Center, being on the 1st floor, containing 5,649 sq. ft. The period of the agreement is January 1, 2011 through December 31, 2011 with an option to renew for one additional 1-year term.

AMOUNT OF MONEY AND SOURCE:

| | <u>Annual Rent</u> | <u>Monthly Rent</u> |
|--------|--------------------|---------------------|
| Year 1 | \$27,911.58 | \$2,325.97 |

BACKGROUND/EXPLANATION:

The lessee will use the leased premises for office space for its administrative use and for counseling services.

The landlord will be responsible for utilities, snow removal, trash removal and janitorial services to common areas only and exterior maintenance.

The lessee will be responsible for taxes, janitorial services, maintenance and repairs, renovations and improvements, ADA compliance, liability insurance, interior painting, maintenance of playground equipment, permits, and licensing. In addition the lessee will be responsible for visitors in the leased premises, and providing its own source of drinking water. The lessee will not keep gasoline or other flammable, ignitable, or explosive substances in leased premises.

MINUTESSpace Utilization Committee - cont'd

The lease agreement is late because the St. Francis Head Start Program was awarded a grant by the Board to renovate 1415 N. Caroline Street on April 13, 2011.

The Space Utilization Committee approved this lease agreement on June 7, 2011.

(FILE NO. 57243)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with St. Francis Xavier Roman Catholic Congregation, Inc., St. Francis Xavier Head Start Center, lessee, for the rental of a portion of the property known as 1400 E. Federal Street, Oliver Multi-purpose Center, being on the 1st floor, containing 5,649 sq. ft. The President **ABSTAINED**.

MINUTESBaltimore Municipal Golf Corporation - Financial Statements

The Board is requested to **NOTE** receipt of the financial statements for the Baltimore Municipal Golf Corporation for the months ending March 31, 2011 and 2010.

UPON MOTION duly made and seconded, the Board **NOTED** receipt of the financial statements for the Baltimore Municipal Golf Corporation for the months ending March 31, 2011 and 2010

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 6** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on May 25, 2011.

The Board **NOTED 6** favorable reports on Transfers of Funds approved by the Board of Estimates.

MINUTES

Parking Authority of Baltimore - Parking Facilities
City (PABC) Maintenance Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a parking facilities maintenance agreement with Corporate Maintenance Group, LLC (CMG). The period of the agreement is effective upon Board approval through May 31, 2012, with two 1-year renewal options.

AMOUNT OF MONEY AND SOURCE:

| | | | | |
|---------------------|---|--------------------------------|---|-----------------------------------|
| \$198,414.54 | - | 2076-000000-2320-254200-603026 | - | Main. Fee 1 yr. |
| 22,800.00 | - | 2076-000000-2320-254200-603026 | - | Farmer's Market Cleanings (38) |
| 75,000.00 | - | 2076-000000-2320-254200-603026 | - | Snow Removal* |
| \$296,214.54 | | | | |

*This is an estimate. The actual dollar amount required for snow removal will be determined by the amount of snowfall.

BACKGROUND/EXPLANATION:

Under this agreement, the CMG will provide maintenance to 24 parking lots. Services will include, emptying trash receptacles, power sweeping, trimming vegetation and clearing snow and ice. The CMG will also clean the Farmer's Market lot, prior to the market opening day.

The PABC issued an RFP for the maintenance of 24 parking facilities and received responses from three firms. The proposals were reviewed by a panel consisting of the PABC, the Baltimore Office of Promotion and the Arts, and Baltimore Public Market Corporation. The panel found that the CMG's proposal represented the best value to the PABC and recommended award of the contract.

MINUTES

PABC - cont'd

| | | |
|---------------------------------|------------|--------|
| MBE: Couser Supply, Inc. | \$5,400.00 | 10.00% |
| WBE: Fouts Lawn Care | \$2,160.00 | 4.00% |

MWBOO FOUND VENDOR IN COMPLIANCE.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(FILE NO. 55987C)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the parking facilities maintenance agreement with Corporate Maintenance Group, LLC.

MINUTES

Baltimore Development - Land Disposition Agreement
Corporation (BDC)

ACTION REQUESTED BY B/E:

The Board is requested to approve and authorize execution of a land disposition agreement (LDA) with Mitey, LLC, developer, for the sale of City-owned properties located at 1301-1309 E. Lombard Street.

AMOUNT OF MONEY AND SOURCE:

\$72,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

A Request for Proposals (RFP) was issued by the BDC in August 2008 for the redevelopment of scattered sites throughout the Jonestown and Washington Hill communities, including the properties known as 1301-1309 E. Lombard Street. The Lombard Street properties are currently vacant and unimproved lots. As a result of the RFP, the properties were awarded to Mitey, LLC, which is a real estate entity owned by Mr. Terrance Cook, owner of Gerry's Tire Service located at 39 South Central Avenue in the Washington Hill neighborhood.

The LDA will allow for the disposition of the properties and future redevelopment as part of a planned business expansion for Gerry's Tire Service. Gerry's Tire Service has operated an automotive repair business in Southeast Baltimore adjacent to the properties for over 50 years. Prior to the business expansion, the vacant lots will be used as a temporary parking lot for the existing business; construction of the business expansion will commence within 24 months of settlement and be completed within 36 months, unless otherwise extended pursuant to the terms of the LDA.

MINUTES

BDC - cont'd

Under the terms of the LDA, the properties will be sold to Mitey, LLC for the purchase price of \$72,000.00. The BDC is requesting a waiver of the Board of Estimates appraisal policy which states that any agreement must be presented to the Board for approval within 12 months of the date of the appraisal report. Due to an extended RFP process and negotiations, the BDC was unable to present the LDA within 12 months of the appraisal report, which was conducted by Colliers Pinkard on February 9, 2009.

The properties have been declared surplus by the City's Space Utilization Committee and the City Council has approved a Sales Ordinance to grant the City authority to dispose of the properties for redevelopment purposes.

MBE/WBE PARTICIPATION:

The developer has signed the City's Commitment to Comply with the Minority and Women's Business Program of the City of Baltimore.

(FILE No. 565780)

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Mitey, LLC, developer, for the sale of City-owned properties located at 1301-1309 E. Lombard Street.

MINUTES

TRANSFER OF FUNDS

* * * * *

UPON MOTION duly made and seconded,

the Board approved the

transfers of funds

listed on the following pages:

1855 - 1856

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 Recreation and Parks (Rec. & Parks)</u> | | |
| 1. \$ 11,650.35 | 9938-913001-9475 | |
| Rec. & Parks | Reserve | |
| 20 th Series | | |
| 11,349.65 | 9938-913001-9475 | |
| Rec. & Parks | Reserve | |
| <u>23rd Series</u> | Unallotted | |
| \$ 23,000.00 | ----- | 9938-902702-9474 |
| | | Active |
| | | Druid Hill Park |
| | | ADA Improvements |

This transfer will provide funds to cover the costs associated with Change Order Nos. 2 and 3 for Elevator Installation at 3001 East Drive, Contract PB07806R.

| | | |
|-------------------------|------------------|------------------|
| 2. \$ 20,000.00 | 9938-905793-9475 | 9938-904793-9474 |
| Rec. & Parks | Citywide Park | Citywide Park |
| 25 th Series | Maintenance - | Maintenance - |
| | Reserve | Active |

This transfer will provide funds to cover the costs associated with Change Order No. 2 for St. Mary Park Renovation under Contract RP 10813.

Department of Planning

| | | |
|---------------------------|------------------|------------------|
| 3. \$ 60,000.00 | 9905-901010-9186 | |
| 21 st Economic | Historic Public | |
| Dev. Loan | Monuments - | |
| | Reserve | |
| 140,000.00 | 9905-901010-9186 | |
| 22 nd Economic | Historic Public | |
| <u>Dev. Loan</u> | Monuments - | |
| | Reserve | |
| \$200,000.00 | ----- | 9905-915010-9188 |
| | | CHAP Monument |
| | | Restoration - |
| | | Active |

MINUTES**TRANSFER OF FUNDS****AMOUNT****FROM ACCOUNT/S****TO ACCOUNT/S**

Department of Planning - cont'd

This transfer will provide funds to maintain monuments and statues in the City of Baltimore that the Commission for Historical & Architectural Preservation (CHAP) is charged with maintaining. Funds will be used to restore statues/monuments at Mount Vernon Place, Druid Hill Park, Wyman Park, O'Donnell Square, and several other locations within the City.

MINUTESHealth Department - Employees' Expense Reports

The Board is requested to approve the expense reports for following employees for the month indicated:

| <u>Employee</u> | <u>Month</u> | <u>Amount</u> |
|-------------------|---------------|---------------|
| 1. SYLVIA JOHNSON | February 2011 | \$ 26.98 |

Account: 1001-000000-3100-295900-604003

Ms. Johnson is a School Health Aide. The employee expense report is to reimburse the employee for a uniform during the month indicated.

| | | |
|-------------------|--------------|----------|
| 2. ISABEL BURGESS | January 2011 | \$ 41.26 |
|-------------------|--------------|----------|

Account: 1001-000000-3031-271500-603002

| | | |
|--------------------|---------------|----------|
| 3. CASSANDRA LUCAS | February 2011 | \$ 40.21 |
|--------------------|---------------|----------|

Account: 5000-533111-3044-273300-603003

Ms. Burgess and Ms. Lucas submitted their expense statements on time, however, due to an administrative oversight they were not submitted for reimbursement. The expense reports are for reimbursement of the employees' mileage. Ms. Lucas also incurred parking expenses which were included.

BACKGROUND/EXPLANATION:

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

The Department apologizes for the lateness.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

MINUTES

Health Department - cont'd

UPON MOTION duly made and seconded, the Board approved the expense reports for the above-listed employees for the month indicated.

MINUTES

Department of General Services - License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a license agreement with Kirkwood House Preservation Limited Partnership. The period of the agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

This license agreement will allow the Department of Public Works, Bureau of Water and Wastewater to perform certain work in conjunction with SC 856, for the Herring Run Sanitary Sewer Project. This license agreement will allow the City's Contractor access through the property located at 6401 Loch Raven Boulevard to make sewer improvements.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the license agreement with Kirkwood House Preservation Limited Partnership. The President

ABSTAINED.

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 to the Minor Privilege Regulations of the Board and the Building Regulations of Baltimore City.

| | <u>LOCATION</u> | <u>APPLICANT</u> | <u>PRIVILEGE/SIZE</u> |
|----|---------------------------|--|------------------------------------|
| 1. | 3000 O'Donnell Street | Sidra Properties, LLC | Outdoor seating 20' x 4' |
| | Annual Charge: \$337.50 | | |
| 2. | 2509 St. Paul Street | 2509 Associates, LLC | Retain cornice sign 23' x 1½' |
| | Annual Charge: \$70.30 | | |
| 3. | 1728 Thames Street | Norman Eats, LLC | Bracket sign 6.5 sq. ft. |
| | Annual Charge: \$52.70 | | |
| 4. | 2341 E. Fayette Street | Sidra Properties, LLC | One handicap ramp 25' x 3'6" |
| | Annual Charge: \$70.30 | | |
| 5. | 55 Market Place | Market Place Commercial Limited Partnership | Service connection two 4" @ 85' |
| | Annual Charge: \$1,190.00 | | |

MINUTES

Department of Housing and - Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with the Morgan State University (MSU). The period of the agreement is March 1, 2011 through February 29, 2012.

AMOUNT OF MONEY AND SOURCE:

\$47,690.00 - 2089-208911-5930-434380-603051

BACKGROUND/EXPLANATION:

The MSU's Institute for Urban Research (IUR), Community Development Research Center (CDRC) will provide a broad range of technical assistance, research support and information dissemination. Specifically, the IUR/CDRC will produce two special reports that contain administrative data and up-to-date statistics to provide in-depth analysis, as well as the challenges and opportunities that confront the selected neighborhood/s. In addition, two half-day seminars will be conducted for Baltimore City communities covering topics that will assist in community development efforts.

MWBOO GRANTED A WAIVER.

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. Housing Opportunity for People with AIDS (HOPWA)
4. Emergency Shelter Grant Program (ESG)

MINUTES

DHCD - cont'd

Upon approval of the resolution, the DHCD's Contract Section began negotiating and processing the CDBG agreements as outlined in the Plan effective July 1, 2010 and beyond. Consequently, this agreement was delayed due to final negotiations and processing.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

MINUTES

Department of Housing and - Interdepartmental Memorandum of
Community Development Understanding

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an interdepartmental memorandum of understanding (MOU) with the Department of Public Works (DPW). The MOU is for the period July 1, 2010 through June 30, 2011.

AMOUNT OF MONEY AND SOURCE:

\$88,143.00 - 2089-208911-5930-431426-603051

BACKGROUND/EXPLANATION:

Pursuant to guidance from the U.S. Department of Housing and Urban Development, a MOU will be executed for the utilization of CDBG funds to support other City agencies. The funds are provided to subsidize the salaries, other personnel cost and operating expenses of the Rat Rub-Out Program.

The DPW has taken on a comprehensive approach to rat reduction and control specifically targeting low and moderate income areas in the City.

MBE/WBE PARTICIPATION:

N/A

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:

MINUTES

DHCD - cont'd

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

Upon approval of the resolution, the DHCD's Contract Section began negotiating and processing the CDBG agreements as outlined in the Plan effective July 1, 2010 and beyond. Consequently, this agreement was delayed due to final negotiations and processing.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the interdepartmental memorandum of understanding with the Department of Public Works.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the fee simple interest in the property located at 637 N. Belnord Avenue by gift from Mr. Socorro Vidanes, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

Mr. Vidanes will pay for any title work and all associated settlement costs, not to exceed \$600.00.

BACKGROUND/EXPLANATION:

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

Mr. Vidanes has offered to donate title to the property at 637 N. Belnord Avenue. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 637 N. Belnord Avenue are itemized as follows:

Cumulative Real Property Taxes - 2011

| | |
|--------------------------|-------------------|
| Total Taxes | \$2,027.76 |
| Interest/Penalties | 316.80 |
| Other | 11.71 |
| Tax Sale Interest | 0.00 |
| Metered Water (Tax Sale) | 0.00 |
| Miscellaneous Bills | 443.57 |
| Environmental Fine | 150.00 |
| Rental Registration | <u>242.00</u> |
| Total Municipal Liens | \$3,191.84 |

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 637 N. Belnord Avenue by gift from Mr. Socorro Vidanes, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the fee simple interest in the property located at 1934 Lemmon Street by gift from Messrs. Corbin Sanft and Brian Balazs, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

Messrs. Sanft and Balazs will pay for any title work and all associated settlement costs, not to exceed \$600.00.

BACKGROUND/EXPLANATION:

The DHCD, Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City. Messrs. Sanft and Balazs have offered to donate their title to the property at 1934 Lemmon Street. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 1934 Lemmon Street are itemized as follows:

Cumulative Real Property Taxes - 2011

| | |
|------------------------|--------------------|
| Total Taxes | \$ 71.40 |
| Interest/Penalties | 11.12 |
| Other | 11.71 |
| Tax Sale Interest | 0.00 |
| Metered Water Tax Sale | 0.00 |
| Miscellaneous Bills | 20,625.71 |
| Multi Family Dwelling | 0.00 |
| Rental Registration | 76.80 |
| Total Municipal Liens | \$20,796.74 |

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved the acquisition of the fee simple interest in the property located at 1934 Lemmon Street by gift from Messrs. Corbin Sanft and Brian Balazs, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the leasehold property interest in the property located at 2115 W. Lexington Street by gift from Lebowmer Enterprises, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

Lebowmer Enterprises will pay for any title work and all associated settlement costs, not to exceed \$600.00.

BACKGROUND/EXPLANATION:

The DHCD, Land Resources Division, strategically acquires and manages vacant or abandoned properties, which enables these properties to be returned to productive use and improve neighborhoods in Baltimore City. Lebowmer Enterprises has offered to donate title to the property at 2115 W. Lexington Street. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 2115 W. Lexington Street are itemized as follows:

Cumulative Real Property Taxes 1997 - 2011

| | |
|--------------------------|---------------------|
| Total Tax | \$ 2,042.95 |
| Interest/Penalties | 1,022.36 |
| Other | 330.05 |
| Tax Sale Interest | 217,740.14 |
| Metered Water (Tax Sale) | 1,050.64 |
| Miscellaneous Bills | 281.37 |
| Environmental Fine | 500.00 |
| Rental Registration | <u>509.60</u> |
| Total Municipal Liens | \$223,477.11 |

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

MINUTES

DHCD - cont'd

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold property interest in the property located at 2115 W. Lexington Street by gift from Lebowmer Enterprises, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the leasehold property interest in the property located at 217 S. Woodyear Street by gift from Mr. John Campbell and Ms. Diana Campbell, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

Mr. Campbell and Ms. Campbell will pay for any title work and all associated settlement costs, not to exceed \$600.00.

BACKGROUND/EXPLANATION:

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

Mr. Campbell and Ms. Campbell have offered to donate title to the property at 217 S. Woodyear Street. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 217 S. Woodyear Street are itemized as follows:

Cumulative Real Property Taxes - 2011

| | |
|--------------------------|-------------------|
| Total Taxes | \$1,309.00 |
| Interest/Penalties | 0.00 |
| Other | 0.00 |
| Tax Sale Interest | 0.00 |
| Metered Water (Tax Sale) | 0.00 |
| Miscellaneous Bills | 0.00 |
| Multi Family Dwelling | 0.00 |
| Rental Registration | 0.00 |
| Total Municipal Liens | <u>\$1,309.00</u> |

MINUTES

DHCD - cont'd

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold property interest in the property located at 217 S. Woodyear Street by gift from Mr. John Campbell and Ms. Diana Campbell, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the leasehold property interest in the property located at 2017 Harlem Avenue by gift from Ms. Christine Davis and Mr. Thomas Salmon, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

Ms. Davis and Mr. Salmon will pay for any title work and all associated settlement costs, not to exceed \$600.00.

BACKGROUND/EXPLANATION:

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

Ms. Davis and Mr. Salmon have offered to donate title to the property at 2017 Harlem Avenue. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 2017 Harlem Avenue are itemized as follows:

Cumulative Real Property Taxes 1997 - 2011

| | | |
|--------------------------|----|---------------------|
| Total Taxes | \$ | 232.80 |
| Interest/Penalties | | 134.88 |
| Other | | 107.77 |
| Tax Sale Interest | | 199,743.17 |
| Metered Water (Tax Sale) | | 0.00 |
| Miscellaneous Bills | | 214.59 |
| Multi Family Dwelling | | 0.00 |
| Rental Registration | | 0.00 |
| Total Municipal Liens | | <u>\$200,433.21</u> |

MINUTES

DHCD - cont'd

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold property interest in the property located at 2017 Harlem Avenue by gift from Ms. Christine Davis and Mr. Thomas Salmon, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the leasehold property interest in the property located at 1637 W. Lafayette Avenue by gift from Mr. Carl Garrison, Jr. **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

Mr. Garrison will pay for any title work and all associated settlement costs, not to exceed \$600.00.

BACKGROUND/EXPLANATION:

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

Mr. Garrison has offered to donate title to the property at 1637 W. Lafayette Avenue. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 1637 W. Lafayette Avenue are itemized as follows:

Cumulative Real Property Taxes 1997 - 2011

| | |
|--------------------------|------------------|
| Total Taxes | \$ 119.20 |
| Interest/Penalties | 74.15 |
| Other | 11.71 |
| Tax Sale Interest | 0.00 |
| Metered Water (Tax Sale) | 0.00 |
| Miscellaneous Bills | 0.00 |
| Environmental Fine | 0.00 |
| Rental Registration | 152.00 |
| Total Municipal Liens | <u>\$ 357.06</u> |

MINUTES

DHCD - cont'd

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold property interest in the property located at 1637 W. Lafayette Avenue by gift from Mr. Carl Garrison, Jr. **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve the acquisition of the leasehold property interest in the property located at 5319 Denmore Avenue by gift from Ms. Viviane Thorpe, **SUBJECT** to any outstanding municipal liens other than current water bills.

AMOUNT OF MONEY AND SOURCE:

Ms. Thorpe will pay for any title work and all associated settlement costs, not to exceed \$600.00.

BACKGROUND/EXPLANATION:

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

Ms. Thorpe has offered to donate title to the property at 5319 Denmore Avenue. The City will receive clear and marketable title to the property, subject only to certain City liens. The City's acceptance of this donation is less costly than acquiring the property by tax sale foreclosure or eminent domain. The liens for 5319 Denmore Avenue are itemized as follows:

Cumulative Real Property Taxes 2007 - 2011

| | |
|--------------------------|--------------------|
| Total Taxes | \$ 1,144.75 |
| Interest/Penalties | 81.46 |
| Other | 0.00 |
| Tax Sale Interest | 0.00 |
| Metered Water (Tax Sale) | 1,785.43 |
| Miscellaneous Bills | 2,130.00 |
| Multi Family Dwelling | 0.00 |
| Rental Registration | 0.00 |
| Total Municipal Liens | <u>\$ 5,141.64</u> |

MINUTES

DHCD - cont'd

The listed municipal liens, other than the current water bills, will be administratively abated after settlement.

UPON MOTION duly made and seconded, the Board approved the acquisition of the leasehold property interest in the property located at 5319 Denmore Avenue by gift from Ms. Viviane Thorpe, **SUBJECT** to any outstanding municipal liens other than current water bills.

MINUTESPolice Department - Agreements

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

INTERAGENCY AGREEMENT

1. **OFFICE OF THE STATE'S ATTORNEY** **\$ 39,374.00**
FOR BALTIMORE CITY

Account: 4000-435210-2250-670006-607001

On September 30, 2009 the Board approved acceptance of a grant award from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. The period of the grant award is October 1, 2008 through September 30, 2012. The City of Baltimore uses this funding to support its crime reduction and prevention strategy. Through the interagency agreement, the Office of the State's Attorney will purchase Blackberry equipment and service to be utilized by Assistant States Attorney's and other States Attorney's office staff in performance of their official duties. The interagency agreement is effective upon Board approval for one year.

MWBOO GRANTED A WAIVER.

GRANT AGREEMENT

2. **GOVERNOR'S OFFICE OF CRIME** **\$151,410.00**
CONTROL AND PREVENTION

Account: 4000-469511-2021-213300-600000

The "Warrant Reduction-Overtime Support" grant is intended to support the Baltimore Police Department and the Baltimore City Sheriff's Office for service of warrants for violent crime and service of any warrant issued to violent offenders under the supervision of the Department of Parole

MINUTESPolice Department - cont'd

and Probation. The grant program provides funds for overtime for members of the Baltimore City Police Department and the Baltimore City Sheriff's Office. The agreement is for the period May 1, 2011 through July 31, 2011.

The grant agreement is late because it was recently received from the grantor.

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

APPROVED FOR FUNDS BY FINANCE.

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

MINUTES

Department of Recreation - Agreement
and Parks (Rec.& Parks)

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an agreement with Communications Health Network, Inc. (CHN). The period of the agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$17,024.00 - 2096-796623-7960-862300-603026

BACKGROUND/EXPLANATION:

The Department's Senior Citizen division will utilize Communications Health Network, Inc. a certified Minority /Women Owned Business Enterprise, to provide specialized activities for seniors. The CHN will offer theatre training, oral history classes, health and well being programs, Tai Chi and various other movement disciplines, as well as literary and visual arts.

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 Communications Health Network, Inc.

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

| <u>Owner(s)</u> | <u>Property</u> | <u>Interest</u> | <u>Amount</u> |
|--|------------------------|-----------------|---------------|
| <u>Department of Housing and Community Development - Condemnations</u> | | | |
| 1. David W. Gividen | 1710 E. Preston St. | L/H | \$7,720.00 |
| (FILE NO. 56017) | | | |
| 2. National Railroad Passenger Corporation | Block 1513 Lot 80 | F/S | \$7,000.00 |
| (FILE NO. 56017) | | | |
| 3. Quaint Properties, LLC | 1712 E. Preston St. | L/H | \$8,220.00 |
| (FILE NO. 56017) | | | |

Funds are available in Account No. 9910-906416-9588-900000-704040, EBDI Project, Phase II.

DHCD - Rescission and Approval

| | | | |
|----------------|------------------------|-----|------------|
| 4. Dennis Nole | 1718 E. Preston St. | L/H | \$6,400.00 |
|----------------|------------------------|-----|------------|

Funds are available in Account No. 9910-906416-9588-900000-704040, EBDI Project, Phase II.

On February 2, 2011, the Board approved the acquisition of the fee simple interest in 1718 E. Preston Street, by voluntary sale, for the amount of \$7,200.00. However, the property interest requested for approval was incorrect and should have been leasehold. Therefore, the Board is requested to rescind its previous approval and approve the option to acquire the leasehold interest for the amount of \$6,400.00.

(FILE NO. 56017)

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

| <u>Owner(s)</u> | <u>Property</u> | <u>Interest</u> | <u>Amount</u> |
|----------------------|-----------------|-----------------|---------------|
| <u>DHCD</u> - cont'd | | | |

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

Baltimore Development Corporation - Options

| | | | |
|------------------------|----------------------|----------|-------------|
| 5. Constance K. Putzel | 449-457 Oldtown Mall | G/R | \$13,437.50 |
| | (Block 1286, Lot M) | \$250.00 | |
| | | \$200.00 | |
| | | \$225.00 | |
| | | \$400.00 | |

(FILE NO. 57116)

6. TRANSFER OF FUNDS

| <u>AMOUNT</u> | <u>FROM ACCOUNT/S</u> | <u>TO ACCOUNT/S</u> |
|----------------------|-----------------------|---------------------|
| \$13,437.50 | 9910-905575-9600 | 9910-902879-9601 |
| 22 nd EDF | Constr. Res. | Commercial |
| | E. Balto. Ind. & | Revitalization |
| | Coml. Dev. | |

This transfer will provide funds for the acquisition of multiple ground rents at 449-457 Oldtown Mall, which is part of the land assembly needed for the redevelopment of Oldtown Mall.

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

| <u>Owner(s)</u> | <u>Property</u> | <u>Interest</u> | <u>Amount</u> |
|------------------------|---|-----------------|---------------|
| 7. Constance K. Putzel | 461 Oldtown Mall a/k/a 461 N. Gay St. (Block 1286, Lot 13) | G/R \$30.00 | \$ 375.00 |

(FILE NO. 57116)

8. **TRANSFER OF FUNDS**

| <u>AMOUNT</u> | <u>FROM ACCOUNT/S</u> | <u>TO ACCOUNT/S</u> |
|-----------------------------------|---|--|
| \$ 375.00 22 nd EDF | 9910-904982-9600 Constr. Res. Commercial Revitalization Program | 9910-902879-9601 Commercial Revitalization |

This transfer will provide funds for the acquisition of the ground rent at 461 Oldtown Mall, which is part of the land assembly needed for the redevelopment of Oldtown Mall.

UPON MOTION duly made and seconded, the Board approved the options, condemnations/quick-takes. The Transfers of Funds were approved SUBJECT to the receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Mayor's Office of Employment Development - Amendment to Grant
Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of an amendment to a grant agreement with The Family League of Baltimore City, Inc. The amendment extends the period of the agreement through August 31, 2011.

AMOUNT OF MONEY AND SOURCE:

No additional cost is required.

BACKGROUND/EXPLANATION:

On November 24, 2010, the Board approved a grant agreement, in the amount of \$139,853.00, with The Family League of Baltimore City, Inc. to provide professional services for the period of October 1, 2010 through July 31, 2011.

This amendment to the grant agreement extends the period of the agreement through August 31, 2011. All other terms and conditions of the original grant agreement remain unchanged.

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE TIME EXTENSION.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment to a grant agreement with The Family League of Baltimore City, Inc.

MINUTES

Department of Transportation - Construction Work Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a construction work agreement with CSX Transportation, Inc. (CSXT). The period of the agreement is effective upon the issuance of a notice to proceed through December 31, 2012.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The City has proposed the Reconstruction of the Fort Avenue Bridge over the CSXT. The City and the CSXT have met and reached an agreement regarding their respective duties and obligations. The CSXT will provide services and accommodations to promote public interest in connection with this project. Services will include but are not limited to reconstruction of the bridge carrying Fort Avenue over the CSXT, maintenance of vehicular traffic, flagging, construction engineering and inspection, and review of plans prepared by the agency and/or their agents or contractors.

The agreement outlines the roles and responsibilities in connection with completing the design and construction phase of this project.

(FILE NO. 56198)

President: "Madam Mayor."

Mayor: "Thank you very much Mr. President. I would also like to thank the Board of Estimates members for approving the agreement between the City of Baltimore and CSX Transportation

MINUTES

for the reconstruction of the Fort Avenue Bridge in South Baltimore. The agreement outlines the roles and responsibility of both the City and CSX and design and construction. The design and construction phase of the reconstruction project, and this is a milestone in the renewed partnership between the City of Baltimore and CSX working together with the members of the community and business owners we identified concerns. We developed creative solutions to the challenges presented by the project. Bridges crossing over train tracks on Sinclair Lane and North East Baltimore and the Fort Avenue Bridge in Locust Point will undergo reconstruction. The combined cost for both projects is \$12,000,000.00 and CSX is paying 75% of the construction costs and the City is paying the remaining 25%. Work is anticipated to start on both projects in August, and I want to thank Director Zaied and his team for working with the CSX and the community to move this project forward."

President: "Thank you."

* * * * *

MINUTES

Department of Transportation - Task Assignment

ACTION REQUESTED OF B/E:

The Board is requested to approve the assignment of Task No. 3 to Rummel, Klepper & Kahl, LLP, under On-call Consultant Services for Federal-Aid Resurfacing and Reconstruction Projects for Baltimore City, Project No. 1113.

AMOUNT OF MONEY AND SOURCE:

\$237,009.73 - 9950-901882-9508-900010-703032

BACKGROUND/EXPLANATION:

This task assignment authorizes the combining of two bridge projects into one construction project. The scope of work includes, but is not limited to, maintenance of traffic and detour plans, review/comment on the Waterview Avenue bridge staging plans, review of each project's schedule and develop a single critical path method, coordinate the preparation of a single bid book, provide oversight of all required National Environmental Policy Act, attend each project's review meetings, and attend and participate in two public meetings.

The consultant was requested to submit a cost proposal to perform this task, which has been reviewed and approved.

DBE PARTICIPATION:

The consultant will comply with Title 49 Code of Federal Regulations Part 26 (49 CFR 26) and the DBE goal established in the original agreement.

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

MINUTES

Department of Transportation - cont'd

TRANSFER OF FUNDS

| <u>AMOUNT</u> | <u>FROM ACCOUNT/S</u> | <u>TO ACCOUNT/S</u> |
|---------------------|-----------------------|-------------------------|
| \$208,567.92 | 9950-902882-9509 | |
| Federal | Construction Reserve | |
| | Annapolis Rd. Bridge | |
| 52,141.98 | " " " | |
| MVR | | |
| \$260,709.90 | ----- | 9950-901882-9508-3 |
| | | Design & Studies |
| | | Annapolis Rd./Waterview |
| | | Interchange over MD 295 |

This transfer of funds will cover the costs associated with Task No. 3 on Project No. 1113 with Rummel, Klepper & Kahl, LLP for engineering design services for the project "Annapolis Rd/Waterview Avenue Interchange over MD 295."

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 3 to Rummel, Klepper & Kahl, LLP, under On-call Consultant Services for Federal-Aid Resurfacing and Reconstruction Projects for Baltimore City, Project No. 1113. The Transfer of Funds was approved SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

MINUTES

Department of Transportation - Traffic Mitigation Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a traffic mitigation agreement with JBG/Baltimore SSA, LLC.

AMOUNT OF MONEY AND SOURCE:

\$100,000.00 (Revenue) - 6000-617411-2303-248700-406001

BACKGROUND/EXPLANATION:

JBG/Baltimore SSA, LLC proposes to perform the scope of work for the Social Security Administration Campus at 6100 Wabash Avenue, constructing an approximate 468,000 usable square foot office campus.

JBG/Baltimore SSA, LLC agrees to make a contribution in the amount of \$100,000.00 in two separate installments of \$50,000.00 to fund multimodal transportation improvements in the project's vicinity. This agreement will commence upon Board of Estimates approval and termination will be deemed in writing by the Department of Transportation.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized execution of the traffic mitigation agreement with JBG/Baltimore SSA, LLC.

MINUTES

Department of Transportation - Amendment No. 2 to Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 2 to towing rates agreement with the Baltimore Towers Association.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On April 15, 2009, the Board approved a towing rates agreement, in accordance with Article 31; Section 22-9, of the Baltimore City Code which directs that a towing charge will be set in advance, by agreement between the towing companies and the Police Commissioner.

Further, on September 30, 2009, the Board approved amendment no. 1, permitting the City to withhold \$10.00 for the balance of FY 2010 and \$7.50 for FY 2011, for each vehicle towed in violation of peak hour restrictions.

This amendment no. 2 to agreement will allow the City to retain \$20.00 per tow, per invoice, which will be used to provide for customer service, safety, and personnel improvements for the Towing Division of the Department of Transportation.

All other terms and conditions of the original agreement remain unchanged.

MBE/WBE PARTICIPATION:

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 2 to towing rates agreement with the Baltimore Towers Association.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 2 to the agreement with EBA Engineering, Inc., under Project No. 1095E, On-Call Civil/Structural Engineering Services. The amendment extends the agreement through February 11, 2013 or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

No additional funds are required.

BACKGROUND/EXPLANATION:

On February 11, 2009, the Board approved the original two-year agreement in the amount of \$749,897.36, with EBA Engineering, Inc., under Project No. 1095E to provide on-call civil/structural engineering services, as needed. On September 29, 2010, the Board approved amendment no. 1 to the on-call agreement to increase the upset limit by \$750,000.00 and to extend the period of the agreement for one additional year.

This amendment no. 2 to the on-call agreement extends the period of the agreement through February 11, 2013 or until the upset limit is reached, whichever occurs first. This extension will allow the consultant to continue to provide on-call civil/structural engineering services for various tasks assigned by the Water and Wastewater Division and Facilities, including treatment plants and pumping stations. All other terms and conditions of the original agreement remain unchanged.

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

MINUTES

BW&WW - cont'd

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 WILL REVIEW THE TASK ASSIGNMENTS.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 2 to the agreement with EBA Engineering, Inc., under Project No. 1095E, On-Call Civil/Structural Engineering Services. The President **ABSTAINED**.

MINUTES

Bureau of Water and Wastewater - Post Award Services Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a post award services agreement with URS Corporation, under SC 871, Design of Improvements to the Herring Run Interceptors Phase I. The amendment extends the agreement through December 17, 2011 or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$541,270.00 - 9956-911411-9551-900020-703032

BACKGROUND/EXPLANATION:

On March 28, 2007, the Board approved the original agreement under SC 856, Design of Improvements to the Herring Run Interceptors Phase I. The final design for SC 856 required that the contract be completed in two phases. Phase I work will be performed under SC 871. Phase II work will be performed under SC 856. Task C.8 of the agreement provides that at the option of the City and for a fee, to be negotiated, the consultant may provide post award services.

The Department now wishes to exercise that option in order for the consultant to provide certain engineering services, such as pre-construction meetings, review and tracking of shop drawings and submittals, review of submittals, technical consultations, coordination, RFI and change order reviews, conditional and final acceptance reviews, and as-built and record drawing reviews.

The consultant was approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission to design this project.

MINUTES

BW&WW - cont'd

MBE/WBE PARTICIPATION:

| | | |
|---------------------------------------|--------------|--------|
| MBE: EBA Engineering, Inc. | \$173,607.00 | 32.07% |
| WBE: Phoenix Engineering, Inc. | \$ 54,010.00 | 9.98% |

THE TRANSFER OF FUNDS FOR THIS POST AWARD SERVICES AGREEMENT WAS APPROVED BY THE BOARD ON JUNE 8, 2011.

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 post award services agreement with URS Corporation, under SC 871, Design of Improvements to the Herring Run Interceptors Phase I. The President **ABSTAINED**.

MINUTES

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

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 3 to agreement with KCI Technologies, Inc. (KCI), under SC 870, Scum/Grease System Improvements at the Back River Wastewater Treatment Plant. The amendment extends the agreement through December 17, 2011 or until the upset limit is reached, whichever occurs first.

AMOUNT OF MONEY AND SOURCE:

\$29,955.77 - 9956-902685-9551-900020-703031

BACKGROUND/EXPLANATION:

On June 18, 2008, the Board approved the original two-year agreement with KCI to provide engineering services for Scum/Grease System Improvements at the Back River Wastewater Treatment Plant. On February 3, 2010, the Board approved amendment no. 1 to the agreement, in the amount of \$110,155.80, for KCI to provide additional engineering services. On July 28, 2010, the Board approved amendment no. 2, in the amount of \$96,173.00, for KCI to provide additional engineering services.

This amendment no. 3 to the agreement, in the amount of \$29,955.77, increases the upset limit and extends the period of the agreement through December 17, 2011 or until the upset limit is reached, whichever occurs first. This extension will accommodate additional engineering services and the final invoicing period for the project. This will allow the consultant to re-design the storm water management plans to meet the new Maryland Department of the Environment's storm water management regulations. All other terms and conditions of the original agreement remain unchanged.

MINUTES

BW&WW - cont'd

The consultant was approved by the Office of Boards and Commissions and the Architectural and Engineering Awards Commission to design this project.

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 amendment no. 3 to agreement with KCI Technologies, Inc., under SC 870, Scum/Grease System Improvements at the Back River Wastewater Treatment Plant. The President **ABSTAINED**.

MINUTES

Department of Finance - Payment in Lieu of Taxes in Principle

ACTION REQUESTED OF B/E:

The Board is requested to approve Payment in Lieu of Taxes (PILOT) in Principle with the CHAI Renaissance Gardens, for the property located at Pall Mall Road in the Park Heights Neighborhood.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

This project consists of 60 one-bedroom units of new construction available to individuals that are 62 years of age or older and who earn 50 percent or less of the Area Median Income (AMI) as defined by the Department of Housing and Urban Development (HUD).

The proposed terms of the PILOT are for payments to be made by CHAI Renaissance Gardens in amounts not to exceed ten percent of the project gross revenue less utility bills. The City's Department of Housing and Community Development estimates that the net present value of the tax savings over a ten-year period approximate \$560,019.00, while generating \$286,915.00 in payments to the City over the period. Final terms and approval of the PILOT will be subject to the Board of Estimates approval.

The purchase of the properties and the construction of the improvements will be financed through a HUD Section 202 Supportive Housing for the Elderly Capital Advance, City HOME funds, and private sources. The PILOT will be counted as "leverage" for the HUD application and the developers will receive more points for the amounts of other funding leveraged. This will increase the likelihood that this project will receive HUD funding of approximately \$7,000,000.00, which will generate construction jobs and support implementation of the Park Heights Master Plan.

MINUTES

Department of Finance - cont'd

(FILE NO. 57234)

UPON MOTION duly made and seconded, the Board approved the Payment in Lieu of Taxes in Principle with the CHAI Renaissance Gardens, for the property located at Pall Mall Road in the Park Heights Neighborhood.

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 page:

1902 - 1920

to the low bidders meeting the specifications,
deferred action, or rejected bids on those as indicated
for the reasons stated. Item No. 2 was **WITHDRAWN**.

The President voted **NO** on item no. 1.

The Comptroller voted **NO** on item no. 1.

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

1. B50001849, Provide Floor Stripping and Waxing Services for Various City of Baltimore Agencies

RESCIND AWARD AND REJECT ALL BIDS
- On March 30, 2011, the Bureau of Purchases received seven bids. On May 4, 2011, the Board awarded the contract to Affordable Carpet Cleaning Corporation. It was later discovered that a key agency requirement had been inadvertently omitted from the solicitation. It is therefore considered to be in the City's best interest to re-bid this requirement at a later date.

A PROTEST WAS BEEN RECEIVED FROM AFFORDABLE CARPET CLEANING, CORPORATION.

A PROTEST WAS BEEN RECEIVED FROM THE MARYLAND MINORITY CONTRACTORS ASSOCIATION, ON BEHALF OF AFFORDABLE CARPET CLEANING CORPORATION.

President: "The first item on the non-routine agenda can be found on Page 48 #1, B50001849, Floor Stripping and Waxing Services for Various City Agencies. Will the representative from the Affordable Carpet Cleaning, and the Bureau of Purchasing please come forward, and before we start, Mr. Jolivet if there is nothing new that you have, we want you to be very brief. If there is nothing new, because we already have your arguments that you made before the Board on last Wednesday."

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City Solicitor: "And two written submissions."

Mr. Joe Mazza, City Purchasing Agent: "Good morning Mr. President, members of the Board. The Bureau of Purchases recommends that the Board reject all bids and rescind the award for solicitation no. B50001849, which is to Provide Floor Stripping and Waxing Services; the award was made to Affordable Carpet Cleaning and that this requirement be rebid. At the last protest, Mr. Jolivet made an argument that he hadn't made in his previous submissions and rather than make a snap judgment before the Board, I wanted some time to think about it. His argument was that that absent ah Multi Corp's protest the City could not rescind this award. Rephrased that argument is that the City is powerless to correct its mistakes unless a protestor, unless a vendor protests that is clearly not the case. The City has a right to its mistakes, whenever, however they are discovered and the Law Department concurs with that assessment."

President: "Thank you. Mr. Jolivet."

Mr. Arnold Jolivet: "Good morning. I just want to make sure I identify Ms. Corine Valentine the owner and Chief Executive of Affordable Carpet, and Mr. President I just want to talk to the

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Board about Mr. Mazza's assertion that the Board has the authority and I just would like to point out to the Board that I agree that in cases where the bid has come in and bid has not been awarded by the Board. The Board has almost absolute discretion to reject all bids. But in this case, I would like to point out that the Board has in fact awarded this contract and in cases where the Board has awarded the contract, the Board's discretion and authority to rescind the contract is not as great as it is when there is -- has not been an award. It's been the law for years. In this case, Mr. Mazza is confusing the fact that the Board has actually made an actual award. A contractor has relied uh this award in good faith and is expecting to perform this award. Mr. Mazza argues that it is in the best interest of the City for this Board to rescind the award and reject all bids. However, it is not in the best interest of the City because, the City gains absolutely nothing by rescinding this award and rejecting all bids. The contractor that the Board has already awarded to is giving the City everything that Mr. Mazza is now asking and presumably if he -- the Board would agree with him and put the bid out for new

MINUTES

award, presumably what he would ask for in terms of supplementing the contract, this contractor is giving the Board, the City and everything that the City offered."

City Solicitor: "Mr. Jolivet, respectfully, you are treading over the same ground that you covered last week."

Mr. Jolivet: "Well I agree with that, but I ---."

City Solicitor: "And the idea is not to repeat."

Mr. Jolivet: "Well ---."

President: "Mr. Nilson, um he can finish but try to make it brief."

Mr. Jolivet: "But, the other thing that I would like to ask to call attention to the Board. It is just unprecedented of how this particular award was handled. In the first place, Mr. Mazza has admitted that they have made a most grievous mistake by not inserting in the bid whatever they claim they now want to put in."

President: "Mr. Jolivet, we heard that last week."

Mr. Jolivet: "I didn't talk about that last week."

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President: "Could you let me --."

Mr. Jolivet: "Let me finish, don't constrain me."

President: "No I -- well we heard you, we heard you Mr. Jolivet loud and clear last. You are going over the same stuff that we have already heard. So, if there is not a new argument you have to come on and wrap it up."

Mr. Jolivet: "Okay. But let me just point out to you."

President: "I didn't constrain you. I gave you a lot of time last week. I just gave you some time now. You have to bring it in."

Mr. Jolivet: "Well the other point I would to make, after the award and after Mrs. Valentine filed her protest with this Board, I am very, very perturbed that how Mr. Mazza treated her. He had the audacity to call her on the phone and I want this Board to hear how abusively he talked to her and try to convince her to withdraw her complaint. I think that was wrong. She has the absolute right to file a protest with this Board and he has no right at all to call her and try to persuade her; dissuade her in any way. So, I want the Board to hear this, because it is important to see how there was a complete aberration in terms

MINUTES

of how this contract was handled, and I would like for you to hear how Mr. Mazza mistreated her, how Sue Ziegler the buyer, literally talked down to her and literally told her she had no right to be the awardee in this contract, and I think the Board needs to hear this, because this gentlemen here has abused his discretion. For the Board to agree and go on and support him seems to suggest that this Board is not supportive of the minority community, it is not supportive of vendors, and I don't think the Board is, but it sure looks that way, and I -- Mr. President, I am going to insist that you hear from this young lady in terms of how she was abused by Ms. Ziegler and also Mr. Mazza once the complaint was filed."

City Solicitor: "Mr. Chairman, respectively, we are way beyond the merit of the bid protest. The protestant is here --."

President: "Okay, we are going to hear from you. You can come and speak."

Ms. Valentine: "My name is Corine Valentine. The company is Affordable Carpet Cleaning, Inc. On May 25th, Mr. Mazza called me to tell me that he had just received my protest letter. That

MINUTES

the Board has deferred my case. They would be out for two weeks because they have ah recession. He stated that I would not be able to win this case on the basis of the law if, I were to go ahead and pursue it the embarrassment would be on me. That was on May 25th."

Mr. Jolivet: "Tell the Board ---."

Mr. Mazza: "Can I comment?"

President: "Yes please."

Mr. Jolivet: "She has ---."

President: "Are you finished?"

Mr. Jolivet: "No she is not finished."

President: "Well I am talking to her Mr. Jolivet. Are you finished?"

Ms. Valentine: "Well the conversation regarding Mr. Mazza, Ms. Sue Ziegler I believe the name is I called on May 18th because they had said that they was going to rescind the case. In talking with Ms. Ziegler, she stated that they would be rescinding the case, and I asked her why, and she said because of the Go Green Products that they should have put it in the

MINUTES

bid, they did not. I explained to her that I did use Go Green Products as the products that I have always been using for the last year. She said, well the lowest bidder, which is Multicorp, did not have the opportunity to put that in the bid because they did not put it in the solicitation, and that if I win that Multicorp they would be able to file a compliant. They may wish to file a compliant with the Board if they did not rescind the bid. I told her that was not any of my concern whether they do that or not, I am just speaking to her about you what I think is fair to me. She said well, 'I have never heard of your company' and I told her I said because you never heard of my company doesn't mean that we don't exist and so she said, 'well the Purchasing Agent can rescind a bid any time they want if they feel as though they have a legitimate reason for rescinding it and I said well I want to talk to the Purchasing Agent. I did call Mr. Mazza on a few occasions, but he returned my call on the 18th after talking to Ms. Ziegler. But I called him when I first heard that the bid was going to be rescinded and that was couple of days prior to that."

MINUTES

President: "Joe"

Comptroller: "What is the difference between --."

Mr. Mazza: "Could I please --."

President: "Joan had a comment before he even said -- Joan."

Comptroller: "Why don't he respond --."

President: "Alright go ahead and respond."

Mr. Mazza: "Ms. Valentine I agree with everything almost that Ms. Valentine said, and what she is describing here the conversation with Ms. Ziegler and the conversation with myself is an open and honest conversation dialogue that we have with our vendors to try and let them know as best we can what the situation is and not keep them in the dark. I see no problem with the conversation that Ms. Ziegler had. When she said that she had never heard of Affordable Carpeting, her point was that she has no prejudice one way or another. She doesn't know this company. She has no reason to discriminate against this company, she never heard of this company. As to my conversation with Ms. Valentine, when we spoke I did say that I didn't think that she would be able to prevail in this, I was just being honest with her. But, quite the contrary, I didn't it would be say with any embarrassment to her, I said it would be an

MINUTES

embarrassment to the Bureau of Purchasing coming up before the Board with this, because we did make a significant error on this and it was going to be, and I told her that I didn't think she had much chance of winning. But I also said Ms. Valentine that you never know what the Board is going to do and therefore, you are free to go forward, as of course is your right."

President: "Joan."

Comptroller: "Mr. Mazza what is the bid for Multicorp and Affordable Carpet, what's the---?"

Mr. Mazza: "It was a 30% difference. Affordable was 30% more than Multicorp. Let me see if I have that here."

Ms. Valentine: "I a --."

President: "Wait a minute."

Mr. Mazza: "Yes I do. Affordable was \$188,000.00 and Multicorp was \$145,000.00."

Comptroller: "Okay. Why is this different than the award that we made for the Collection of Parking Fines? When the firm did not have a local office, the Bureau of Purchases submitted an amendment to allow the award the awarded firm to have a local

MINUTES

office and keep the award. How is this different?"

Mr. Mazza: "Yes, that was the Harris and Harris case, and they did comply. They did open the local office in short order. Had we taken that approach in this case, it would have been Multicorp that we would be giving that opportunity to. Because in the Harris and Harris case, they were the low bidder. They didn't -- even though there was a requirement missing and after the award we went to that vendor and allowed that vendor to meet that requirement without becoming not the lowest bidder. In this case Affordable was not the lowest. There was nothing for them to fix."

Comptroller: "But I just want know why we aren't we being consistent?"

Mr. Mazza: "Well if we were being consistent we would be awarding to Multicorp."

Comptroller: "I understand that. But shouldn't we be consistent?"

Mr. Mazza: "Well the difference is that let me think."

Mayor: "I am just trying for clarification, so your request is for the City to award to Multicorp?"

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Comptroller: "No, I just want to know why the Bureau of Purchasing --."

Mayor: "For consistency sake we would give it to Multicorp."

Comptroller: "Right and I understand that this would --."

Mayor: "So you want us to be consistent, so you are suggesting that it should go to Multicorp."

Comptroller: "I just want to know why if there is a difference."

Mr. Mazza: "The difference is that in the Multicorp case the initial award was made to the lowest responsive and responsible bidder."

Comptroller: "Right and I just want to know what is the difference."

Mr. Mazza: "In this case, the initial award was not made to the lowest responsible and responsive bidder."

Comptroller: "So my question is why were we not consistent? Why did we not award it to and have them correct it as we did?"

Mr. Mazza: "Because we had already made an award to someone else. In the Harris and Harris case, the award was to Harris and Harris."

MINUTES

Comptroller: "Right."

Mr. Mazza: "The initial award was to them and we allowed them to procure as the lowest responsive and responsible bidder."

Comptroller: "Right."

Mr. Mazza: "In this case, we had not made an award to the lowest responsive and responsible bidder. We had made it to not the lowest responsible and responsible bidder and we felt the fairest thing to do in this case was to just cancel all the bids and then go out again."

Comptroller: "Okay."

Mr. Jolivet: "Mr. President let me just point out that Mr. Mazza has just disputed himself because if you look at the initial reason why the Bureau of Purchases decided to declare Multicorp bid as being non-responsive had nothing to do with their not having the opportunity to use Green Products. It was because of other reasons and Mr. Mazza has neglected to tell this Board that it didn't have anything to do with them not using or having an opportunity to bid on the Green Product. It has been very clear, if you look at the record and the Board needs to consider that."

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Mr. Mazza: "Well, I would dispute that, the reason that Multicorp was found non-responsive was because they did not offer Green Products. We thought that the requirement for Green Products was in the RFP. We intended for it to be in the RFP, we thought it was there during the evaluation. So, we made a mistake and declared them non-responsive for not having Green Products when there was not requirement to have Green Products. That is the only reason."

President: "Okay. Are you finished? Any other comments?"

Mr. Jolivet: "Mr. President, one other final comment that I would like to make and that is this procurement and the way that it is being handled indicates a tremendous amount of arbitrariness, ambiguities and I am very disturbed about the fact that even though Mr. Mazza is here before this Board today, respectfully asking the Board to rescind the award and reject all bids the fact of the matter is that this identical award has already been put out for new bids before the Board even acts on it. I think that is totally improper, for Mr. Mazza to put ---"

MINUTES

taking the initiative and publicly advertise this bid, this particular procurement before the Board even gives him permission to do that. It seems to me in and of itself very arbitrary and takes it for granted that the Board is going to approve what he is asking. It sends a bad signal to the public that the Board is a rubber stamp. It really does."

President: "Thank you Mr. Jolivet."

Mr. Mazza: "I can reply to that. This is an urgent need for the Department of General Services. We wanted to get a new bid on the street to move forward. We didn't anticipate that this would be as controversial as it has become. However, we have delayed the bid opening significantly so that we do not make an award or recommend an award to anyone else until the Board has had a chance to act on this."

President: "Okay."

Mr. Jolivet: "Just one final comment and I just hope that the Board would have some understanding of how this looks to the public and I would hope that the Board would take into consideration the fact that Mr. Mazza is allowing Multicorp and

MINUTES

I have said this before but I want to repeat because I think it is controlling, I think it is enormously important. It is setting a bad precedent where Multicorp is being able to facilitate this protest without even filing a protest through Mr. Mazza's Bureau of Purchasing who is actually doing their protest for them. It sets a bad precedent and if this Board is not sensitive to that, then I would submit there is something wrong. There is just something fundamentally wrong."

President: "Thank you."

Mr. Mazza: "I would also just add that there was another bidder that tied with Affordable Carpeting, P 2 Cleaning Services which was also disqualified because of not providing Green Services. So, Multicorp is not the only company that was disadvantaged by our mistake."

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City Solicitor: "Will the Chair entertain Motions?"

President: "You are entertaining a Motion?"

City Solicitor: "Yes, I would like to make a Motion that we--."

Mayor: "You have to ask that we entertain a Motion."

President: "I am entertaining a Motion. I was asking why he was he doing it?"

Mayor: "He was asking if you would like to entertain a Motion."

President: "I didn't hear him."

City Solicitor: "Does somebody else want to do?"

President: "I entertain a Motion."

City Solicitor: "I would move that we approve the recommendation of the Purchasing Bureau deny the bid protest. When we make a mistake we are entitled to fix it and we should and that is the reason for the Motion."

Director of Public Works: "Second."

President: "All those in favor say AYE."

Mayor: "AYE."

Director of Public Works: "AYE."

MINUTES

President: "All Opposed NAY."

Comptroller: "NAY."

President: "I vote NO."

Comptroller: "I vote NO also because it was determined that Affordable Carpet was the lowest responsive bidder until Purchasing realized that they made a mistake and I just I vote NO."

President: "And I vote NO for the same reason. The Motion carries."

Mr. Jolivet: "Thank you Mr. President."

* * * * *

MMCA- Maryland Minority Contractors Association, Inc.

A Chapter of the American Minority Contractors and Businesses Association, Inc.-AMCBA

Baltimore, Maryland 21210

443-413-3011 Phone

410-323-0932 Fax

REVISED PROTEST

June 7, 2011

VIA Facsimile 410-685-4416

The Honorable President and Members
Baltimore City Board of Estimates
Attention: Clerk to the Board
City Hall-Room 204
Baltimore, MD 21202

Re: Protest Against the Honorable Board of Estimates Approving the Bureau of Purchases' Recommendation to Rescind Award and Reject all bids on B50001849-Provide Floor Stripping and Waxing Services for Various City of Baltimore Agencies-Item No. 1-Page 81-Board of Estimates 06/08/2011 Agenda

Dear Mr. President:

I represent Maryland Minority Contractors Association, Inc. (MMCA) and Affordable Carpet Cleaning Corporation (Affordable Carpet) and we strongly protest your Honorable Board voting to approve the Bureau of Purchases' recommendation to rescind the above cited city contract award and reject all bids thereon. Affordable Carpet is a member of MMCA and both MMCA and Affordable Carpet will suffer irreparable injury if for any reason(s) your Honorable Board accepts the recommendation of the Bureau of Purchases and votes to rescind award and reject all bids on B50001849.

The Bureau of Purchases has failed to make a prima facie case in support of Your Honorable Board rescinding this award and rejecting all bids thereon. The Bureau has merely alleged as reason(s) for its recommendation to rescind and reject this award that, after Your Honorable Board's May 4, 2011 formal award, "it was later discovered that a key agency requirement had been inadvertently omitted from the solicitation." No more detailed information describing the "key agency requirement" that "had been inadvertently omitted from the solicitation," was provided to Your Honorable Board, Affordable Carpet or any other bidder. As the successful bidder on B50001849, Affordable Carpet possessed a protected property interest in B50001849, and as such, the Bureau of Purchases was required to identify and inform Affordable Carpet of the exact and specific "key agency requirement [that] had been inadvertently omitted from the solicitation." The Bureau of Purchases failed both the contract awardee and the City in the very arbitrary and discriminating manner in which the Bureau decided and ultimately managed this procurement.

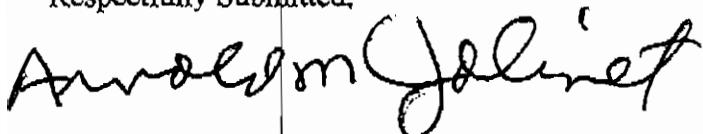
It is important to point out that in past cases wherein the Bureau legitimately "later discovered that a key agency requirement had been inadvertently omitted from the solicitation," the Bureau did not recommend that Your Honorable Board "rescind" the award and reject all bids. For example, on 12-8-2010, the Bureau selected and the Board approved a contract to Harris and Harris for collection of City delinquent parking fines. The Bureau later discovered that a "key agency requirement had been inadvertently omitted from the solicitation", that being the requirement that the contractor maintained a local office within the city. Rather than having Your Honorable Board rescind its earlier contract award to Harris, the Bureau merely requested Your Honorable Board on 1-19-2011 to "amend" Harris' contract to add a requirement that Harris be required to maintain a local Baltimore office. Although the Bureau alleges that it awarded Affordable Carpet the subject contract in error, inasmuch as Affordable carpet has substantially relied on the correctness of the Bureau's award, the Bureau and this Honorable Board are estopped from "rescinding," this award and from "rejecting" all bids thereon.

CONCLUSION

For the above stated reasons, Your Honorable Board must reject the Bureau of Purchases' recommendations to rescind B50001849, and to reject all bids thereon. The Board should not and must not countenance the imperfections and shortcomings of the Bureau and its officials in this procurement.

I intend to appear at Your Honorable Board's Public meeting on 06/08/2011 to give oral arguments as to why Your Honorable Board must reject the Bureau's recommendations to rescind B50001849 and to reject all bids thereon. Thank You for your kind and favorable consideration of this matter.

Respectfully Submitted,



Arnold M. Jolivet
Managing Director

Cc: Ms. Corine Valentine
President/CEO, Affordable Carpet Cleaning, Corp.

Affordable Carpet Cleaning, Corp.

P.O. Box 19442

Baltimore, Maryland 21206

Phone: 410-325-7004 Fax: 410-325-6990

Email No. barnes.acc@verizon.net

Board of Estimates, et.al.

City Hall, Room 204

100 N. Holliday Street

Baltimore, Maryland 21202

Attn: Clerk

LETTER OF PROTEST

BOARD OF ESTIMATES

Affordable Carpet Cleaning, Corp.

**– Protest Regarding Rescinding of Solicitation Number
B50001849 – Provide Floor Stripping and Waxing Services for
Various City of Baltimore Agencies**

ACTION REQUESTED OF B/E:

DO NOT RESCIND AND/OR REJECT an award for Affordable Carpet Cleaning, Corporation, P.O. Box 19442, Baltimore, Maryland 21206 for the period covered is May 11, 2011 through May 10, 2012, with four one-Year renewal options.

AMOUNT OF MONEY AND SOURCE OF FUNDS:

\$60,000

Account No.: 1001-000000-1982-192500-603016

BACKGROUND/EXPLANATION:

1. Affordable Carpet Cleaning, Corporation has been in business servicing the Federal, State and City Government, as well as, Commercial clients since 1996, we Incorporated in 2004. We provide Carpet Cleaning, Stripping and Waxing, Janitorial Services, Post-Construction Cleaning and Water Restoration services throughout Baltimore City and the State of Maryland. Since May 2004 to the present, we hold contracts and provide the above services to The Baltimore Public City School System. We are based in Baltimore and hires Baltimore residents. We have always been and still, in Good Standing with the City of Baltimore and State of Maryland.
2. On March 30, 2011, we submitted a bid for the above said Bid Solicitation. In that Bid it instructed the vendor to submit a list of products we uses. I submitted a List of Go-Green products that we currently use; this rendered us the **“lowest most responsible responsive**

bidder” in accordance with the Specification of the Bid. “The lowest bidder did not submit products of acceptable quality and, therefore was found to be non-responsive”.

NOTE: Go-Green Products are safe and effective and friendly to our environment, their cost is more expensive than other harsh chemical cleaning products.

3. On May 5th, 2011, I telephoned Ms. Ashley Pertee, Buyer to follow up on the above mentioned Bid, in which our company appeared to be compatible. She informed me that it had been approved. Then, On May 13th, 2011, I again, telephoned Ms. Pertee, because my Company had not received the Award Letter once a Bid is approved. Ms. Pertee stated that the bid was being rescinded. I asked Ms. Pertee, why was it being rescinded, she said that I submitted in my bid that my company uses Go Green Products. I informed Ms. Pertee that in accordance with the instructions given in the Bid Solicitation, BCS-B50001849, Page 14, DS6, A and Page 18, SM2, A6, I was required to submit the list of product that my Company uses. Ms. Pertee stated that they should have stated in the Bid Specification that the Venders should use Green Products. I asked to speak to her Supervisor; however, she was not available. I then asked for the number of the Purchasing Agent Mr. Joe Mazza; I telephoned him and left a message on his voice mail for a return call.

On, May 18th, 2011, I again, telephoned Ms. Sue Ziegler, Procurement Supervisor; I asked her why was she rescinding an Award already approved? She told me that they should have put in the Bid Specifications that the Vendors shall use Green Products. Ms. Ziegler said it was unfair to the other Vendor(s), Multi-Corp, who was the lowest bidder not to have the opportunity to list Green Products. I asked Ms. Ziegler why should my company be punished because we uses green products, this makes my company a more responsible and qualified bidder.

Ms. Ziegler stated that since my company was not the lowest bidder the Purchasing Agent can hand it over to the lowest bidder, Multi-corp, because they may file a complaint that they were the lowest bidder. I informed MS. Ziegler that it is not just the lowest bidder that is awarded, the Specification state it’s the “lowest most responsible responsive bidder”. Ms. Ziegler said that since Multi-crop was the lowest bidder she would rather not hand the bid over to them because this would then give Multi-corp the option to increase their Bid, since they would be required to use more expensive Green Products.

Ms. Ziegler stated that she would rather rescind; then she can incorporate that the Vendor(s) shall use Green Products in the Bid Solicitation. I informed Ms. Ziegler that what she is doing is not fair and that I feel as though I should pursue the matter further. Ms. Ziegler informed me that the Purchasing Agent can change his mind at any time, if he has justification to rescind an approval. Ms. Ziegler informed me that either way I cannot win. I did inform Ms. Ziegler that she was on speaker phone and that there were other(s) that may be listening to our conversation. I informed Ms. Ziegler that I made additional purchases in support of this bid when I was told it was approved. Ms. Ziegler stated that I should have waited for a Purchase Order. Ms. Ziegler, stated it was too late that they have already sent a letter to Rescind. Ms. Ziegler suggested that I speak further with Mr. Joe Mazza, Purchase Agent. I told Ms. Ziegler that I called Mr. Mazza on April 13th, 2011; however, he did not return my call.

On May 18th, 2011, I received a call from Mr. Mazza. He stated that he was returning my call. I informed Mr. Mazza of the conversation between Ms. Ziegler and myself regarding the Rescinding of the Bid Contract that was approved by the Board of Estimate for my company. I stated to Mr. Mazza that I understood that they were rescinding the bid because I submitted a List of Green

Products; and that the lowest bidder, Multi-corp, list of products were not green products. Mr. Mazza said that he needed to talk with Ms. Ziegler, because he thought that there was something else with the Bid, and he would call me back.

Approximately, fifteen (15) minutes later I received another call from Mr. Mazza he informed me that Ms. Ziegler was in the room and that he had me on speaker phone. I informed Mr. Mazza that I too, had him on speaker phone and that Mr. Robert Valentine was in the room with me. Mr. Mazza stated that they would be sending a Letter to Rescind not only due to the omission of the Green Products, but they needed to change the Scope of Work. He stated that they have already submitted a new Solicitation on Citibuy, BCS No. BCS B50001972, Request for Bids to Provide Floor Stripping and Waxing Services for Various City of Baltimore Buildings; (this is the same Title under a different BCS Number) therefore, he will have to go ahead with the Rescind.

4. I have reviewed both Solicitation Documents bearing the same Title, but under different BCS Numbers. The second Solicitation BCS-50001972 that was submitted, shows no substantial or significant changes in the Scope of Work, that my company is not qualified in handling, below is the variations of both solicitations, they reads as follows:

BCS-50001849

DS6. CLEANING SOLUTIONS/CHEMICALS

Pg.14, Para A, was omitted. Paragraph A.
is Paragrah B on the new
Solicitation, BCS-50001972,
PAGE 14.

BCS-B50001972

Pg.13, Para. A: "The cleaning solutions/chemicals
used shall conform to all EPA
regulations and shall be
approved **Green Products** only."

5. The only significant change in the Scope of Work regarding the first Solicitation BCS-50001849 and the second Solicitation BCS-B50001972, is that they have incorporated an additional paragraph which states "The cleaning solutions/chemicals used shall conform to all EPA regulations and shall be approved Green Products only".

I Protest the Rescinding of this contract (BCS-B50001849) because my company was in compliance with the Specifications of the Bid. My company was the lowest most responsible responsive bidder under the instructions and specifications set forth in the Bid. The Bid was a **valid contract** between Affordable Carpet Cleaning, Corp. and the City of Baltimore, Department of Finance, Bureau of Purchases. This **valid contract** has been approved by the Bureau of the Budget on 28th 2011, and the City of Baltimore, Board of Estimates, on May 4, 2011. There are no significant changes that my company and its employees are not equipped and experienced in handling. We now have been placed at a great disadvantage, based upon the already released Bidder Documents and/or knowledge that have been obtained by the other Bidder(s), through their examination of our Company's Policies and Procedures. Also, rescinding this Bid has placed us at another disadvantage of being selected for any future Bid(s) awards of this nature. Due to **no fault** of my company it appears **unlawful** for the City to **renege** on this **valid contract** which my company is qualified in honoring. Therefore, I pray that the Board of Estimates **DO NOT RESCIND THIS BID SOLICITATION APPROVAL.**

 5-24-11

Corine Valentine, President Date

P81#1

MMCA- Maryland Minority Contractors Association, Inc.

A Chapter of the American Minority Contractors and Businesses Association, Inc.-AMCBA

Baltimore, Maryland 21210

443-413-3011 Phone

410-323-0932 Fax

AMENDED PROTEST

June 14, 2011

VIA Facsimile 410-685-4416

The Honorable President and Members
Baltimore City Board of Estimates
Attention: Clerk to the Board
City Hall-Room 204
Baltimore, MD 21202

Re: Protest Against the Honorable Board of Estimates Approving the Bureau of Purchases' Recommendation to Rescind Award and Reject all bids on B50001849-Provide Floor Stripping and Waxing Services for Various City of Baltimore Agencies-Item No. 1-Page 81-Board of Estimates 06/08/2011 Agenda

Dear Mr. President:

The purpose of this letter is to respectfully amend and supplement our argument relative to the reason(s) why Your Honorable Board should and indeed, must reject the Bureau of Purchases' recommendation that the Board, "rescind award" B50001849 and "reject all bids," thereon.

In addition to all arguments stated and contained in our letter of June 7th, we wish to assert the argument that the apparent first low bidder herein (Multi Corp) has failed to file any written formal "protest" against B50001849 as specifically required by the Board's official contract protests rules and requirement.

The record clearly shows that the Bureau of Purchases in mid-April informed Multi Corp. of the Bureau's decision to disqualify Multi Corp's bid and to award the subject contract to Affordable Carpet. Moreover, on May 4, 2011, Your Honorable Board, at its public meeting awarded the contract to Affordable Carpet.

Notwithstanding possessing full notice and knowledge of the aforementioned adverse action taken against it, Multi Corp. elected to sleep on its rights without filing any bid protests with this Board, which challenged the correctness and lawfulness of both the Bureau's and Board's contract actions.

The record further shows that it was only after the Board's May 4, 2011 formal contract award to Affordable Carpet that Multi Corp. decided to file a complaint with Ms. Sue Ziegler, the Bureau's buyer for the contract, which complaint threatened to file suit against the City.

It is only because of Multi Corp's post hoc complaint to Ms. Ziegler did the Bureau Chief decide to bring this contract back before this Board with the recommendation that the board "rescind" the contract award to Affordable Carpet and to "reject" all bids.

The Bureau's assertion that "it is ...considered to be in the city's best interest to re-bid this requirement...", is patently untrue and not supported by the facts.

The sole reason the Bureau gives in support of its recommendation for the Board to "rescind" award and to "reject" all bids on B50001849 is that it will give all bidders the opportunity to include green products as part of their bids.

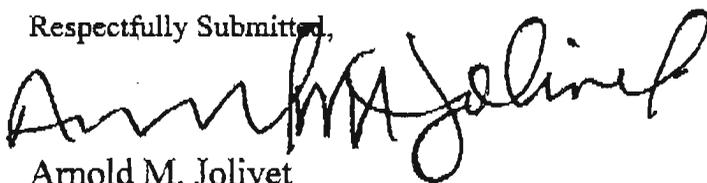
This, however, inures absolutely no benefit to the City inasmuch as the apparent first low responsible and responsive bidder (Affordable Carpet) has already included a green product in its bid at, a very low and reasonable price.

Finally, Your Honorable Board's accepting the Bureau's recommendation to "rescind" award and to "reject" all bids would amount to a very dangerous precedent. Indeed, it would allow bidders on City contracts to "back door" the City's official contract protest process by clearly getting the Bureau of Purchases to act as their surrogate and to do their bidding for them in the matter.

Plain and simple, this would be totally wrong and moreover, would unjustly reward the Bureau for its arbitrary and unlawful cozy relationship with bidders that elect not to adhere to and follow the City's official contract protests process.

Thank you for your kind consideration in this matter.

Respectfully Submitted,



Arnold M. Jolivet
Managing Director

Cc: Ms. Corine Valentine
President/CEO, Affordable Carpet Cleaning, Corp.

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BOARD OF ESTIMATES

06/15/2011

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases

2. B50001914, Reflective Sign Sheeting 3M Company \$ 96,367.40

MWBOO GRANTED A WAIVER.

A PROTEST WAS RECEIVED FROM OSBURN ASSOCIATES, INC.



June 10, 2011

City of Baltimore
The Office of Comptroller
Room 204 City Hall
100 North Holliday Street
Baltimore, Maryland 21202

Attn: Joan M Pratt, CPA

Re: RFB Solicitation Number: B50001914 (Reflective Sign Sheeting/Protest)

This letter will serve as our formal protest against the recommendation of award to 3M Company. (see attached) We respectfully request the City of Baltimore (City) to review the attached supporting documents for Avery Dennison Fluorescent Yellow Green (T-11513) and Fluorescent Orange (W-11514) and award Osburn Associates, Inc.(Osburn) for Solicitation Number B50001914 - Reflective Sign Sheeting (Solicitation), which is the responsive and responsible low bidder.

Grounds of Protest:

1. Osburn is the low bidder for the Solicitation
2. Osburn is a responsive and responsible bidder.
3. The products Osburn bid meet all the required specifications in the Solicitation.

OmniCube T-11513 (Fluorescent Yellow-Green) and W-11514 (Fluorescent Orange) manufactured by Avery Dennison Corporation have been well accepted by more than dozen states.:

- a) A certification of compliance by an independent testing lab (Calcoast)
 - b) Two (2) year test results from the NTPEP (National Transportation Product Evaluation Program) sponsored by AASHTO (American Association of State Highway and Transportation Officials). Only one (1) year is required for Fluorescent Orange. The three (3) year test results for T-11513 is not available till October 2011. The 3,000 hours of Artificial Accelerated Weathering Testing Results will assure the City for ten (10) year durability.
 - c) Avery's Certification for ASTM D 4956-09 Type XI
 - d) Avery's Product Data Bulletin and Warranty
4. The City encourages competition with GC6. Fair Competition (General Conditions of Bid, Proposal, and Contract):

"A. Competition is encouraged even though a particular manufacturer's name or brand is specified to indicate the level of quality desired. Bids/proposals will be considered on other brands as "or equal" when the Offeror indicates clearly the product (Brand and Model Number) which is being offered."

City of Baltimore
The Office of Comptroller
June 10, 2011
Page 2 of 2

Relief:

Reviewing the above documents, we respectfully request the City to award Osburn Associates, Inc. for the Solicitation.

We appreciate your immediate attention to our response letter.

Please feel free to contact me at 800-523-8917(Cell: 740-438-3070), if you have any questions.

Sincerely,



Steven C Gastin

CC: Joseph Mazza – City Purchasing Agent
Bolu Oluwasuji – Engineer III,PH (Purchasing Agent)
Laurie Girton – Avery Dennison

Attachment:

1. Bid Tabulation
2. Recommendation of Award
3. Calcoast Certificate (Artificial Accelerated Weathering Testing)
4. 2 year NTPEP Test Results
5. Avery Certification for ASTM D 4956-09 Type XI
6. Product Data Bulletin and Warranty

MINUTESBureau of Water and Wastewater - Assignment Agreements**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the consent to assignments from Fru-Con Construction Corporation (Assignor) to Fru-Con Construction, LLC (Assignee) for Projects S.C. 852R and S.C. 855, and the subsequent assignment of membership units from the Assignor to Balfour Beatty Infrastructure, Inc.

AMOUNT OF MONEY AND SOURCE:

No funds are required as part of this request.

BACKGROUND/EXPLANATION:

Fru-Con Construction Corporation has requested approval of the assignment of two ongoing construction contracts to Fru-Con Construction, LLC. The projects are S.C. 852R, Denitrification Filters and Related Work for Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant and S.C. 855, ENR Modifications to Existing Facilities at Patapsco Wastewater Treatment Plant.

MBE/WBE PARTICIPATION:

Fru-Con Construction, LLC will continue to comply with the participation goals established for both projects.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the consent to assignments from Fru-Con Construction Corporation to Fru-Con Construction, LLC. The President **ABSTAINED**.

MINUTES

Office of Risk Management - Renewal of Flood Coverage

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize renewal of flood coverage for 805 South Caroline Street, effective June 22, 2011.

AMOUNT OF MONEY AND SOURCE:

\$17,690.00 - 2043-000000-1450-162900-063014

BACKGROUND/EXPLANATION:

On September 13, 2003, heavy rain from Hurricane Isabel caused flooding and inundated the Caroline Street Parking Garage with three inches of floodwater. A claim was made with the Federal Emergency Management Agency (FEMA). Public Assistance reimbursement has been approved. The distribution of FEMA public assistance is contingent upon securing and maintaining flood coverage. The renewal policy is written through Harleysville Mutual.

APPROVED FOR FUNDS BY FINANCE

UPON MOTION duly made and seconded, the Board approved and authorized the renewal of flood coverage for 805 South Caroline Street, effective June 22, 2011.

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. BIOMEDICAL WASTE

| | | |
|----------------|--------------|---------|
| SERVICES, INC. | \$ 20,000.00 | Renewal |
|----------------|--------------|---------|

Solicitation No. 06000 - Bio-Medical and Bio-Hazardous Waste Removal - Police Department - Req. No. R553477

On June 28, 2010, the Board approved the initial award in the amount of \$10,000.00. The award contained five 1-year renewal options. This renewal in the amount of \$20,000.00 is for the period July 27, 2011 through July 26, 2012, with four 1-year renewal options remaining.

2. HADCO

| | | |
|--|---------|---------|
| | \$ 0.00 | Renewal |
|--|---------|---------|

Solicitation No. B50001104 - Decorative Street Light Fixtures & Poles - Department of Transportation - P.O. No. P509255

On July 15, 2009, the Board approved the initial award in the amount of \$1,558,175.00. The award contained two 1-year renewal options. This renewal is for the period July 1, 2011 through June 30, 2013.

MWBOO GRANTED A WAIVER.

3. COLDSRING CO., INC.

| | | |
|--|--------------|----------|
| | \$800,000.00 | Increase |
|--|--------------|----------|

Solicitation No. B50000874 - Baltimore City Weatherization Assistance Program - HVAC - 2009 - Department of Housing and Community Development - Req. Nos. Various

On January 14, 2009, the Board approved the initial award in the amount of \$400,000.00. Subsequent increases have been approved. Due to increased usage, an increase in the amount of \$800,000.00 is necessary, making the award amount \$3,500,000.00.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

| | |
|---|-----|
| MBE: Bey Refrigeration & Heating, Inc. | 11% |
| BMC Services, LLC | 11% |
| Noah's Plumbing | 5% |
| WBE: K & S Environmental Solutions | 7% |

MWBOO FOUND VENDOR IN COMPLIANCE.

| | | |
|------------------------------|--------------------|--------------|
| 4. OLES ENVELOPE CORPORATION | \$21,000.00 | Ratification |
| | <u>65,000.00</u> | Term Order |
| | \$86,000.00 | |

Solicitation No. 06000 - Water Bill Envelopes - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P508003

On May 6, 2009, the Board approved the initial award in the amount of \$115,312.00. The award contained four 1-year renewal options. Due to an administrative error, contract number B50000770 - Water Bill Envelopes expired on April 28, 2011 with three 1-year renewal options remaining. It is requested that the expenditures from April 29, 2011 through June 15, 2011 be ratified and that a term purchase order be approved under the same terms and conditions as B50000770 for the period June 16, 2011 through April 28, 2012.

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.

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. T&J JEONG | \$ 1,500.00 | Ratification |
| | <u>55,000.00</u> | Term Order |
| | <u>\$56,500.00</u> | |

Solicitation No. 06000 - Furnish & Deliver Authentic Korean Meals - Health Department - P.O. No. P514680

On May 26, 2010, the Board approved the initial award in the amount of \$55,100.00. The award contained three 1-year renewal options. Due to an administrative error, contract B50001426 - Furnish & Deliver Korean Meals expired on June 9, 2011 with three 1-year renewal options remaining. However, the vendor continued to supply services to meet the City's needs. It is requested that the expenditures from June 10, 2011 through June 15, 2011 be ratified and that a term purchase order be approved under the same terms and conditions as B50001426 for the period June 16, 2011 through June 9, 2012 with three 1-year renewal options remaining.

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.

MWBOO GRANTED A WAIVER.

| | | |
|------------------------------------|--------------|---------|
| 6. LIVING CLASSROOMS FOUNDATION | \$100,000.00 | Renewal |
|------------------------------------|--------------|---------|

Solicitation No. B5000830 - Maritime Safety, Education and Workforce Training Program - Department of Transportation - Req. No. P508538

On June 3, 2009, the Board approved the initial award in the amount of \$242,817.00. The award contained two 1-year renewal options. This renewal is for the period June 15, 2011 through June 14, 2012, with one 1-year renewal option remaining.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

| <u>VENDOR</u> | <u>AMOUNT OF AWARD</u> | <u>AWARD BASIS</u> |
|--|------------------------|--------------------|
| <u>Bureau of Purchases</u> | | |
| 7. MAC-PAR SERVICES, LLC | | Extension |
| COALITION TO END CHILDHOOD LEAD POISONING, INC. | | Extension |
| MD CLEANING & ABATEMENT SERVICES, CORPORATION | | Extension |
| | \$100,000.00 | |

Solicitation No. BP 07198 - Lead Abatement at Low Income Residences (Part I) - Agencies - Various - Req. Nos. - Various

On July 18, 2007, the Board approved the initial award in the amount of \$300,000.00. Subsequent actions have been approved. A coordinated lead abatement/weatherization bid solicitation is being prepared. The extension is requested to have continuity of services until this solicitation is issued and awarded. The period of the extension is July 18, 2011 through November 30, 2011.

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

| | | |
|---|----------------|----------|
| 8. <u>1st Call:</u> | | |
| ALL CAR LEASING, d/b/a NEXTCAR RENTAL | \$2,000,000.00 | Increase |
| <u>2nd Call:</u> | | |
| ENTERPRISE RAC COMPANY OF BALTIMORE, LLC | <u>0.00</u> | |
| | \$2,000,000.00 | |

Solicitation No. B50001508 - Provide Various Rental Vehicles for the City of Baltimore - Agencies - Various - Req. No. - Various

On June 14, 2010, the Board approved the initial award in the amount of \$2,000,000.00. Additional funds are required to meet the City's demand for this contract. This increase in the amount of \$2,000,000.00 will make the award amount \$4,000,000.00.

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

| | | |
|---|---------------------|----------|
| 9. C.D. THOMAS TRUCKING CO. | \$250,000.00 | Increase |
| <u>2nd Call:</u> CRUSHED STONE | | |
| <u>3rd Call:</u> SAND | | |
| TOPSOIL, ETC., INC. | 250,000.00 | Increase |
| <u>2nd Call:</u> SAND | <u>\$500,000.00</u> | |

Solicitation No. B50001059 - Top Soils, Common Borrow, Diamond Mix and Recycled Stones - Agencies: Various - Req. No. Various

C.D. THOMAS TRUCKING CO. (Work to date less than \$25,000.00)

MBE: G&W Trucking Corp. 0%
 Load Runner Trucking, Inc. 0%
WBE: McCall Trucking, Inc. 0%

TOP SOIL,. ETC., INC. (Good faith effort)

MBE: KL Phillips Trucking, LLC 4.08%
WBE: A2Z Environmental Group, LLC 1.24%

On June 10, 2009, the Board approved the initial award in the amount of \$670,000.00. Subsequent actions have been approved. The currently awarded contractor for the items indicated above has been unable to meet the City's requirements for these products. The above listed vendors are the current contractors for certain products under this contract, and were the next lowest bidders for the items listed. These additional vendors are needed to meet the City's need for these products. This increase in the amount of \$500,000.00 will make the award amount \$2,030,000.00.

MWBOO FOUND VENDORS IN COMPLIANCE.

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases - cont'd

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. The Mayor **ABSTAINED** on item No. 6. The President **ABSTAINED** on item Nos. 4 and 6. Item No. 9 was **WITHDRAWN**.

MINUTES

Department of Public Works
Bureau of Solid Waste - Renewal of Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve the renewal of agreement with the Downtown Partnership of Baltimore, Inc. The period of the renewal is July 1, 2011 through June 30, 2012.

AMOUNT OF MONEY AND SOURCE:

\$190,000.00 - 1001-000000-5152-386200-603026
150,000.00 - 3001-000000-5152-386200-603026
\$340,000.00

BACKGROUND/EXPLANATION:

On September 1, 2010, the Board approved an agreement, in the amount of \$340,000.00, with the Downtown Partnership of Baltimore, Inc. to perform cleaning services in various areas of the Downtown Business District for the period July 1, 2010 through June 30, 2011.

The Department desires to renew the agreement with the Downtown Partnership of Baltimore, Inc. to continue to provide cleaning services from July 1, 2011 through June 30, 2012, under the same terms and conditions.

MWBOO GRANTED A WAIVER.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

UPON MOTION duly made and seconded, the Board approved the renewal of agreement with the Downtown Partnership of Baltimore, Inc. The Mayor **ABSTAINED**.

MINUTES**PROPOSAL AND SPECIFICATIONS**

1. Department of Public Works/
Department of Recreation and
Parks - RP 11831, BCRP Administration
Building's ADA Ramp
BIDS TO BE RECV'D: 07/13/2011
BIDS TO BE OPENED: 07/13/2011
2. Department of Transportation - TR 10015, Reconstruction of
Footways Citywide
BIDS TO BE RECV'D: 07/13/2011
BIDS TO BE OPENED: 07/13/2011
3. Department of Transportation - TR 10302, Replacement of Fort
Ave. Bridge Over CSXT
Railroad
BIDS TO BE RECV'D: 07/13/2011
BIDS TO BE OPENED: 07/13/2011
4. Department of Transportation - TR 10014, Reconstruction of
Footways Citywide
BIDS TO BE RECV'D: 07/13/2011
BIDS TO BE OPENED: 07/13/2011

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 agencies had issued addenda extending or modifying the dates for receipt and opening of bids on the following contracts. There were no objections.

Dept. of Transportation

- TR 11302, Resurfacing Highways at Various Locations, Southwest-Sector III (Bid date moved from 07/13/2011 to 06/15/2011)
BIDS TO BE RECV'D: 06/15/2011
BIDS TO BE OPENED: 06/15/2011

Bureau of Purchase

- B50001972, Floor Stripping and Waxing Services
BIDS TO BE RECV'D: 06/29/2011
BIDS TO BE OPENED: 06/29/2011

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:

Department of Transportation - TR 11009, Guilford Avenue Bike Boulevard

Monumental Paving and Excavating, Inc.

Department of Transportation - TR 11011, Citywide Traffic Calming - JOC

Monumental Paving and Excavating, Inc.

P. Flannigan & Sons, Inc

Allied Contractors, Inc.

Machado Construction

Civil Construction, LLC

M. Luis Construction Co., Inc.

Department of Transportation - TR 11302, Resurfacing Highways at Various Locations, Southwest-Sector III

P. Flannigan & Sons, Inc

Machado Construction

Civil Construction, LLC

M. Luis Construction Co. Inc

Department of Transportation - TR 11303, Resurfacing Highways at Various Locations Southeast Sector IV - Federal

P. Flannigan & Sons, Inc

Machado Construction

M. Luis Construction Co. Inc

Gray & Son, Inc.

MINUTES

Department of General Services - PB 11811, Former Answorth Paint
Factory-Demolition, 3200 East
Biddle Street

Goel Services
JLN Construction Services, LLC
Potts and Callahan
P&J Contracting Co.

Bureau of Purchases - B50001826, Web Hosting Services

Raman Technologies, Inc.
Freedom OSS

Bureau of Purchases - B50001850, Handheld
Computerized Parking
Enforcement Units, Management
Software and Maintenance
Services **(TECHNICAL)**

Integrated Parking Solutions
Groupe Techna, Inc.
ACS State & Local Solutions, Inc.
Duncan Parking Technologies, Inc.
Clancy Systems International Inc.
INET, Inc./IPARQ

Bureau of Purchases - B50001863, Uniform & Locker
Rental with Laundry Service

CleanRental.com
G&K Services

1934

BOARD OF ESTIMATES

06/15/2011

MINUTES

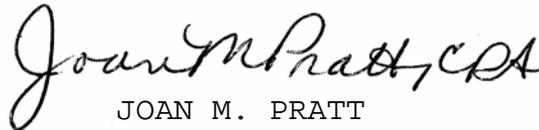
Bureau of Purchases -

B50001978, Motor Vehicle
Exhaust System Repairs

Undercar/specialists, Inc. d/b/a Meineke Car Care
Salvo Limited Partnership, LLLP

* * * * *

There being no objections, the Board UPON MOTION duly made
and seconded, adjourned until its next scheduled meeting on
Monday, June 20, 2011.



JOAN M. PRATT
Secretary