

## MINUTES

REGULAR MEETING

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

The meeting was called to order by the President.

\* \* \* \* \*

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

\* \* \* \* \*

President: "I will direct the Board members attention to the memorandum from my office dated April 2, 2012, 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 items on the routine agenda."

Comptroller: "Second."

President: "All those in favor say 'AYE'. Those 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:

American Contracting and Environmental Services, Inc.	\$ 26,748,000.00
Baltimore Washington Restoration	\$ 189,000.00
Hirsch Electric, LLC.	\$ 8,000,000.00
Mar-Allen Concrete Products, Inc.	\$ 1,500,000.00
NLG Insulation, Inc.	\$ 1,395,000.00
P & H Fencing, LLC.	\$ 414,000.00
Robinson Pipe Cleaning Company	\$ 31,203,000.00
Total Civil Construction & Engineering, LLC.	\$ 8,000,000.00
W Concrete, Inc.	\$ 1,500,000.00
Worcester Eisenbrandt, Inc. and Subsidiaries	\$ 8,000,000.00

2. Prequalification of Architects and Engineers

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

Daniel Consultants, Inc.	Engineer Property Line Surveyor
Design Collective	Architect Landscape Architect

**MINUTES****BOARDS AND COMMISSIONS**

Grimm & Parker Architects	Architect
Studio 50 Design, LLC.	Architect
Tesseract Sites, Inc.	Landscape Architect Engineer
TM Associates Management, Inc.	Landscape Architect Engineer Survey

There being no objections, the Board, UPON MOTION duly made and seconded, approved the prequalification of contractors and architects and engineers for the listed firms. The Comptroller **ABSTAINED** on item no. 1.

**MINUTES**

Mayor's Office - Employee Expense Statement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense statement for Ms. Sabrina Sutton for the month of December 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$68.81 - 1001-000000-1250-152800-303033

**BACKGROUND/EXPLANATION:**

The employee submitted her expense report in January 2012. However, the project identification number was missing from the expense statement. Subsequently, Ms. Sutton was unable to locate the returned form to correct the statement in a timely manner. The Office apologizes for the lateness of the submission.

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

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

UPON MOTION duly made and seconded, the Board approved the expense statement for Ms. Sabrina Sutton for the month of December 2011. Acting on behalf of the Mayor, Mr. Harry Black, Director of Finance **ABSTAINED.**

**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 17** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on March 14 and 21, 2012.

The Board **NOTED** receipt of the 17 favorable reports.

## MINUTES

Health Department - Agreements

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

1. **THE JOHNS HOPKINS UNIVERSITY** **\$ 42,569.00**  
**(JHU)**

Account: 4000-424512-3023-274420-603051

The JHU will provide HIV infected clients with advocacy services to reduce barriers to care and increase compliance. Services will also include providing client advocacy to 200 unduplicated clients, transportation assistance to 150 unduplicated clients and food assistance vouchers to 20 patients. The JHU will document 300 face to face encounters. The period of the agreement is July 1, 2011 through June 30, 2012.

The agreement is late because the Infectious Disease and Environmental Health Administration (IDEHA) program-matically manages all Ryan White Part B services. Providers are selected through the Request for Proposal process. The Department prepares the agreements after receipt of an approved budget and scope of services and processes payments following approval.

**MWBOO GRANTED A WAIVER.**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP)

2. **DEPARTMENT OF RECREATION AND PARKS,** **\$ 0.00**  
**SENIOR CENTER DIVISION/THERAPEUTIC**  
**RECREATION DIVISION**

## MINUTES

Health Department - cont'd

3.     **FIRST CORINTHIANS BAPTIST CHURCH OF**                     \$           **0.00**  
          **BALTIMORE, MARYLAND, INC.**

The above-listed organizations will serve as a Volunteer Station for the RSVP. Through a grant from the Corporation for National and Community Services, the Department sponsors the RSVP. The grant pays for 100% of the cost of Senior Volunteers to assist special needs clients who want to remain in their homes. While the Senior Volunteers are on duty, the grant provides for their life insurance, transportation and other benefits. The period of the agreement is April 1, 2012 through June 30, 2013.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing agreements. The President **ABSTAINED** on item no. 1.

**MINUTES**

Health Department - Employee Expense Statement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense statement for Ms. Deborah Pinkney for the month of August 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$68.82 - 4000-422812-3080-294286-603002

**BACKGROUND/EXPLANATION:**

The employee submitted her expense statement in September 2011 for mileage however her supervisor was working on more pressing assignments and failed to reassign expense report approvals to another supervisor. The Department apologizes for the lateness of this submission.

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

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

UPON MOTION duly made and seconded, the Board approved the expense statement for Ms. Deborah Pinkney for the month of August 2011.

**MINUTES**

Health Department - Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of a grant award from the Abell Foundation. The period of the grant award is February 8, 2012 through June 30, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$164,248.00 - 60000-628512-3031-579200-406001

**BACKGROUND/EXPLANATION:**

The purpose of this grant award is to provide support for the Health Department's Asthma Program, including an evaluation to provide home visiting services to children with the most severe asthma in Baltimore City.

The grant award is late because the Health Department was waiting for budget account information.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant award from the Abell Foundation.

**MINUTES**Health Department - License and Fee Schedule**ACTION REQUESTED OF B/E:**

The Board is requested to approve the license and fee Schedule for Title 10: Animal Control and Protection. The fee schedule will be effective upon Board approval.

**AMOUNT OF MONEY AND SOURCE:**

<u>Fee</u>	<u>License Name</u>	<u>Account</u>
\$10.00	Dogs and Cats - Class A	1001-000000-2400-165309-400592
\$ 0.00	Dogs and Cats - Class B (disability service animals)	N/A
\$100.00	Dogs and Cats - Class C	1001-000000-2400-165311-400592
\$ 30.00	Dogs and Cats - Class D	1001-000000-2400-165312-400592
\$250.00	Facility License	1001-000000-2400-165313-400492
\$ 80.00	Wild Exotic or Hybrid Animals (one-time fee)	1001-000000-2400-165314-400592
\$ 10.00	Horse Driving	1001-000000-2400-165315-400592
\$ 25.00	Removal/Disposal of Dead Domesticated Animal	1001-000000-2400-501501-400592

**BACKGROUND/EXPLANATION:**

On December 5, 2011 the City Council passed into law a reconstituted Title 10: Animal Control and Protection of the Baltimore City Health Code. Pursuant to Section 10-106 of the Baltimore City Health Code, the Commissioner of Health, with the approval of the Board, may set fees and charges related to the issuance and renewal of licenses and permits, the removal and disposal of dead animals, and for other services provided under Title 10.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved the license and fee schedule for Title 10: Animal Control and Protection.

**MINUTES**

Fire and Police Employees' - Election Administration  
Retirement System (F&P)                      Services Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an Election Administration Service Agreement with the American Arbitration Association (AAA). The period of the election administration service agreement is effective upon Board approval and ends after the F&P's final payment following the election.

**AMOUNT OF MONEY AND SOURCE:**

\$17,943.00 - 6000-604112-1540-171400-603026 - F&P  
(not to exceed)

No General Funds are associated with this transaction.

**BACKGROUND/EXPLANATION:**

The AAA will provide assistance in administering up to two upcoming elections for the F&P Trustee Board. The F&P Board selected AAA to provide accurate, unbiased and impartial administration of the upcoming F&P Board elections for Police Department Active Trustee and Police Department retiree Trustee. The AAA has demonstrated its expertise and ability to administer Trustee elections on behalf of the F&P Board in its administration of previous F&P Trustee elections.

**MBE/WBE PARTICIPATION:**

Although the contract amount is less than \$50,000.00 and consequently, MBE/WBE subcontracting requirements do not apply, the AAA is utilizing Time Printers, Inc. a certified minority subcontractor, to print all of the ballots, envelopes and materials related to the election.

**MINUTES**

F&P - cont'd

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the Election Administration Service Agreement with the American Arbitration Association. The Comptroller **ABSTAINED**.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Options</u>			
1. City Homes East Business Trust	2014 E. Chase St.	L/H	\$23,300.00
2. City Homes East Business Trust	2008 E. Chase St.	L/H	\$22,300.00
3. City Homes East Business Trust	2006 E. Eager St.	L/H	\$24,700.00
4. City Homes East Business Trust	2007 E. Eager St.	L/H	\$29,700.00
5. City Homes III, Limited Partnership	2003 E. Eager St.	L/H	\$26,425.00
6. City Homes East Business Trust	922 N. Castle St.	L/H	\$ 7,900.00
7. City Homes East Business Trust	920 N. Castle St.	L/H	\$12,100.00
8. Jerome Joseph Bernstein	900 N. Patterson Park Avenue	G/R \$120.00	\$ 1,100.00

Funds are available in account no. 9910-906416-9588-900000-704040, EBDI Project, Phase II, Middle East Renewal Plan.

**(FILE NO. 56017)**

DHCD - Rescission and Approval of Option

9. Paul Kopel	602 E. Biddle St.	G/R \$65.00	\$ 596.00
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On February 15, 2012, the Board approved acquisition by condemnation of the \$65.00 ground rent interest in 602 E. Biddle Street for \$596.00. However, since that time, the owner has negotiated an acceptable offer and would like to proceed with a voluntary settlement. Therefore, the Board is requested to rescind its prior approval and approve acquisition of the property's interest by option.

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
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Funds are available in CDBG funds, account no. 9990-907714-9593-9000001-704040, Johnston Square Project.

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

**(FILE NO. 57070)**

10. Edward J. Makowski	900 N. Chester St.	F/S	\$95,000.00
11. Madison Bank of Maryland	929 N. Duncan St.	G/R \$36.00	\$ 550.00

Administrative settlement of \$150.00 is included.

Funds are available in State Funds, account no. 9910-906416-9588-000000-704040, EBDI Project, Phase II.

**(FILE NO. 56017)**

12. Simon Grant	2730 Tivoly Ave.	F/S	\$24,300.00
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Funds are available in CDBG Funds, account no. 9910-904326-9588-900000-704040, Coldstream Homestead Montebello Project.

**(FILE NO. 57188)**

13. Romaine Giles	620 E. Biddle St.	L/H	\$ 6,700.00
14. Derrick A. Robinson	731 E. Preston St.	F/S	\$ 6,000.00

Funds are available in CDBG Funds, account no. 9990-907714-9593-900001-704040, Johnston Square Project.

**(FILE NO. 57070)**

UPON MOTION duly made and seconded, the Board approved the options, condemnations/quick takes and rescission and approval of an option.

## MINUTES

EXTRA WORK ORDERS AND TRANSFER OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders and Transfer of Funds

listed on the following pages:

1220 - 1222

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The Transfer of Funds was approved

SUBJECT to receipt of a favorable report

from the Planning Commission,

the Director of Finance having reported favorably

thereon, as required by the provisions

of the City Charter.

The President **ABSTAINED** on item nos. 6 through 10.

MINUTES

EXTRA WORK ORDERS

Contract	Prev. Apprvd.		Time	%
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext.</u>	<u>Compl.</u>

Department of Transportation

1. EWO #001, \$ 179,143.75 - TR 11011, Citywide Traffic Calming JOC  


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 \$ 1,419,704.80 - P. Flanigan & Sons, Inc.
  
2. EWO #005, \$ 40,300.00 - TR 09305, Fairfield Ecological Industrial Park  


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 \$ 4,877,745.30 \$373,357.25 P. Flanigan & Sons, Inc.

3. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$40,300.00	9950-904101-9509	9950-903101-9508-2
Others	Constr. Reserve Fairfield Ecological	Contingencies Fairfield Ecological Industrial Park

This transfer will fund cost associated with change order no. 5 on contract TR 09305, Fairfield Ecological Industrial Park to P. Flanigan & Sons, Inc. The funding for the change order will come from the Downtown Management Authority.

Bureau of Solid Waste

4. EWO #001, \$1,190,052.09 - SWC 12310, Quarantine Road & Millennium Landfills Comprehensive Erosion & Sediment Control Improvement  


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 \$ 3,877,777.00 - American Infra-structure-MD, Inc. 0 67

## MINUTES

EXTRA WORK ORDERS

<u>Contract</u>	<u>Prev. Apprvd.</u>		<u>Time</u>	<u>%</u>
<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext.</u>	<u>Compl.</u>

The contract documents called for comprehensive improvements to the sediment and erosion control devices at the Quarantine Road and Millennium Landfills. The contract documents did not indicate the proper total acreage to be stabilized with permanent seeding and erosion control matting. A price was negotiated with the contractor for the additional quantities, which was reviewed and approved by the Bureau of Solid Waste. The work on this change order is 100% completed.

Bureau of Solid Waste

5. EWO #002, \$ 40,000.00 - SWC 12310, Quarantine Road & Millennium Landfills Comprehensive Erosion & Sediment Control Improvement				
\$ 3,877,777.00	\$1,190,052.09	American Infra-structure-MD, Inc.	90	75

Bureau of Water and Wastewater

6. EWO #015, \$ 0.00 - SC 878, Repair & Replacement of Existing Sanitary Sewers at Various Locations				
\$ 2,893,528.30	\$ 254,506.55	R.E. Harrington Plumbing & Heating	0	74.0

**THE OVERRUNS AND UNDERRUNS BALANCE EACH OTHER OUT.**

7. EWO #038, \$69,265.16 - WC 1198, Urgent Need Work Infrastructure Rehabilitation Various Locations				
\$10,473,325.00	\$12,941,239.78	Spiniello Companies	0	90
8. EWO #039, \$96,188.17 - WC 1198, Urgent Need Work Infrastructure Rehabilitation Various Locations				
\$10,473,325.00	\$13,010,504.94	Spiniello Companies	0	90

## MINUTES

EXTRA WORK ORDERS

	<u>Contract</u>	<u>Prev. Apprvd.</u>		<u>Time</u>	<u>%</u>
	<u>Awd. Amt.</u>	<u>Extra Work</u>	<u>Contractor</u>	<u>Ext.</u>	<u>Compl.</u>
9.	EWO #042, \$58,788.84 - WC 1198, Urgent Need Work Infrastructure Rehabilitation Various Locations				
	\$10,473,325.00	\$13,137,885.21	Spiniello Companies	0	91
10.	EWO #044, \$225,175.00 - WC 1198, Urgent Need Work Infrastructure Rehabilitation Various Locations				
	\$10,473,325.00	\$13,217,132.28	Spiniello Companies	0	99

MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

the Transfers of Funds

listed on the following pages:

1224 - 1225

SUBJECT to receipt of favorable reports

from the Planning Commission,

the Director of Finance having

reported favorably thereon,

as required by the provisions of the

City Charter.

## MINUTES

TRANSFER OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Transportation</u>			
1.	<b>\$160,000.00</b>	9950-917001-9507 Constr. Res. - Highways Federal	9950-905760-9508-3 Design & Study Baltimore City Tour Facility

This transfer will fund the cost associated with Requisition No. R598451, for developing a Tour Bus Parking Facility with the Parking Authority of Baltimore City, to serve hundreds of tour buses expected for War of 1812 Fort McHenry events and other ongoing visitor events.

2.	<b>\$ 60,000.00</b>	9950-907312-9528 Constr. Reserve - Inner Harbor Infrastructure	9950-906312-9527-2 Contingencies Inner Harbor Infrastructure
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The transfer will cover the deficit in the account and fund the cost associated with Requisition No. R598916, for conduit repairs to the Fort McHenry Timber Piers.

3.	<b>\$1,560,025.00</b>	9950-944002-9507 Constr. Reserve - for Closeouts	9950-905980-9508-2 Contingency - Downtown Shuttle System
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This transfer will cover the deficit in the account and fund the cost related to extend the Charm City Circulator from downtown to the Fort McHenry National Monument.

4.	<b>\$ 158,000.00</b>	9962-941002-9563 Constr. Res. - Conduit Replac. Program	9962-906054-9562-2 Contingency - Conduit System Repair TR 10011RR
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This transfer will cover the deficit in the account and fund the cost related to TR 10011RR, Change Order No. 9, Conduit System Repairs at Various Locations Citywide, by Allied Contractors, Inc.

MINUTES

TRANSFER OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Planning</u>			
5.	\$ 160,000.00	9905-901010-9186	
	22 <sup>nd</sup> Economic Dev.	Historic Public	
	Loan	Monuments	
	50,000.00	9905-901010-9186	
	30 <sup>th</sup> Community Dev.	Historic Public	
	<u>Bond Monuments</u>	- Reserve	
	<b>\$ 210,000.00</b>	-----	9905-915010-9188
			Historic Public
			Monuments - Active

This transfer will provide the Commission for Historical & Architectural Preservation (CHAP) with funds for McCulloh Homes Berge's "Boy and Girl" sculpture restoration and for its annual maintenance agreement with Mr. Steven Tatti for maintaining the monuments & statues in the City of Baltimore.

**MINUTES**

Department of General Services - Developer's Agreement No. 1254

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of developer's agreement no. 1254 with 1017 W. 36<sup>th</sup> Street, LLC and Market 450, LLC, developer.

**AMOUNT OF MONEY AND SOURCE:**

\$15,722.00

**BACKGROUND/EXPLANATION:**

The developer would like to install new water service to its new construction located in the vicinity of 1017 W. 36<sup>th</sup> Street. This developer's agreement will allow the organization to do its own installation, in accordance with Baltimore City standards.

An Irrevocable Letter of Credit in the amount of \$15,722.00 has been issued to 1017 W. 36<sup>th</sup> Street, LLC and Market 450, LLC which assume 100% of the financial responsibility.

**MBE/WBE PARTICIPATION:**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the developer's agreement no. 1254 with 1017 W. 36<sup>th</sup> Street, LLC and Market 450, LLC.

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

The Board is requested to approve the following applications for a Minor Privilege Permit. The applications are in order as 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. 418 W. Baltimore Street	Balti-West, 400, LLC	One single face electric sign 10' x 2.5'
Annual Charge: \$140.60		
2. 216 S. Broadway	The McInnes Laundry Co.	Retain flat sign 13'2" x 1½'
Annual Charge: \$35.20		
3. 11 N. Eutaw St.	Centerpoint Eutaw, LLC	Two cornice signs, one bracket, nine gooseneck lights
Annual Charge: \$580.50		
4. 3825 S. Hanover St.	Raymond E. Helmick	One single face electric sign 8' x 3'
Annual Charge: \$70.30		

## MINUTES

DGS - cont'd

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
5.	2326 E. Monument St.	Monument Properties LLC	Retain awning 26' x 1½'
	Annual Charge: \$98.28		
6.	2232 E. Monument St.	Rutland Limited Partnership	Retain awning 28' x 3'
	Annual Charge: \$176.40		

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

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

**MINUTES**

Department of General Services - 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 Whitney Bailey Cox & Magnani LLC. The amendment no. 3 will extend the period of the agreement through April 26, 2013.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On April 29, 2009, the Board approved the original agreement for a two-year contract with an upset dollar amount of \$750,000.00. On February 24, 2010, the Board approved amendment no. 1 which increased the upset dollar amount to \$1,000,000.00. On March 2, 2011, the Board approved amendment no. 2 to increase the upset dollar amount from \$1,000,000.00 to \$2,000,000.00, and extended the term of the contract from two years to three years. Due to delays in processing the new on-call contracts under Project 1126, the Department would like to extend the term of the agreement from April 27, 2012 to April 26, 2013.

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 3 to agreement with Whitney Bailey Cox & Magnani, LLC.

**MINUTES**

Mayor's Office of Employment - Training Agreements and an  
Development Amendment to Agreement

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

TRAINING AGREEMENTS

1. **HYBRID 360, LLC AIR FILTRATION & PREVENTIVE MAINTENANCE SERVICE** **\$17,902.50**

Account: 4000-806811-6312-706805-603051

Hybrid 360, LLC Air Filtration & Preventive Maintenance Service will provide on-the-job training for five eligible participants enrolled in the American Recovery and Reinvestment Act On-the-Job Training National Emergency Program. The organization will also provide a customized training plan for each participant, prior to the start of training. The HVAC Preventive Maintenance training will include understanding the fundamentals of HVAC&R preventive maintenance and troubleshooting. The course is designed to teach air filter maintenance service operations, as well as how to perform basic preventive maintenance tasks. The training will also include demonstrating how preventive maintenance practices can be used to troubleshoot common HVAC&R problems. The period of the agreement is March 5, 2012 through May 31, 2012.

2. **BITH ENERGY, INC.** **\$ 7,200.00**

Account: 4000-806811-6312-707005-603051

The Bith Energy, Inc. will provide Project Engineer Level I on-the-job training for one eligible participant enrolled in the American Recovery Emergency Program. The organization will also provide a customized training plan for the participant, prior to the start of training. The Project Engineer Training Level I training will include, but not be limited to identifying energy savings opportunities and making recommendations to achieve more energy efficient operations, managing the development, design or construction of energy conservations projects to ensure acceptability of budgets and timeliness and conformance to Federal and State laws. The period of the agreement is March 19, 2012 through June 30, 2012.

**MINUTES**

MOED - cont'd

AMENDMENT

3. **BEMO CORP.** **\$30,500.00**

Account: 4000-806811-6312-703905-603051

On October 26, 2011, the Board approved the original agreement with BEMO CORP. in the amount of \$37,250.00. The purpose of the agreement was to provide energy efficiency training that included conducting energy audits for customers to help them to assess their energy footprint, as well as install basic energy conservation measures such as retrofitting lamps and ballasts, low flow showerheads and sink aerators, and other simple energy saving measures.

This amendment to agreement will increase the number of participants by five, increase the amount of funding by \$30,500.00. The total funding amount of the agreement will be \$67,750.00. The amendment also extends the period of the agreement through June 30, 2012.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the foregoing training agreements and an amendment to agreement.

## MINUTES

Law Department - Settlement Agreement and Release

The Board is requested to approve the settlement agreement and release for the following claim:

1. Venus Green v. Officer Stanley, et al. \$95,000.00

The settlement agreement and release has been reviewed and approved by the Settlement Committee of the Law Department.

Funds are available in account no. 1001-000000-2041-1995500-603070.

UPON MOTION duly made and seconded, the Board approved the settlement agreement and release. The President voted **NO**.

**MINUTES**

Mayor's Office of Human Services/ - Expenditure of Funds  
Homeless Services (MOHS)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an expenditure of funds to pay the State of Maryland. The period of the invoices are October 1, 2008 through September 30, 2011.

**AMOUNT OF MONEY AND SOURCE:**

\$34,500.00 - 5000-586709-3570-333700-603051

**BACKGROUND/EXPLANATION:**

The invoices cover services already provided by the St. Vincent DePaul, Inc. (SVDP) related to the Emergency Food Assistance Program (TEFAP). The Mayor's Office of Human Services administers the State of Maryland, Department of Human Services TEFAP grant. The grant is a pass-through grant that is awarded 100% to the SVDP. The protocol for administering the grant is to pay for the food storage and food distribution with a local public or private non-profit entity as the Emergency Feeding Organization (EFO). The SVDP incurred expenses related to food distribution in the amount of \$46,463.80 during the period of the grant. The MOHS has been authorized by the State of Maryland to pay for \$34,500.00 of those total costs.

The request is late due to a delay at the administrative level.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**MINUTES**

Mayor's Office of Human Services - Grant Agreement  
Homeless Services Program

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with Marian House, Inc. The period of the agreement is April 1, 2012 through July 25, 2012.

**BACKGROUND/EXPLANATION:**

\$316,533.00 - 4000-496311-3573-591219-603051

**BACKGROUND/EXPLANATION:**

The organization will provide sponsor-based housing in conjunction with supportive services to 30 homeless clients. Services will include monthly rental assistance payments for monthly rental subsidies, security deposits and/or payment for damage to the property if applicable for the benefit of the clients. The organization will also provide support services to primarily 30 female ex-offenders who are homeless and disabled and meet the requirements of the Trauma, Addictions Mental Health and Recovery project.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with Marian House, Inc.

**MINUTES**

Mayor's Office of Human Services - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an expenditure of funds to pay for training services to be provided by Inesse Consulting, LLC.

**AMOUNT OF MONEY AND SOURCE:**

\$ 7,080.00 - 5000-586212-1191-594700-603026

**BACKGROUND/EXPLANATION:**

The Baltimore Community Action Partnership within the Mayor's Office of Human Services administers services and delivery systems that promote self sufficiency and provide opportunities for low-income households.

Inesse Consulting, LLC has been engaged to provide workforce development consulting and training to staff in the City's five community action centers. The staff will be trained to administer employment assessment, conduct job searches, build resumes, and much more.

**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 expenditure of funds to pay for training services to be provided by Inesse Consulting, LLC.

**MINUTES**

Department of Housing and - Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the agreement with Learning Is For Tomorrow, Inc. The agreement is for the period July 1, 2011 through June 30, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$ 43,368.00 - 2089-208912-5930-435126-603051

**BACKGROUND/EXPLANATION:**

The organization will conduct a literacy program. The program will offer personalized, participatory, and comprehensive support services to low and moderate-income illiterate adults. The program curriculum includes pre-GED/GED preparation, math, computer labs, life-skills classes and tutoring.

On June 22, 2011, 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 2011 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, 2011 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 Learning is For Tomorrow, Inc.

**MINUTES**

Department of Housing and Community Development (DHCD) - Land Disposition Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with Metra Realty, LLC, developer, for the sale of the properties located at 2201 Jefferson Street and 2214 Jefferson Street.

**AMOUNT OF MONEY AND SOURCE:**

\$ 5,225.00 - 2201 Jefferson Street  
6,000.00 - 2214 Jefferson Street  
**\$11,225.00** - Purchase Price

**BACKGROUND/EXPLANATION:**

A good faith deposit of \$10,102.50 has been paid by the developer.

The developer will make moderate to major repairs to each of the properties and once the work is completed, the dwellings will be sold for homeownership or used as rental housing.

In accordance with the City's Appraisal Policy, the Waiver valuation process was used in lieu of an appraisal. The DHCD has determined the fair market value of the property using available real estate data. The vacant building located at 2201 Jefferson Street was valued at \$5,225.00 and will be sold for \$5,225.00. The vacant building located at 2214 Jefferson Street was valued at \$5,853.00 and will be sold for \$6,000.00.

The properties were priced pursuant to the appraisal policy by Baltimore City. The waiver valuation was used in determining the price for these properties and the following factors are present: 1.) stabilizing the immediate community; 2.) elimination of blight; 3.) economic development, creation of jobs, real estate and other taxes; and 4.) the opportunity to accelerate the rehabilitation of these properties.

**MINUTES**

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

The properties are not subject to Article 5, Subtitle 28 of the Baltimore City Code.

**(FILE NO. 57211)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Metra Realty, LLC, developer, for the sale of the properties located at 2201 Jefferson Street and 2214 Jefferson Street.

**MINUTES**

Department of Housing - Subordination Agreement  
and Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a subordination agreement with the Maryland Historical Trust. The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The subordination agreement will subordinate the lien of the American Brewery Indemnity Deed of Trust to a perpetual Conversion Easement with the Maryland Historical Trust.

The American Brewery, LLC has received a capital grant from the Maryland Historical Trust for the American Brewery Project. As required by the grant, American Brewery, LLC has executed a Deed of Easement and Conditional Security Agreement to the Maryland Historical Trust that will promote the preservation and maintenance of the American Brewery Building and its historic, cultural, scenic and aesthetic character. On February 28, 2008, the DHCD entered into an Indemnity Deed of Trust with the American Brewery, LLC secured by the American Brewery Building at 1701 N. Gay Street. The Maryland Historical Trust has requested that the DHCD subordinate the lien of the Deed of Trust to the Maryland Historical Trust's Conservation Easement.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the subordination agreement with the Maryland Historical Trust. The Board also authorized the

## MINUTES

DHCD - cont'd

Commissioner of the Department of Housing and Community Development to execute all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

**MINUTES**

Department of Housing and - Bond Loan  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a Bond-funded deferred loan to Tuerk House Properties, Inc.

The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

**AMOUNT OF MONEY AND SOURCE:**

<u>Sources</u>		<u>Uses</u>	
City Bond Funds*	\$ 75,000.00	Construction	\$2,037,727.00
DHMH Bond Funds	1,500,000.00	Architect & Hard Fee	184,050.00
Weinberg Founda- tion	580,000.00	Acquisition	280,000.00
Abell Foundation	250,000.00	Soft Costs & Developer Fee	<u>130,000.00</u>
MAHT	150,000.00		
Tuerk House- Equity	<u>76,777.00</u>		
<b>Total</b>	<b>\$2,631,777.00</b>	<b>Total</b>	<b>\$2,631,777.00</b>

Account: 9910-914170-9588

**BACKGROUND/EXPLANATION:**

The loan funds will be used to cover a portion of the construction costs of the Weisman-Kaplan House project located at 2523 Maryland Avenue.

## MINUTES

DHCD - cont'd

Tuerk House, Inc. is a non-profit organization established in 1970 and is one of the oldest non-hospital drug treatment providers in Baltimore City. Since its inception, Tuerk House has served over 21,000 clients through its comprehensive treatment and transitional living programs. Tuerk House Properties, Inc. (THP) is a subsidiary of Tuerk House, Inc. For the past 25 years, the THP has owned and operated the Weisman-Kaplan House (the WK House), a transitional housing program for men located at 2523 Maryland Avenue in the Charles Village neighborhood.

The THP recently acquired 2525 Maryland Avenue. By Consolidating the WK House with 2525 Maryland Avenue and rehabilitating the structures, the THP can increase its WK House's bed size from 18 to 27 residents (the Project). In addition to the proceeds of the City's loan, the THP has raised the other funds necessary to cover the costs of the Project. The proceeds of the City's loan will be used to cover a portion of the hard construction costs.

An appraisal report was prepared by Woodley Appraisal Group, Inc., dated January 25, 2012. The market value of the fee simple property, as of the date of review, considering the proposed improvements was determined to be \$1,500,000.00. It should be noted that the City's loan will be the only secured lien on the subject property.

Participating Parties:

A. Developer/Borrower

Tuerk House Properties, Inc. is the developer and will be the borrower of record. The THP will guarantee completion and any cost overruns.

B. General Contractor/Architect

Southway Builder's Inc. is the general contractor. Architectural services are provided by RM Sovich Architecture, Inc.

## MINUTES

DHCD - cont'd

C. Participating Lenders

Baltimore DHCD - Bond Deferred Loan. The City's Loan will be structured as a non-recourse loan secured by a first lien. The loan will have a term of 10 years and zero percent interest charged during the construction and permanent loan periods. Loan repayment will be due in full in the event of default or upon the refinancing, sale, transfer, conveyance or any encumbrances of the project or portion thereof without written consent of the Department.

Other Sources - Equity and unsecured grant funds

In addition to the owner's equity, the State Department of Health and Mental Hygiene, the Weinberg Foundation, Inc., the Abell Foundation, and the State Department Housing and Community Development have provided non-recourse grant funds which will cover the total development costs for the Project. The program's operating funds will be covered from various grants, such as the Baltimore City Substance Abuse Systems, Inc.

**MBE/WBE PARTICIPATION:**

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

**MINUTES**DHCD - cont'd**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$ 75,000.00</b>	9910-902985-9587	9910-914170-9588
29 <sup>th</sup> CDB	Housing Development	Weisman Kaplan/
FY 2010	Reserve	Tuerk House

This transfer will provide funds to Tuerk House Properties, Inc. for the construction costs of the Weisman-Kaplan House.

UPON MOTION duly made and seconded, the Board approved the Bond-funded deferred loan to Tuerk House Properties, Inc. The Board also authorized the Commissioner of the Department of Housing and Community Development to execute any and all documents to effectuate the transaction subject to review and approval for form and legal sufficiency by the Department of Law. 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 Housing and - Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an agreement with the Baltimore Community Foundation, Inc. (BCF). The period of the agreement is November 14, 2011 through June 30, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$44,000.00 - 5000-585110-5750-648702-603018

**BACKGROUND/EXPLANATION:**

The BCF will engage the services of a Policy Coordinator for a number of functions related to the Baltimore City's stimulus funded Weatherization Assistance Program (WAP). The BCF Policy Coordinator will undertake research into the utility bill savings of households served by WAP as well as develop and expand WAP's capacity to provide weatherization services to families in rental housing, coordinate the provision of in-home energy conservation education to WAP clients, and support the work of the Baltimore City Green and Healthy Home Initiative.

The City is completing its third and final year of stimulus funded weatherization and evaluation is an important component of this stage of the program. In preparation for the evaluation stage of the program the DHCD approached the BCF to continue the services of a BCF Policy Coordinator already active with WAP and supported by Living Cities, Annie E. Casey and Zanvyl Krieger foundations. The State of Maryland formally agreed to provide \$44,000.00 in funding support for the BCF Policy Coordinator. The State's funding support is derived from the Training and Technical Assistance portion of the U.S. Department of Energy's stimulus-funded Weatherization Assistance Program, allocated to Baltimore and approved on July 1, 2009 by the Board of Estimates.

**MINUTES**

DHCD - cont'd

The particular functions of the BCF Policy Coordinator will include researching and analyzing utility bills resulting from weatherization services, determining the added value of in-home energy conservation education, identifying and overcoming obstacles to rental housing weatherization and coordinating the DHCD's participation in the national Green and Healthy Homes Initiative.

The recommendations resulting from the research of the BCF Policy Coordinator will help inform the DHCD's future approach to weatherization, energy conservation education and the integration of green and healthy home strategies.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**(FILE NO. 56632)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the agreement with the Baltimore Community Foundation, Inc.

**MINUTES**

Department of Housing and - Amendment No. 1 to Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of amendment no. 1 to the grant agreement with the Baltimore Community Foundation (BCF).

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

This amendment no. 1 changes the loan terms of roofing funds under the grant for eligible low-income senior citizens from deferred loan funding to forgivable loans.

The Constellation Energy Group has established a fund at the BCF to assist Baltimore City in the implementation of a Green and Healthy Homes Pilot. The Pilot will provide heating system and roof replacement in homes receiving comprehensive "Green and Healthy" coordinated services. The Board of Estimates approved the original grant agreement on June 22, 2011. Originally the roof replacement part of the grant was designed to be provided as a zero-percent interest deferred loan for the homeowner, repayable upon sale, transfer of deed or refinancing of the house.

The furnace replacements are (through DHCD's Weatherization Assistance Program) provided as grants and the roof replacements (through the DHCD's Office of Rehabilitation Services) are provided as loans. Other funding at the Office of Rehabilitation Services for roofing allows the loan to be forgiven for eligible seniors 62 and older. As a result, senior citizens have been excluded to date from participating in Constellation Energy Group funding through the GHHI Pilot.

This amendment changes the loan terms of the Constellation Energy Group for roof replacements to provide qualified senior citizens 62 years of age or older with forgivable loans that are forgiven after five years of living at the property.

## MINUTES

DHCD - cont'd

This will allow eligible seniors to be comprehensively served by the DHCD with the Green and Healthy Homes Initiative (GHHI) model. Eligible non-seniors will continue to receive deferred loan funding. This is consistent with other loan funding at Baltimore City DHCD's Office of Rehabilitation Services. The amendment will allow the Department to better meet the needs of low-income families in Baltimore. All other terms of the original grant agreement will remain unchanged.

Baltimore City, through its DHCD Division of Green, Healthy and Sustainable Homes, is a national leader in the GHHI, led by the Coalition to End Childhood Lead Poisoning. A GHHI contract was signed by the Mayor on May 20, 2011, pledging public and non-profit cooperation to make homes healthier and more energy efficient.

**(FILE NO. 56632)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the amendment no. 1 to grant agreement with the Baltimore Community Foundation.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a grant agreement with Sinai Hospital of Baltimore, Inc. (Sinai Hospital). The period of the agreement is effective upon Board approval through December 31, 2012, and cannot be extended.

**AMOUNT OF MONEY AND SOURCE:**

\$20,000.00 - 9910-904814-9588

**BACKGROUND/EXPLANATION:**

Sinai Hospital will use the funds to support a Male Youth Outreach Worker who works in the community's middle schools to offer adolescent males alternatives to violence and the drug culture by teaching critical decision making skills, modeling and coaching behaviors and engaging in positive activities. In the community, the Outreach Worker reaches out to individuals to provide assistance in locating services, training or employment.

The Outreach Worker will work with youth at three schools: KIPP UJIMA Academy, Pimlico Middle School, and the Agape Family Empowerment School. Written assignments and follow-up discussions with youth who participated in this effort, as well as parents and teachers indicated that participants had a better overall attitude, improved work ethic, improved grades and fewer suspensions.

In addition to his work in the Park Heights schools, the Outreach Worker will work with youth on an individual basis providing information and referral to services, including employment, food banks, GED and employment training.

City funds are being leveraged with an additional \$26,384.00 from Sinai Hospital. This project will be overseen by the Department of Health.

**MINUTES**DHCD - cont'd**MBE/WBE PARTICIPATION:**

The grant amount is less than \$50,000.00; therefore, MBE/WBE participation is not applicable.

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

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$20,000.00	9910-907904-9588	9910-904814-9588
General Funds	HCD/Sinai Hospi-	Prop. M: Community
Sojourner	tal Project	Based Programs
Douglas Coll-		Male Youth Outreach
Work		Worker

These funds will assist in providing an outreach worker in the Park Heights Community middle schools who will work with male youth and offer positive behavioral alternatives through critical thinking skills, modeling, coaching and job skills development.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with Sinai Hospital of Baltimore, Inc. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize a grant agreement with the Family League of Baltimore City (Family League). The period of the agreement is effective upon Board approval through December 31, 2012, and cannot be extended.

**AMOUNT OF MONEY AND SOURCE:**

\$ 40,000.00 - 9910-906809-9588  
 60,000.00 - 9910-907810-9588  
\$100,000.00

**BACKGROUND/EXPLANATION:**

In 2007, the Maryland General Assembly passed the Maryland Education Trust Fund - Video Lottery Terminals (VLT) legislation (Title 9, Section 1A-32), which provides Video Lottery Terminal Revenue (slots) funding to the City for a fifteen-year period beginning in Fiscal Year 2012 through Fiscal Year 2027 to primarily support capital community and economic development projects in the Pimlico Community.

State legislation also requires that a local development council be created as an advisory board to review proposed spending plans for slots revenue. The Pimlico Community Development Authority (PCDA) was created for the purpose of reviewing proposed expenditures and providing non-binding recommendations to the Mayor. Final budget approval is made by the Mayor.

The Fiscal Year 12 VLT budget provides \$100,000.00 for the Family League to continue and expand two community-based programs.

\$40,000.00 will be used to provide professional development and capacity building support to seven after-school programs in Park Heights. This program will demonstrate improved program quality and increased programs capacity to serve more youth and improve outcomes for youth, as a result of this support.

## MINUTES

DHCD - cont'd

All seven of the programs will participate in a program quality improvement system that will include:

- establishing a site-base Quality Improvement Team,
- participating in Youth Program Quality Assessment (YPQA) Basics training for all members of the quality improvement team,
- conducting program self-assessments using the YPQA (Fall and Spring assessments),
- receiving on-site coaching visits,
- coordinating with The Family League in the delivery of external assessments, and
- participating in the YPQA Planning with Data Workshop (Quality Improvement Team members).

Additionally, program staff will receive training to improve their knowledge and skills of strong youth development principles, as well as improve their ability to communicate effectively with youth. Lastly, the programs will receive training and coaching on best practices for recruiting and retaining youth, recruiting program staff, and quality program design.

\$60,000.00 will be used to expand the core principles of the Community School Initiative to Edgecombe Elementary/Middle School while providing continued support to Northwestern Community School and Pimlico Elementary/Middle Community School. Community Schools are public schools that work with a wide array of community partners to meet the learning readiness needs of students, create a safe and supportive school climate, strengthen families in support of education, and serve as a center of community advancement.

The funding will allow Park Heights to launch a Community Schools effort at Edgecomb Circle, while also providing a one-year only matching fund support to support Baltimore City's investment in Community Resource Schools at Northwestern High School and Pimlico/Middle Elementary School. In future years, matching funds will come from the partner schools.

## MINUTES

DHCD - cont'd

The Community School Initiative is also a strategy for making all school partnerships work better, disseminate information to the children and families efficiently, help schools create safe environments for learning, and turn schools into productive community centers. It is a way of permanently changing how schools and communities work together to support people and improve quality of life.

This project will be overseen by the Mayor's Office of Human Services.

The grantee is required to submit quarterly reports detailing expenditures and documenting how specific goals and objectives of the program are being met.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$100,000.00	9910-903963-9587	
State Revenue	Park Heights	
	Redevelopment	

MINUTES

DHCD - cont'd

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 40,000.00	-----	9910-906809-9588 State Revenue Family League After School Programming, Prop: I Youth Programs: After School Expansion
<u>60,000.00</u> <b>\$100,000.00</b>	-----	9910-907810-9588 State Revenue Prop: J Family League Youth Programs: Family Intervention Community School

This Transfer of funds will provide funds to the Family League of Baltimore City in accordance with the Fiscal Year 2012 Ordinance of Estimates and the approved FY12 Video Lottery Terminal (Slots) Revenue Spending Plan.

**(FILE NO. 57012)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with the Family League of Baltimore City. The Transfer of Funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter.

**MINUTES**

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

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a grant agreement with the Living Classrooms Foundation, Inc. The agreement is effective upon Board approval for 108 days.

**AMOUNT OF MONEY AND SOURCE:**

\$250,000.00 - 9910-907155-9588

**BACKGROUND/EXPLANATION:**

The Living Classrooms Foundation, Inc. is a nonprofit organization that strengthens communities and inspires young people to achieve their potential through hands-on education and job training, urban, natural, and maritime resources as "living classrooms."

In July 2011, the Living Classrooms Foundation, Inc. (Foundation) obtained control of a former firehouse located at 316 South Caroline Street and established the Perkins P.O.W.E.R. House (P.O.W.E.R. = Proving Opportunities to Work, Expand and Rise) which serves as the Foundation's newest educational facility aimed at expanding program and services to children and families living in East Baltimore and in particular Perkins Homes.

The grant agreement will provide funds to reimburse the Foundation for costs associated with the redevelopment of 316 S. Caroline Street into the Perkins P.O.W.E.R. House.

The facility features multi-purpose rooms designed for after-school programming, community meetings, financial education, youth mentoring, employment training sessions, health fairs, and other community enrichment-focused events. The center will provide a variety of enriching services and events aimed at fostering an environment that is positive, safe, and that promotes healthy living for all members living in the Perkins community. The P.O.W.E.R. House is outfitted with a state-of-the-art computer lab and technology center with high-speed Internet access for students and community residents. To this end, the P.O.W.E.R. House will foster computer literacy through classroom instruction, and address the technology needs of the

**MINUTES**

DHCD - cont'd

community by providing access to Internet and productivity software. Moreover, youth and families residing in the Perkins Community will have access to the Sun Trust Financial Education Center providing education and resources, including financial expert volunteers through a partnership with Sun Trust Bank.

**THE TRANSFER OF FUNDS WAS APPROVED ON MARCH 28, 2012.**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**MBE/WBE PARTICIPATION:**

**THE LIVING CLASSROOM FOUNDATION, INC. HAS MET ITS COMMITMENT TO COMPLY.**

**(FILE NO. 55550)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the grant agreement with the Living Classroom Foundation, Inc. Acting on behalf of the Mayor the Director of Finance, Mr. Harry Black **ABSTAINED**. The President **ABSTAINED**.

**MINUTES**

Parking Authority of Baltimore City - Parking Facilities  
Rate Increases

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an increase to certain rates at the Redwood, Water Street, and West Street garages.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Parking Authority of Baltimore City (PABC) is charged with managing the City of Baltimore's parking assets, and proper stewardship of those assets requires that the PABC realize the appropriate return on the City's parking investment.

Pursuant to Article 31, §13(f)(2) of the Baltimore City Code, subject to the approval of the Board of Estimates, the PABC may set the rates for any parking project. The PABC believes that rate changes at these parking facilities are warranted at this time.

The rates charged for parking at these City-owned facilities have not been increased since 2009; however operating costs continue to increase. Liability insurance costs, health insurance and payroll costs for staff (all staff at City-owned facilities are paid, at a minimum, the City's living wage), utilities, and improvements to the facilities (better lighting, revenue control equipment, security cameras, etc.) have all contributed to the continuing increases in operating expenses.

The PABC performed a survey of parking rates in the areas surrounding the facilities, (Redwood, Water Street and West Street garages). The rate surveys showed that the fees charged to parkers at these facilities are generally lower than fees charged at other parking facilities within the area. To bring the rates charged at City facilities in line with their surrounding facilities, the PABC staff developed the rate change recommendations. These rate changes were unanimously approved by the PABC Board of Directors.

## MINUTES

Parking Authority of Baltimore City - cont'd

The PABC requests approval from the Board of the proposed rate changes at the facilities as follows:

LOCATION	PROPOSED TRANSIENT RATE CHANGES		PROPOSED MONTHLY RATE CHANGES		
Redwood	<b>Regular Transient Rates</b>		<b>Regular Rate</b>		
		Current Rate	Proposed Rate	Current Rate	Proposed Rate
	Up to 1 hour	\$ 6.00	\$ 6.00	\$145.00	\$150.00*
	Up to 2 hours	\$ 8.00	\$ 8.00		
	Up to 3 hours	\$11.00	\$11.00		
	Up to 4 hours	\$12.00	\$13.00*		
	Up to 5 hours	\$12.00	\$13.00*		
	Up to 6 hours	\$12.00	\$13.00*		
	Up to 7 hours	\$12.00	\$13.00*		
Up to 8 hours	\$12.00	\$13.00*			
9 to 12 hours	\$12.00	\$13.00*			
Water Street	<b>Regular Transient Rates</b>		<b>Regular Rate</b>		
		Current Rate	Proposed Rate	Current Rate	Proposed Rate
	Up to 1 hour	\$ 5.00	\$ 6.00*	\$135.00	\$140.00*
	Up to 2 hours	\$ 7.00	\$ 8.00*		
	Up to 3 hours	\$ 9.00	\$10.00*		
	Up to 4 hours	\$12.00	\$15.00*		
	Up to 5 hours	\$14.00	\$15.00*		
	6 to 12 hours	\$14.00	\$15.00*		
Night Rate(after 5pm)	\$ 7.00	\$ 8.00*			
West Street	<b>Regular Transient Rates</b>		<b>Regular Rate</b>		
		Current Rate	Proposed Rate	Current Rate	Proposed Rate
	Early Bird Rate (in by 9am out by 6pm, Mon - Fri)	None	\$ 8.00*	\$100.00	\$100.00
	3pm to Midnight (Thurs - Sat, over 3 hours)	\$14.00	\$16.00*		

\*DENOTES RATE CHANGE

**MINUTES**

Parking Authority of Baltimore City - cont'd

UPON MOTION duly made and seconded the Board the increase to certain rates at the Redwood, Water Street, and West Street garages.

**MINUTES**

Department of Transportation - Project Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a project agreement with the Central Baltimore Partnership, Inc. The period of the project agreement is effective upon Board approval for 18-months.

**AMOUNT OF MONEY AND SOURCE:**

\$140,000.00 - 6000-617212-2303-596000-603026

**BACKGROUND/EXPLANATION:**

The Department and the Central Baltimore Partnership, Inc. propose to work together to continue the implementation of the Central Baltimore Vision Plan. Jointly, a grant was established from the Baltimore Regional Transportation Board under the FY2012 Unified Planning Work Program to further develop concepts related to improving Charles Street in the vicinity of I-83 and Penn Station.

The grant funds will be utilized to develop and implement a plan for improving pedestrian connectivity. The project area will generally be limited to the area from Maryland Avenue to Saint Paul Street and from Mt. Royal Avenue to Lanvale Street.

**APPROVED FOR FUNDS BY FINANCE****MBE/WBE PARTICIPATION:**

N/A

UPON MOTION duly made and seconded, the Board approved and authorized execution of the project agreement with the Central Baltimore Partnership, Inc.

**MINUTES**

Department of Transportation - Refund of Excess Proceeds  
from an Auction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve payment, by Direct Payment Order, of the refund of excess proceeds from a City vehicle auction to the registered owner, Mr. Michael William Nowakowski.

**AMOUNT OF MONEY AND SOURCE:**

\$6,000.00 - 1001-000000-1950-505215-401774

**BACKGROUND/EXPLANATION:**

The refund represents the proceeds beyond the expenses of receiving, storing, and disposing of the vehicle at auction. The refund is in accordance with AM-303-1 and Article 31, Section 97 of the Baltimore City Code (2000).

The registered owner and/or lienholder was properly notified that the vehicle was at the Towing Section, and the vehicle remained unclaimed. Therefore, the vehicle was sold at auction and the owner has requested the refund of the excess proceeds from the auction.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved payment by Direct Payment Order of the refund of excess proceeds from a City vehicle auction to the registered owner, Mr. Michael William Nowakowski.

**MINUTES**

Department of Transportation - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve an expenditure of funds to pay the Maryland Asphalt Association, Inc. (MAA) for training.

**AMOUNT OF MONEY AND SOURCE:**

\$8,800.00 - 3001-000000-5011-382900-603020 (@ \$440.00 p/p x 20)

**BACKGROUND/EXPLANATION:**

This expenditure of funds will pay the Maryland Asphalt Association, Inc. for Hot Mix Asphalt (HMA) Field Technician Certification Training.

The HMA is a federally mandated certification training course required for the Public Works Inspectors III and Public Works Inspectors II in the Department of Transportation, Transportation Engineering and Construction Division. A total of 20 employees will complete this certification training course at a cost of \$440.00 per person.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay the Maryland Asphalt Association, Inc. for training.

**MINUTES**

Department of Transportation - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of task no. 27, to Rummel, Klepper & Kahl, LLP under Project No. 1074, On-Call Consultant Services for Reconstruction, Rehabilitation and/or Resurfacing Services.

**AMOUNT OF MONEY AND SOURCE:**

\$133,344.97 - 9950-901882-9508-900010-703032

**BACKGROUND/EXPLANATION:**

The consultant will provide design engineering services in connection with the completion of the rehabilitation of the Maisel Street Pedestrian Bridge Design Replacement. The scope of the work includes, but is not limited to: 1) the design of steel beams, 2) preparation of plans and details for steel and concrete superstructure, 3) integration of bridge enclosure and connecting fence plans into the contract, 4) integration of landscaping plans into the contract, 5) change specifications and include specifications for the bridge enclosure, chain link fence and landscaping, and 6) respond to constructability review comments.

**MBE/WBE PARTICIPATION:**

The consultant will continue to comply with the MBE/WBE goals established in the original agreement.

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**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>
\$245,895.60 FED	9950-901824-9509 Constr. Res Maisel Street Ped. Brid.	
61,473.90 <u>MVR</u>	" "	
<b>\$307,369.50</b>	-----	9950-901882-9508-3 Design & Study Annapolis Road Bridge

This transfer will cover the deficit in the account and fund the cost related to BD No. 08039, Task No. 27, Project No. 1074 for Maisel Street Pedestrian Bridge, On-Call Consultant Services by Rummel, Klepper & Kahl, LLP.

UPON MOTION duly made and seconded, the Board approved the assignment of task no. 27, to Rummel, Klepper & Kahl, LLP under Project No. 1074, On-Call Consultant Services for Reconstruction, Rehabilitation and/or Resurfacing Services. The Transfer of Funds was approved SUBJECT to receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the Provisions of the City Charter.

**MINUTES**

Department of Transportation - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 28 to Rummel, Klepper & Kahl, LLP under Project 1074, On-Call Consultant Services Rehabilitation, Reconstruction and/or Resurfacing Services.

**AMOUNT OF MONEY AND SOURCE:**

\$125,884.53 - 9950-908301-9527-900010-705032

**BACKGROUND/EXPLANATION:**

This task assignment will provide authorization for construction phase services associated with Contract No. TR 08046, Broening Highway. The scope of the work includes, but it not limed to reviewing shop drawings, attendance at progress meetings, preparation of redline revisions, and utility coordination.

**MBE/WBE PARTICIPATION:**

The Consultant will continue to comply with the MBE/WBE goals established in the original agreement.

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 28, to Rummel, Klepper & Kahl, LLP under Project 1074, On-Call Consultant Services Rehabilitation, Reconstruction and/or Resurfacing Services.

MINUTES

Department of Transportation - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 004 to Rummel, Klepper & Kahl, LLP under Project 1123, On-Call Transportation Planning/Policy/Feasibility.

**AMOUNT OF MONEY AND SOURCE:**

\$281,532.53 - 9950-906312-9527-900020-703032

**BACKGROUND/EXPLANATION:**

This task assignment will provide authorization for a condition assessment of the Inner Harbor Promenade from the Rusty Scupper Restaurant to Pier 6, including the Inner Harbor Marina at the Rusty Scupper and finger piers at the west bulkhead. The assessment will include 77 surface level features including landscape/hardscape, drainage, stormwater management and underwater assessment of bulkheads, piers and relieving platforms.

**MBE/WBE PARTICIPATION:**

The Consultant will continue to comply with the MBE/WBE goals established in the original agreement.

**MWBOO FOUND VENDOR IN COMPLIANCE.**

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

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 70,383.13	9950-907312-9528	
MVR	Constr. Reserve	
	Inner Harbor	
	Infrastructure	
211,149.40	9950-903313-9507	
Other	Constr. Reserve	
<b>\$ 281,532.53</b>	Istea Enhancement	

MINUTES

Department of Transportation - cont'd

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 281,532.53	-----	9950-906312-9527-2 Inner Harbor Infrastructure Contingencies On Call Project 1123

This transfer will cover the deficit in the account and fund the cost associated with Task No. 4, for the Project 1123, On Call Transportation/Planning/Policy/Studies by Rummel, Klepper & Kahl, LLP.

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 004 to Rummel, Klepper & Kahl, LLP under Project 1123, On-Call Transportation Planning/Policy/Feasibility. The Transfer of Funds was approved, SUBJECT to the receipt of a favorable report from the Planning Commission, the Director of Finance having reported favorably thereon, in accordance with the provisions of the City Charter.

**MINUTES**

Department of Transportation - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 001 to STV, Inc./PB Americans (Joint Venture) under Project 1161, On Call Construction Project Management Services.

**AMOUNT OF MONEY AND SOURCE:**

\$257,610.80 - 9950-902256-9508-900010-705032

**BACKGROUND/EXPLANATION:**

This task assignment will provide authorization for construction inspection services for the Central Avenue Pavement and Storm Drain Rehabilitation Project.

**MBE/WBE PARTICIPATION:**

The Consultant will continue to comply with the MBE/WBE goals established in the original agreement.

**MWBOO FOUND VENDOR IN COMPLIANCE****APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 001 to STV, Inc./PB Americans (Joint Venture) under Project 1161, On-Call Construction Project Management Services.

**MINUTES**

Baltimore Development Corporation - Estoppel Certificate,  
Subordination and Mortgagee's  
Rights Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an estoppel certificate, subordination and mortgagee's rights agreement for 1701 North Charles Street with the Reinvestment Fund, Inc.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On October 20, 2010, the Board approved a land disposition agreement (LDA) for the sale of 1701 Charles Street (the former Chesapeake Restaurant) to Station North Development Partners LLC in the amount of \$500,000.00. Included in the LDA was a residual agreement regarding percentage (profit share) of gross revenues where the developer agreed to pay the City 5% of gross revenue of the project up to \$1,000,000.00 and 2.5% of gross revenue after \$1,000,000.00 and up to \$2,000,000.00. This estoppel agreement allows for the lender, the Reinvestment Fund, Inc. to be paid prior to the City receiving proceeds from the profit share agreement.

**THE DIRECTOR OF FINANCE RECOMMENDED APPROVAL.**

**(FILE NO. 57168)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the estoppel certificate, subordination and mortgagee's rights agreement for 1701 North Charles Street with the Reinvestment Fund, Inc.

**MINUTES**

Baltimore Development - Relocation Payment Corporation (BDC)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the relocation payment to Mr. Yong C. Kim and Mr. Yong O. An d/b/a as Linden Deli, 890 Linden Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$11,801.61 - 9910-905826-9603

**BACKGROUND/EXPLANATION:**

On, October 30, 2008, a notice of Relocation Eligibility Assistance was sent to Mr. Yong C. Kim and Mr. Yong P. Kim. The City acquired the existing business in 2009.

This is the second claim for incidental costs associated with relocating Mr. Yong C. Kim and Mr. Yong P. Kim to 897 - 899 N. Howard Street.

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$11,801.61	9910-904115-9600	9910-905826-9603
22 <sup>nd</sup> EDF	Constr. Res. West Side Initiative	West Side Relocation

This transfer will provide funds for payment of the second claim for business relocation for Linden Deli from 890 Linden Avenue, which is associated with the Market Center Urban Renewal Plan. This property was acquired in October 2009 through condemnation for highway widening and intersection improvements. This claim is associated with

## MINUTES

BDC - cont'd

costs for an alarm system, exterior signage, menu printing, millwork modifications, and replacing deficient kitchen equipment.

**(FILE NO. 57168)**

UPON MOTION duly made and seconded, the Board approved the relocation payment to Mr. Yong C. Kim and Mr. Yong O. An d/b/a Linden Deli, 890 Linden Avenue. 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**

Baltimore Development - Second Amendment to Lease Agreement  
Corporation (BDC)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a lease agreement with NURAD Technologies, tenant, for the rental of the property known as 3310 Carlins Park Drive. The period of the agreement is July 1, 2012 through June 30, 2013, with one three-year renewal option.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

In 1988, a 54,000 square foot facility on 7 acres of land was built for Londontown Corporation by the City in Park Circle in order to relocate the company from its site near the Jones Falls. The land and improvements are owned by the City, and were leased to Londontown Corporation under a lease agreement executed on June 15, 1988. In April, 1997, Londontown informed the City that it would cease operations at the Park Circle site. Subsequently the BDC identified a new tenant, NURAD Technologies, for the building.

In August 1997 NURAD Technologies entered into a sublease with Londontown Corporation for the Park Circle site. In July 1999, the Board approved a lease with NURAD Technologies for a term of five years with a five-year renewal option. The five year renewal option was exercised, taking the lease to June 2009. In June 2009, NURAD Technologies extended the lease for an additional three years through July 2012. This amendment extends the term through June 30, 2013.

NURAD Technologies specializes in the design, manufacturing, installation and repair of microwave antenna systems and radomes

## MINUTES

BDC - cont'd

for the U.S. government and commercial clients, primarily for use in military aircraft. Although defense work represents the bulk of the company's workload, it also manufactures earth satellite dishes for commercial use.

**(FILE NO. 54779)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the lease agreement with NURAD Technologies, tenant, for the rental of the property known as 3310 Carlins Park Drive.

**MINUTES**

Bureau of Water & Wastewater - Task Assignment Credit

**ACTION REQUESTED OF B/E:**

The Board is requested to approve a credit from Rummel, Klepper & Kahl, LLP under Project 1120R, On-Call Credit of Task 010, WC 1198 and SC 871, Inspection Services, Task No. 15.

**AMOUNT OF MONEY AND SOURCE:**

(\$ 50,889.36) - 9956-911411-9551-900020-705032 Task 10 SC 871  
( 50,889.35) - 9960-903682-9557-900020-705032 Task 10 WC 1198  
**(\$101,778.71)**

**BACKGROUND/EXPLANATION:**

The support documentation provided by Rummel Klepper & Kahl listed a firm that would not be performing work. The consultant made the Bureau of Water & Wastewater aware of their mistake after Board approval had occurred. The credit will allow a corrected task to be processed.

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

UPON MOTION duly made and seconded, the Board approved a credit from Rummel, Klepper & Kahl, LLP under Project 1120R, On-Call Credit of Task 010, WC 1198 and SC 871, Inspection Services, Task No. 15. The President **ABSTAINED**.

**MINUTES**

Bureau of Water and Wastewater - Amendment to Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of amendment no. 2 to agreement with Parsons, Brinckerhoff, Inc., Project 1084P, On-Call Environmental Restoration Design and Engineering Services Task No. 007. The amendment extends the period of the agreement through March 24, 2014.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The original agreement was approved by the Board on March 25, 2009, for a three year period. All of the approved tasks will be completed prior to the current contract expiration date of March 24, 2012 except the following:

1. Task No. 002, Bush Street Debris Collection Project, anticipated completion March 24, 2013, and
2. Task No. 006, Training and Development of Standards of Practice-Stormwater and Erosion Sediment Control, anticipated completion date March 24, 2013.

The Bureau is requesting a time extension because the above-tasks under this agreement will not be completed before the current expiration date of March 24, 2012.

**MBE/WBE PARTICIPATION:**

The Consultant will continue to comply with the MBE/WBE goals established in the original agreement.

**MINUTES**

BW&WW - cont'd

**MWBOO FOUND VENDOR IN COMPLIANCE.**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of amendment no. 2 to agreement with Parsons, Brinckeroff, Inc., Project 1084P, On-Call Environmental Restoration Design and Engineering Services Task No. 007. The President **ABSTAINED.**

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

The Board is requested to approve and authorize execution of a consultant agreement with Johnson, Mirmiran and Thompson, Inc., Project 1170, Design Engineering Project Management Services. The period of the agreement is effective upon Board approval for one year, with the City's option to renew for an additional three years.

**AMOUNT OF MONEY AND SOURCE:**

\$522,989.98 - Wastewater Funds  
377,000.00 - Water Fund  
**\$899,989.98** - Various Accounts

**BACKGROUND/EXPLANATION:**

The consultant will assist the Bureau of Water and Wastewater Engineering Division into two major program components: 1) General Program Management activities, and 2) Project Management and Review of Consultant's Study and Design efforts. The General Program Management activities support the Bureau in preparing the capital improvement program; EPA and State construction grant/loan applications and required documentation. In addition, the consultant will assist with annual reports documentation for the sale of Revenue Bonds; asset Management; strategic planning efforts, and monitoring.

The Project Management and Review activities support the Water & Wastewater Engineering Division in the review of studies, designs, drawings, specifications, cost estimates, schedules, post award services, and change orders.

## MINUTES

BW&WW - cont'd

**MBE/WBE PARTICIPATION:**

<b>MBE:</b> EBA Engineering, Inc.	\$243,020.47	27.00%
<b>WBE:</b> Ross Technical Services, Inc.	\$ 63,059.09	7.00%
C.L. Warfield and Associates, Inc.	<u>18,001.19</u>	<u>2.00%</u>
	<b>\$ 81,060.28</b>	<b>9.00%</b>

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized execution of the consultant agreement with Johnson, Mirmiran and Thompson, Inc., Project 1170, Design Engineering Project Management Services. The President **ABSTAINED**.

**MINUTES**

Bureau of Water and Wastewater - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 006, to Johnson, Mirmiran & Thompson, Inc. under Project No. 1120J, S.C. 825R, Construction Management Services Office Engineering Support.

**AMOUNT OF MONEY AND SOURCE:**

\$105,200.69 - 9956-901533-9551-900010-705032

**BACKGROUND/EXPLANATION:**

Johnson, Mirmiran & Thompson, Inc. will provide office engineering support services on the site of S.C. 852R.

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 006, to Johnson, Mirmiran & Thompson, Inc. under Project No. 1120J, S.C. 825R, Construction Management Services Office Engineering Support. The President **ABSTAINED.**

**MINUTES**Bureau of Water and Wastewater - Task Assignment**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 001, to Rummel, Klepper & Kahl, LLP under Project No. 1143, On-Call CMP Scheduling, Change Order Review, and Claims Analysis.

**AMOUNT OF MONEY AND SOURCE:**

\$ 61,349.75 - 9956-910533-9551-900010-705032 (S.C. 852R)  
 61,349.75 - 9960-904694-9557-900020-705032 (W.C. 1160)  
 61,349.75 - 9960-904727-9557-900020-705032 (W.C. 1168)  
**\$184,049.25**

**BACKGROUND/EXPLANATION:**

The consultant will assist the Construction Management Division with CMP scheduling, review change orders and claims analysis, Request for Information and proposed change orders, tracking, and other project management assistance, as required.

**MBE/WBE PARTICIPATION:**

**MBE:** Daniel Consultants, Inc.                    \$184,049.25            100%

**MWBOO FOUND VENDOR IN COMPLIANCE**

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

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 001, to Rummel, Klepper & Kahl, LLP under Project No. 1143, On-Call CMP Scheduling, Change Order Review and Claims Analysis. The President **ABSTAINED.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- |  |             |         |
|--|-------------|---------|
| 1. CHARLES J. BECKER & BROS., INC.                             |             |         |
| DBA BECKER'S SCHOOL SUPPLIES                                   | \$44,658.23 | Low Bid |
| Solicitation No. B50002319 - Supply and Deliver Backpacks      |             |         |
| Filled with School Supplies - Department of Housing and        |             |         |
| Community Development - Req. No. R595980                       |             |         |
| 2. PROPAC, INC.  | \$34,403.38 | Low Bid |
| Solicitation No. B50002348 - Supply and Deliver Emergency      |             |         |
| Preparedness Supplies - Department of Housing and Community    |             |         |
| Development - Req. No. R598002                                 |             |         |
| 3. ENVIRONMENTAL QUALITY                                       |             |         |
| RESOURCES, LLC   | \$ 0.00     | Renewal |
| Solicitation No. B50001898 - Debris Cleanup in Middle Branch,  |             |         |
| Canton and Fells Point - Agencies - Various - P.O. No. P517182 |             |         |

On May 25, 2011, the Board approved the initial award in the amount of \$144,450.00. The award contained four 1-year renewal options. This renewal is for the period June 13, 2012 through June 12, 2013, with three 1-year renewal options remaining.

**MWBOO GRANTED A WAIVER.**

- |  |         |         |
|--|---------|---------|
| 4. E.J. WARD, INC.   | \$ 0.00 | Renewal |
| Solicitation No. 08000 - Automated Fuel Control System Turnkey |         |         |
| Maintenance Service Agreement - Department of General Services |         |         |
| - P.O. No. P502817   |         |         |

On May 9, 2007, the Board approved the initial award in the amount of \$27,840.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This renewal is for the period July 1, 2012 through June 30, 2013, with no 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 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

<u>VENDOR</u>	<u>AMOUNT OF AWARD</u>	<u>AWARD BASIS</u>
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Bureau of PurchasesFirst Call

HORTON MECHANICAL CONTRACTORS	\$ 0.00	
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Second Call

5. CALMI ELECTRIC COMPANY	\$400,000.00	Increase
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Solicitation No. B50001474 - Miscellaneous Electrical Work - Agencies - Various - Req. Nos. Various

On August 10, 2010, the Board approved the initial award in the amount of \$900,000.00 to Horton Mechanical Contractors and Calmi Electric Company. The award contained two 1-year renewal options. An increase is necessary due to increased usage. This increase in the amount of \$400,000.00 will make the total award amount \$1,300,000.00.

CALMI ELECTRIC COMPANY

**MBE:** A/C Power, Inc. 17%

**WBE:** Herbert Electric Company 10%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

6. DISTRICT HEALTHCARE AND JANITORIAL SUPPLY	\$ 25,500.00	Extension and Increase
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Solicitation No. B50000399 - Furnishing and Delivering Incontinent Products and Dressings for the CARE Program - Health Department - P.O. No. P513048

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

On April 16, 2008, the Board approved the initial award to Modern Products in the amount of \$90,522.00. The award contained three 1-year renewal options. Subsequent actions have been approved. Authority is requested to extend the current award for a 90 day period and increase the purchase order to allow time for the solicitation to be bid and awarded. The new solicitation no. is B50002368. This increase in the amount of \$25,500.00 will make the total award amount \$422,316.00.

**MWBOO GRANTED A WAIVER.**

- |   |         |         |
|---|---------|---------|
| 7. MARTIN SUPPLY COMPANY  | \$ 0.00 | Renewal |
| Solicitation No. B50000973 - Sign, Screen and Digital Printing Supplies - Department of Public Works, Office of the Director - P.O. No. P507786 |         |         |

On March 25, 2009, the Board approved the initial award in the amount of \$135,000.00. The award contained two 1-year renewal options. This renewal is for the period April 1, 2012 through March 31, 2013, with one 1-year renewal option remaining.

**MWBOO GRANTED A WAIVER.**

- |  |         |         |
|--|---------|---------|
| 8. TOTAL CONTRACT, INC.  | \$ 0.00 | Renewal |
| CB FLOORING, LLC<br>Solicitation No. B50001765 - Furnish and Install Carpet - Agencies - Various - P.O. Nos. P516836 and P516837 |         |         |

MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

On March 9, 2011, the Board approved the initial award in the amount of \$500,000.00. The award contained four 1-year renewal options. This renewal is for the period April 28, 2012 through April 27, 2013, with three 1-year renewal options remaining.

Total Contract, Inc.

<b>MBE:</b> You Construction	10%
<b>WBE:</b> Amaric Interiors, Inc.	5%

CB Flooring, LLC

<b>MBE:</b> Granite World & Floor	10%
<b>WBE:</b> Letke Security Contractors, Inc.	5%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

9. DEPENDABLE RELIABLE SERVICE	\$19,583.83	
PERSONAL TOUCH HOME AIDES OF BALTIMORE, INC.	14,356.05	
PB HEALTH HOME CARE AGENCY, INC.	<u>19,339.84</u>	
	<b><u>\$53,279.72</u></b>	Increase

Solicitation No. B50000747 - Provide In-Home Personal Care/Homemaker Services - Baltimore City Health Department, CARE Services - P.O. Nos. P510684, P510613 and P510614

On November 26, 2008, the Board approved the initial award to Dependable Reliable Service, Personal Touch Home Aides of Baltimore, Inc. and PB Health Home Care Agency, Inc. The

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

award contained one 1-year renewal option. As a requirements contract that is constantly in flux with the number of people to serve, an increase in the amount of \$53,279.72 is necessary. This increase in the amount of \$53,279.72 is for services through June 30, 2012, with no renewal options remaining.

**MWBOO GRANTED A WAIVER.**

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extensions. The Comptroller **ABSTAINED** on item no. 5.

**MINUTES**

Baltimore City Sherriff's Office - Payment of Back-Wages

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize the payments of back salary for Evander Maye of the Baltimore City Sheriff's Office.

**AMOUNT OF MONEY AND SOURCE:**

\$30,166.00 - 1001-000000-1182-138800-601001

**BACKGROUND/EXPLANATION:**

The total amount of the full and final settlement is solely for back-wages, minus applicable state, federal, and other withholdings.

Mr. Evander Maye filed an appeal of his termination from employment with the Baltimore City Sheriff's Office. The termination was appealed to the Maryland Office of Administrative Hearings located in Hunt Valley, Maryland. On November 28, 2011, the Maryland Office of Administrative Hearings rescinded the April 25, 2011 termination of Mr. Maye. Subsequently, Mr. Maye is to receive back-pay from April 26, 2011 until January 4, 2012.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized the payment of back salary for Evander Maye of the Baltimore City Sheriff's Office.

**MINUTES**

Department of Finance - Expenditure of Funds

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and an expenditure of funds to pay the Basketball Academy, Inc. for services provided January 26-28, 2012.

**AMOUNT OF MONEY AND SOURCE:**

\$20,000.00 - 1001-000000-1220-146500-607004

**BACKGROUND/EXPLANATION:**

The Basketball Academy, Inc. (Academy) offers the participants academics, athletics, cultural enrichment, and service learning. Nearly 600 students spend one class period in workshops with topics including SAT Prep, college admissions, and NCAA guidelines to Rites of Passage. The participants visit cultural enrichment sites and actively earn service-learning credits.

The Academy students participate in a host of events, at which time close to 10,000 students, families, and fans enjoy the competitive games. In addition, there is a post-academy SAT preparatory program sponsored by Sylvan Education Solutions where 150 high school students from Baltimore County participate. The Academy covers costs for meals, activities and academic materials.

Based in Baltimore, Maryland, the Academy is made possible by a collaborative partnership between the Mayor's Office, Baltimore City Public School System, the 100 Black Men of Maryland, Inc., and the Baltimore Metropolitan Alumnae Chapter of Delta Sigma Theta Sorority, Inc. Some of the past sponsors of the Academy include State Farm, ABC Channel 2, Comcast, 92Q James, Downtown Locker Room, HP, Chandler-Lee Buick-Pontiac-GMC, MTA, DHCD, CitiFinancial, M&T Bank, Baltimore County Office of Community Conservation and Ronald McDonald House.

**MINUTES**

Finance Dept. - cont'd

The Academy was held on January 26-28, 2012. This year, it was held at Morgan State University in Baltimore City. The Academy works with this prestigious University to host the academic workshops, along with the basketball games.

This request is late because the Mayor's Office has been working to verify the accuracy of the amount.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expenditure of funds to pay the Basketball Academy, Inc. for services provided January 26 - 28, 2012.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTION

\* \* \* \* \*

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

1291 - 1308

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

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

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

- |  |                        |                |
|--|------------------------|----------------|
| 1. B50002151, EMS Billing Service                  | Digitech Computer Inc. | \$5,000,000.00 |
| <b>MBE:</b> 1 <sup>st</sup> Choice Staffing, LLC   |                        | 15.00%         |
| <b>WBE:</b> Mary Kraft Staffing & Associates, Inc. |                        | 5.00%          |

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**A LETTER OF PROTEST HAS BEEN RECEIVED FROM ACS A XEROX COMPANY.**

President: "The first item on the non-routine agenda can be found on page 76, item no. 1, B50002151, EMS Billing Service. Will the parties please come forward?"

Mr. Mazza: "Good morning."

President: "Good morning."

Mr. Mazza: "Mr. President, members of the Board of Estimates. My name is Joe Mazza, I am the City Purchasing Agent, and the Bureau of Purchases recommends the award of solicitation no. 50002151, for EMS Billing to Digitech Computer Incorporated. It's a three year contract with five 1-year renewals, and the initial term amount is estimated to be \$5,000,000.00. We have

## MINUTES

received a protest from ACS, one of the bidding companies, which makes two contentions. Number one is that the two members of the Evaluation Committee made misstatements of fact while doing an evaluation -- an oral presentation by ACS, and that the subject of those comments was outside the -- of the factors to be considered in this award. The City has conducted an investigation, has talked with the buyer who has been at -- who was at all of the oral presentations, he said there were no unusual no untoward uh - uh - comments or give and take outside what is normally experienced during an RFP. The Fire Department also had their legal counsel present at the oral presentation for ACS and he also did not see anything that was out of balance or unusual in an RFP situation. Further, the protestor did not provide any specifics as to what these misstatements were. So, we were unable to pursue that and they also had two opportunities to do that. They had an opportunity in the protest letter itself and in the later Freedom for Information Act request that they made, in neither of those documents do they give us any specifics to work with this protest. So, the Bureau recommends the award to the highest scoring bidder."

## MINUTES

Ms. Dashiell: "Good morning."

President: "Good morning."

Mr. Dashiell: "Good morning Mr. President. My name is Robert Dashiell, I represent ACS now Xerox. Standing with me to the left is Daniella Brockington, who is the Vice President of Client Services for my client, and indeed my client did file a protest. This - this - the issue here is about transparency Mr. President. The -- starting with the last item that Mr. Mazza mentioned the Public Information Act request, what my client requested was copies of documents that were relating to the evaluation of its proposal. Rather than give that request serious consideration, the Law Department classified everything as a matter of confidential and said that nothing can be provided. But, obviously, the documents that were requested relating to my client's own proposal aren't confidential to my client. We simply want to know -- there were statements made and the statements were -- were identified with as much specificity as we could without having the documents that we requested. There were statements made during the oral which suggested that my client was guilty of having certain deficiencies in its current performance. My client is the current vendor for this contract, has been for the last three

## MINUTES

years, and you might take note of the fact that it is very unusual, though certainly not impossible but it is very unusual that the current provider doesn't make the cut list. See my client, the Xerox Corporation was determined not to be competent of providing the very service that it's been providing for the last three years. They were determined not to be competent to provide this service that has resulted in hundreds of thousands of dollars in additional collections to the City over that period over what they said the City have been collecting previously. They were determined not to be competent even though they have -- they now developed and the committee was aware of the fact that they developed the technological advancement in the industry to make this thing work even better than it has historically. They couldn't - they simply want to know, my client wants to know and the basis of our request was to tell us why we -- why you found us not to be competent enough to provide the very service that we've been providing successfully over the last three years? It just didn't make any sense, and no one has provided any information. We can't be more specific in the protest because we've not been provided the information. Now I am aware of the fact, my client is aware of the fact that the

## MINUTES

RFP says that you are entitled to a debriefing after the award. Well that is fine to close the barn door when the horse is gone. But, that's not that's not best practices. The State of Maryland and everybody else that I am familiar with, provides you an opportunity for a debriefing before the award for this very reason. So that you can know before the award what exactly your deficiencies were. I just informed Mr. Mazza I have a client who just was ranked third on \$500,000,000.00 contract with the State, and we got the debriefing. We came in third. We got the debriefing and my client said okay we are fine we understand why didn't get selected. We didn't file a protest. But it happened because there is transparency. If you want vendors such as Xerox, major companies from around the world, international companies to continue to see Baltimore as a place where you can be treated fairly and to participate in your process, you've got to at least provide some transparency. You have got to be willing to give them a fair opportunity to know how you are doing things and if they come up short why they are short, and not after the award. Not after the contract been executed. Not you know after everything's gone and - and - and -

## MINUTES

no real opportunity to present their case in advance, at a time when a decision is still moved when a decision can still be made. That is just not right, and no there is not a single case, there is not a single case saying you can't do it the way you do it. I know that. There is no statute. Baltimore does not have a procurement statute. That's a problem. That has been a problem for 30 years, in my opinion anyway. Forty years since I have been doing it. But you don't have it. So, I am not telling you that what the recommendation is unlawful. I am not telling you, you don't have the right to accept it. I am telling you it is not best practice. It is not in the City's best interest to treat vendors this way."

President: "Comptroller."

Comptroller: "Mr. --."

President: "You've got to use the mic."

Comptroller: "Could you just explain, as the incumbent, what are their deficiencies that they didn't make the short list?"

Mr. Mazza: "Well the way the process works is we have an Evaluation Committee and that Evaluation Committee consists of six members. Five of them knowledgeable folks from the Fire Department and one from MOIT. We had a series of criteria that

## MINUTES

uh -- were graded; that they included revenue and collection reporting, proposed billing processes, company background and experience, technical support, pre-oral -- excuse me technical support and e-meds pcr. So, those were the items and then we assigned maximum point values to those items based on the judgment of our client as to which were more important than others. And then the Evaluation Committee deliberates and considers scores in those areas. In this case, the pre-oral scores that you see on there came out with Med 3000 or is it one other bidder 55 points and then MedEx had 80 points, Digitech had 93 points and the protestor, ACS, had 75 points on the technical evaluation. The minimum to be considered for further -- for oral presentation and for further consideration is 75 points. Then we had the oral presentation and as a result of that oral presentation which was allowed in the RFP, the technical scores were adjusted, based on the information that the evaluators obtained at the oral. In the uh - Med 3000 didn't make the cut, so they didn't have an oral. Interamics their score went up 11 points as a result of the oral with changes in three of the areas. Digitech went down three points and ACS net they went up in two points in one area and down six points in another and they dropped down to 71 points per net

## MINUTES

of minus four. That put them below the threshold for opening of prices, so we don't know whether they would have won even with that lower technical score, we don't know if they would have won had we opened their prices, but they're prices would have had to been pretty dramatically lower, because it is about 50/50 rating between technical and price. Technical is 57%, price was 43%. So, to overcome that deficiency in the technical scores, uh - which by the way existed before the oral presentation. They were at the bare minimum before the oral even happened. So that's a, that's a process. We combined that technical score with the price score, mathematically with the weights and uh - uh Digitech came out as excuse me, whoever we're awarding to excuse me -- I forgot the name --. Yeah, Digitech came out as the highest scoring bidder."

Mr. Dashiell: "Madam --."

Mr. Mazza: "And if I may respond to some of the other comments that Mr. Dashiell's made? First of all, they -- he claims that - that he needs this information to move forward. Well his client -- to find out what these statements were -- well his

## MINUTES

client was at the oral presentation. They certainly know what these statements are and they don't need this FOIA information in order to know they don't what those statements were which by the way were never provided to us. Uh -- Let's see, what was the other. I'll stop there."

Mr. Dashiell: "Mr. President, I'll say this and then I'll defer to Ms. Brockington who is traveled here from Washington. But let me just say this. There is -- the only circumstance why I know where an algorithm, where numbers had been used so precisely to determine the outcome is on the TV show that is no longer in production called Numbers. We are not -- this is not Charlie Epps stuff here. We have -- we have an incumbent - we have an incumbent whose been satisfactory performing this work for three years. We didn't ask for -- we didn't file a request saying tell us what we said at the oral. We didn't say tell us what other people said about us at the orals. We want the documents so that we can see how what was said impacted the scores that Mr. Mazza is referring to. Something was said that reduced 75 to 71 according to this. Now, I don't know what we - - I don't know how what was said caused that to happen. We do know that we don't have any evidence, any deficiencies that have

## MINUTES

been brought to our attention over the last three years that say we incompetent incapable of providing these services. That's the problem. What is it that we didn't do, that we haven't done over the last three years that caused us not to be competent even to have our proposal opened to determine what our prices might be for the ensuing period?"

Mr. Mazza: "Yes sir. And thank you for letting me decipher my note. Ah, we did not find ACS to be incompetent. ACS was not found to be incompetent. This process is designed for us to get the best bidder. The best result and those who win are not necessarily incompetent, it is just that they weren't the best on that day, and you're contending here before the Board that the reason that you were found that you lost was because of these unspecified misstatements or because of some past performance and we don't have any evidence of that."

City Solicitor: "And by the way, you seem to take legal offense at the use of numerical systems for evaluating technical competency and determining who the finalists are and whose price proposals will be opened. We do that all the time. We've done that for years and decades. It's a time honored part of the

## MINUTES

procurement process. It's far better than subjective fuzzy fuzzy analyses to use numerical ratings. You know a bidder or a collection of bidders may think that they would have come up with a different set of numerical values or different criteria but that's our job, we do it you know, we defer to that judgment in the procurement process as you well know and we should."

Mr. Dashiell: "Well with all due respect uh - Mr. Nilson, the last time I was involved in a protest over an IT contract or a contract of this nature, when it was procured by way of Request for Proposals, the person sitting in that seat was now Governor, then Mayor Martin O'Malley and I remember his remarks very well."

City Solicitor: "He would have been here by the way."

Mr. Dashiell: "Pardon."

City Solicitor: "He would have been here unless I --."

Mr. Dashiell: "That's what I said sitting in that seat. I am sorry if I pointed in the wrong direction. He's never sat in your seat."

City Solicitor: "I didn't think so."

Mr. Dashiell: "But what he said what he said was at that time,

## MINUTES

that you know, what he thinks the City ought to do is simply go to a pass fail system, because the assignment of the numerical values is itself subjective."

City Solicitor: "Well --."

Mr. Dashiell: "Let me let me finish. Because in that scenario what we discovered after we were given documents was that the recommendation that was coming to the Board was for award to a vendor whose price was \$4,000,000.00 higher than the lowest price of a bidder who was competent, who was determined to be competent based on technical, but whose score was ten points lower, with no explanation at all of how that ten points related to \$400,000.00 a point. So, I understand that the facial appearance is that numbers are objective, but the fact is, the assignment of values is subjective and to final determination of what those numbers means is subjective. So, I am not questioning, I am not trying to get to you to change your rating system. I am trying to get you to change your system that allows the vendor to know before award, why it didn't make the cut. That is all -- I'm telling you that it's not transparent enough. I am telling you that it discourages vendors of major

## MINUTES

corporations such as Xerox and others from even coming to Baltimore and participating in the process, and I am telling you I don't care how long it's been wrong, it doesn't get right by continuing to be wrong. That doesn't get it right because it's persistent. The fact that it's persistent ought to be the reason why there is an urgency to changing it. That is all I have to say Mr. President."

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

City Solicitor: "MOVE approval of the award as recommended by the Department and overruling and rejecting of the protest."

President: "All those in favor say AYE."

Comptroller: "Second."

President: "Is there a second?"

Comptroller: "Second."

Director of Public Works: "Second."

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

Mr. Dashiell: "NAY."

President: "The Motion carries. Thank you. There being no more business before the Board, the meeting will recess until bid opening at twelve noon. Thank you."

\* \* \* \* \*



A XEROX Company

**Chris R. Carlson, Ph.D.**  
Vice President  
EMS Operations

ACS, A Xerox Company  
2907 Shelter Island Drive  
Suite 105-331  
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chris.carlson@acs-inc.com  
tel 571-241-9927

March 26, 2012

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

Re: Notice of Protest to the Board of Estimates regarding Solicitation Number B50002151

Dear Board of Estimates:

Please allow this letter to serve as Notice of Protest of the Purchasing Agent recommendation related to award of Solicitation Number B50002151, Request for Proposals for EMS Billing Services. The following details apply:

Protesting entity: ACS, State and Local Government Solutions  
2907 Shelter Island Drive, Suite 105-331  
San Diego, California 92106

Contract number: Solicitation Number B50002151 Request for Proposals for  
EMS Billing Services

City agency for whom the contract is being solicited: Baltimore City Fire Department

Bureau of Purchases' Buyer: Joseph D. Mazza, CPPO, City Purchasing Agent

The factual grounds of the protest are based in mis-statement of facts by two of the selection committee members during the presentation of our proposal, that created an inaccurate representation of ACS/Xerox and were outside of the factors to be considered in the procurement.

As relief, ACS requests a stay of the award of this bid pending further investigation by the City and ACS.

Thank you for your consideration and efforts in this matter.

Respectfully,

Chris R. Carlson, Ph.D.  
Vice President Operations

cc: City Purchasing Agent

COMPT/BOE MAR 27 '12 AM 11:23

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

2. B50002253, Provide Van Transportation for Infants and Toddlers Program	Higher Ground Transportation Services, Inc.	\$125,322.78
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**MWBOO GRANTED A WAIVER.**

3. B50002317, Chevrolet Suburban with Lighting Configuration for the Fire Department	Chapman Auto Group	\$ 48,369.00
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**MWBOO GRANTED A WAIVER.**

4. B50002309, 15% Sodium Hypochlorite	<u>Item No. 1</u>	
	Univar USA Inc.	\$ 700,000.00
	<u>Item No. 2</u>	
	Kuehne Company	2,500,000.00
	<u>Item No. 3</u>	
	KleenRite Corporation	<u>70,000.00</u>
		<b>\$3,270,000.00</b>

**MWBOO GRANTED A WAIVER.**

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

5. B50002286, Lead Abate-	John Ware & Son, Inc.	\$	300,000.00
ment II at Low Income	JLN Construction		300,000.00
Residences	Services, LLC		
	Deveau Construction		300,000.00
	LLC		<u>\$ 900,000.00</u>

This award is recommended to these contractors with the condition that the awardees come into compliance within ten days of the award.

**MWBOO SET MBE GOALS AT 27% AND WBE GOALS AT 10%.**

**MWBOO FOUND ALL BIDDERS IN NON-COMPLIANCE.**

John Ware & Son, Inc.

**MBE:** Adapt Home Improvement Co., LLC 27.00%

**WBE:** Baltimore Window Factory, Inc. See note below \*

\*Baltimore Window Factory, Inc. is not certified to perform the Work/Service: 'Install vinyl replacement windows.'

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

JLN Construction Services, LLC

**MBE:** Harvey Harris Contractors, Inc. See note below \*

**WBE:** Adapt Home Improvement Company, LLC 10.00%

\*Harvey Harris Contractors, Inc. is not certified to perform the Work/Service: 'Painting.'

**MWBOO FOUND VENDOR IN NON-COMPLIANCE.**

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of PurchasesDeveau Construction, LLC

**MBE:** John Ware & Son, Inc. 27.00%

**WBE:** See note below \*

\*Bidder did not meet the WBE goal and did not request a waiver.

6. B50002289, Street Tree Lorenz, Inc. \$268,703.00  
Supply, Delivery,  
Planting & Maintenance  
Spring 2012

**MWBOO SET GOALS OF 10% MBE AND 0% WBE.**

**MBE:** 4Evergreen Lawn Care \$27,000.00 10.00%

**MWBOO FOUND THE VENDOR IN COMPLIANCE.**

Department of Transportation

7. TR12011, City- Machado Construction \$344,329.00  
wide Slab Repair Co., Inc.

**MBE:** M&F Contracting Co. \$48,500.00 14.09%

**WBE:** S&L Trucking, LLC \$24,500.00 7.12%

**MWBOO FOUND THE VENDOR IN COMPLIANCE**

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases

8. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNTS:</u>
\$395,978.35	9950-902465-9509	
MVR	Const. Res. - Curb	
	Repair Job Order	
\$344,329.00	-----	9950-905657-9508-6
		Structure and
34,432.90	-----	Improvements
		9950-905657-9508-5
		Inspections
<u>17,216.45</u>	-----	9950-905657-9508-2
<b>\$395,978.35</b>		Contingencies

This transfer will provide funds to cover costs associated with the award of contract no. TR 12011, Citywide Slab Repair to Machado Construction, Co., Inc.

Department of Transportation

9. TR12012, Citywide	M. Luis Construction	\$298,872.90
Curb Repair	Co., Inc.	
<b>MBE:</b>	National Construction, \$60,000.00	20.08%
	Inc. d/b/a as National	
	Concrete	
<b>WBE:</b>	Fallsway Construction \$21,000.00	7.03%
	Co., Inc.	

**MWBOO FOUND VENDOR IN COMPLIANCE.**

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Dept. of Transportation - cont'd

10. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNTS:</u>
\$343,704.00	9950-902465-9509	
MVR	Constr. Res. - Curb	
	Repair Job Order	
\$298,872.90	-----	9950-906655-9508-6
		Structure and
		Improvements
29,887.30	-----	9950-906655-9508-5
		Inspections
<u>14,943.80</u>	-----	9950-906655-9508-2
<b>\$343,704.00</b>		Contingencies

This transfer will provide funds to cover costs associated with the award of contract no. TR 12012, Citywide Curb Repair to M. Luis Construction, Co., Inc.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Police Department</u>			
1. John P. Skinner* Gayle B. Guilford** Kerry A. Hayes** Samuel Hood III	LEIM Conference hosted by IACP Indianapolis, IN May 20 - 23, 2012 *May 21 - 23, 2012 (**Reg. Fee \$510.00 ea.)	Asset Forfeit- ure Funds	\$4,194.40
<u>Department of Housing and Community Development</u>			
2. Sheneka Frasier - Kyer Romeo Joyner-El	National Conf. of Lead and Healthy Homes Grantees New Orleans, LA April 30 - May 4, 2012 (Reg. Fee \$345.00 ea.)	State Lead Abatement Grant	\$3,740.00
<u>Department of Planning</u>			
3. Laurie Feinberg	APA 2012 National Planning Conference Los Angeles, CA April 14 - 19, 2012	Gen. Fund	\$1,039.40

The subsistence rate for this location is \$196.00 per day. The Department is requesting subsistence for April 14 - 17, 2012. The attendee will be responsible for any remaining expenses.

**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Fire and Police Employees' Retirement Systems (F&amp;P)</u>			
4. Joan M. Pratt	NCPERS 2012 Trustee Educational New York, NY May 04 - 06, 2012 (Reg. Fee \$350.00)	Special Fund	\$1,358.90

The hotel cost is \$359.00 per night plus \$56.45 for taxes. The allowed subsistence is \$312.00 per day. The F&P is requesting an additional \$94.00 to cover the hotel cost and an additional \$40.00 per day for meals.

5. Joan M. Pratt	106 <sup>th</sup> GFOA Annual GNF Chicago, IL June 09 - 12, 2012 (Reg. Fee \$380.00)	Special Fund	\$1,801.14
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The hotel cost is \$245.00 per night plus \$120.54 for taxes. The allowed subsistence is \$242.00 per day. The F&P is requesting and additional \$9.00 to cover the hotel cost and an additional \$40.00 per day for meals.

**TRAVEL APPROVAL/REIMBURSEMENT**

Health Department

**APPROVAL**

6. Byron Pugh	Dating Matters - Strategies to Promote Healthy Teen Relationships Kickoff Meeting Atlanta, GA Nov. 28 - Dec. 2, 2011	CDC Grant	\$1,412.44
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**MINUTES****TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Health Dept.</u> - cont'd			

**REIMBURSEMENT**

On November 28 - December 2, 2011, Mr. Byron Pugh, traveled to Atlanta, Georgia to attend the Dating Matters: Strategies to Promote Healthy Teen Relationships Kickoff Meeting. This request is late because the change in the date of the mandatory training did not allow sufficient time to submit a travel request in advance.

The Department is requesting reimbursement to Mr. Byron as follows:

Mileage	\$ 751.75
Hotel	528.00
Occupancy Taxes	63.36
Meals	<u>69.33</u>
Total Reimbursement:	<b>\$1,412.44</b>

UPON MOTION duly made and seconded, the Board approved the travel requests and travel approval and reimbursement. The Comptroller **ABSTAINED** on item nos. 4 and 5.

## MINUTES

TRAVEL NOTATIONEmployees' Retirement System (ERS)

The Board is requested to **NOTE** the following education related travel of the ERS Trustees to the following public education conference, covering pension related topics such as investment strategies, accounting regulations and fiduciary risks and responsibilities.

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1. Dorothy Bryant	NCPERS	Special	\$10,981.81
Brenda Clayburn	Annual Conf.	Fund	
Deborah Moore-	New York, NY	- ERS	
Carter	May 5 - 10, 2012		
	(Reg. Fee \$1,000.00 ea.)		

The educational sessions are necessary to fulfill fiduciary education and due diligence requirements. It also provides updated knowledge about the financial markets investment products and options. No general funds are required - Special Funds from the ERS will be used to cover the expenses.

2. Bernita James	GFOA	Special \$	2,787.89
	Annual Conf.	Fund	
	Chicago, IL	- ERS	
	June 10 - 13, 2012		
	(Reg. Fee \$585.00)		

The educational sessions are necessary to fulfill fiduciary education and due diligence requirements. It also provides updated knowledge about the financial markets investment products and accounting requirements. No general funds are required - Special Funds from the ERS will be used to cover the expenses.

The Board, UPON MOTION duly made and seconded, approved the travel requests, travel approval/reimbursement and travel notation. The Comptroller **ABSTAINED** on item nos. 1 and 2.

**MINUTES**Department of Real Estate - Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a lease agreement with Behavioral Interface, LLC, tenant, for the rental of the property located at 3000 Druid Park Drive, Suite 2A consisting of approximately 477 square feet. The period of the agreement is April 01, 2012 through March 31, 2014, with one two-year renewal option.

**AMOUNT OF MONEY AND SOURCE:**

<u>Year</u>	<u>Annual Rent</u>	<u>Monthly Installments</u>
1	\$6,916.50	\$ 576.38
2	\$7,193.16	\$ 599.43

The annual rent will be increased annually by an amount equal to 4% of the annual rent each year of the renewal term beginning with the anniversary date of the lease.

**BACKGROUND/EXPLANATION:**

Behavioral Interface, LLC provides psychotherapy services to adults and youth and will use the office for administrative and counseling purposes.

The base rent includes utilities and operating expenses, and Behavioral Interface, LLC will pay for janitorial services. The space is being leased to Behavioral Interface, LLC "as-is," and Behavioral Interface, LLC will be responsible for any improvements to the premises, only upon receiving the City's approval.

## MINUTES

Dept. of Real Estate - cont'd

In addition, Behavioral Interface, LLC is obligated to maintain and keep in force general public liability, contractual liability and property damage insurance protection for the premises and name the City as additionally insured under said insurance policies.

**(FILE NO. 57293)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of a lease agreement with Behavioral Interface, LLC, tenant for the rental of the property located at 3000 Druid Park Drive, Suite 2A consisting of approximately 477 square feet.

## Kim A. Trueheart

April 3, 2012

Board of Estimates  
Attn: Clerk  
City Hall, Room 204  
100 N. Holliday Street,  
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City who appear to be victims of questionable management and administration within the Department of Recreation and Parks.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:
  - a. Page 84, Department of Recreation and Parks - "Personnel Matter" if approved:
    - i. Is this a government or contract position?
    - ii. Was this job opportunity publicly announced?
      1. How? When?
      2. Is the announcement available for review?
    - iii. Does this position description give the incumbent additional authority as the Department spokesman; communications officer; press officer?
    - iv. Does the department have a policy governing public relations?
      1. Do procedures address limits when the above duties are performed by contractors and preserve/protect inherently governmental functions?
    - v. What is the Expenditure Control Committee?
      1. Why are their meetings NOT posted with Legislative Reference?
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I have witnessed the continued disinvestment in municipal recreation facilities, programs and services. This action services to highlight what I perceive to be disparate policy and practices within the Department of Recreation and Parks which continue to diminish the quality and availability of recreational programs and services available to me more importantly for our children! This position is critical and to date has been underperforming in keeping the public informed with relevant, timely, quality news about recreation center initiatives and developments.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on April 4, 2012.

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,

5519 Belleville Ave  
Baltimore, MD 21207

**Kim Trueheart**, Citizen & Resident

5519 Belleville Ave  
Baltimore, MD 21207

Department of Recreation and Parks

Hourly Rate Amount

1. **DENNIS TUTTLE** \$25.00 \$ **8,125.00**

Account: 1001-000000-4711-362100-601009

Mr. Tuttle will continue to work as a Marketing Manager. His duties will include, but are not limited to utilizing print, publishing, web design and electronic media to assist the Department in featuring people, places, events and storylines that define its mission. In addition, Mr. Tuttle will shape and package the information and produce it for delivery through the Department's e-mail newsletter and website, as well as social media such as Facebook and Twitter. The period of the agreement is effective upon Board approval through June 30, 2012.

**THE PERSONNEL MATTER HAS BEEN APPROVED BY THE EXPENDITURE CONTROL COMMITTEE.**

(The agreement has been approved by the Law Department as to form and legal sufficiency.)

5519 Belleville Ave  
Baltimore, MD 21207

MINUTES

Department of Human Resources - Personnel Matter

Department of Recreation and Parks

	<u>Hourly Rate</u>	<u>Amount</u>
1. DENNIS TUTTLE	\$25.00	\$ 8,125.00

Account: 1001-000000-4711-362100-601009

Mr. Tuttle will continue to work as a Marketing Manager. His duties will include, but are not limited to utilizing print, publishing, web design and electronic media to assist the Department in featuring people, places, events and storylines that define its mission. In addition, Mr. Tuttle will shape and package the information and produce it for delivery through the Department's e-mail newsletter and website, as well as social media such as Facebook and Twitter. The period of the agreement is effective upon Board approval through June 30, 2012.

**A LETTER OF CORRESPONDENCE WAS RECEIVED FROM MS. KIM TRUEHEART.**

\* \* \* \* \*

Deputy Comptroller: "Correspondence was received from Ms. Kim Trueheart. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her questions. Her correspondence has been sent to the appropriate agencies and committee which will respond directly to Ms. Trueheart."

UPON MOTION duly made and seconded, the Board approved the Personnel matter. The Personnel matter has been approved by the Expenditure Control Committee. The contract has been approved by the Law Department as to form and legal sufficiency.

**MINUTES**

Department of Transportation - Memorandum of Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a memorandum of agreement (MOA) with the Maryland Transportation Authority (MdTA). The memorandum of agreement is effective upon approval by the MdTA.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

This memorandum of agreement is being granted at no cost to the City.

On November 3, 2010, the Board approved a right-of-entry permit agreement with the MdTA, which permitted the City to construct the Grand Prix route over portions of West Lee Street and Ramp D to Russell Street which were owned by the MdTA.

This MOA identifies the portions of the MdTA's property that are to be transferred to the City.

**MBE/WBE PARTICIPATION:**

N/A

**CORRESPONDENCE WAS RECEIVED FROM MS. KIM TRUEHEART.**

Deputy Comptroller: "Correspondence was received from Ms. Kim Trueheart. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her questions. Her correspondence has been sent to the appropriate agencies and committee which will respond directly to Ms. Trueheart."

UPON MOTION duly made and seconded, the Board approved and authorized execution of the memorandum of agreement with the Maryland Transportation Authority. The President voted **NO**.

## Kim A. Trueheart

April 3, 2012

Board of Estimates  
Attn: Clerk  
City Hall, Room 204  
100 N. Holliday Street,  
Baltimore, Maryland 21202

Dear Ms. Taylor:

Herein is my written protest on behalf of the underserved and disparately treated citizens of the Baltimore City neighborhoods who are often victims of Baltimore Development Corporation (BDC) decisions which result in preferential outcomes for commercial developers to the detriment of average citizens like me. This is a continuation of my protest of February 22, 2012 against the Baltimore Grand Prix contract, which really isn't a contract. The public's opportunity to review this proposed memorandum of agreement is perilously short, 2 days and failed to provide the public sufficient material facts and details as described below.

The following details are provided to initiate this action as required by the Board of Estimates:

1. Whom you represent: Self
2. What the issues are:
  - a. Page 85, Department of Transportation if approved:
    - i. Failed to provide sufficient time for public review and comment of this proposed NO COST memorandum of agreement.
    - ii. The description of this item in the BOE agenda fails to disclosure whether the proposed properties being transferred to the City will require tax payers to be burdened with maintenance and upkeep expenses in the future, as one would assume of an owner.
      1. What are the corresponding maintenance and upkeep costs?
      2. Will tax payers be burdened with these costs, if any?
      3. If yes, Has/Will Downforce Racing be requested to relieve tax payers of these costs?
3. How the protestant will be harmed by the proposed Board of Estimates' action: As a citizen I am experiencing a significant financial burden with annual tax increases, sewer and water service increases, user fee increases, parking meter rate increases and significantly reduce services as a resident. This already onerous burden could be exacerbated by undisclosed material facts and details specific to the execution of the new Downforce Racing contract and the Baltimore Grand Prix 2012 through 2017.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on April 4, 2012.

5519 Belleville Ave  
Baltimore, MD 21207

If you have any questions regarding this request, please telephone me at (410) 205-5114.

Sincerely,

Kim Trueheart  
Citizen

5519 Belleville Ave  
Baltimore, MD 21207

**AGENDA BOARD OF ESTIMATES 04/04/2012** 85 Department of  
Transportation - Memorandum of Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a memorandum of agreement (MOA) with the Maryland Transportation Authority (MdTA). The memorandum of agreement is effective upon approval by the MdTA.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

This memorandum of agreement is being granted at no cost to the City.

On November 3, 2010, the Board approved a right-of-entry permit agreement with the MdTA, which permitted the City to construct the Grand Prix route over portions of West Lee Street and Ramp D to Russell Street which were owned by the MdTA.

This MOA identifies the portions of the MdTA's property that are to be transferred to the City.

**MBE/WBE PARTICIPATION:**

N/A

(The memorandum of agreement has been approved by the Law Department as to form and legal sufficiency.)

MINUTES

PROPOSAL AND SPECIFICATIONS

Bureau of Water and Waste Water - SC 863, Parking Lots and Other Outdoor Improvements to the Administration Building at the Backriver Wastewater Treatment Plant  
**BIDS TO BE RECV'D: 5/09/2012**  
**BIDS TO BE OPENED: 5/09/2012**

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

\* \* \* \* \*

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 an Addendum extending the dates for receipt and opening of bids on the following contracts. There were no objections.

Bureau of Purchases

- B50002037, Annual Inspection and Code Deficiency Repair of Cranes and Hoists

**BIDS TO BE RECV'D: 04/11/2012**

**BIDS TO BE OPENED: 04/11/2012**

Department of Transportation

- TR 12301, Resurfacing Highways at Various Locations Citywide Northeast

**BIDS TO BE RECV'D: 04/11/2012**

**BIDS TO BE OPENED: 04/11/2012**

## MINUTES

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

Bureau of Water and Wastewater - SC 879, Improvements to the GRD Branch Interceptor the High Level Sewershed

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Monumental Paving & Excavating,  
 Inc.  
 Flippo Construction, Co.  
 Civil Construction, LLC  
 Angelozzi Brothers, Inc.  
 American Infrastructure  
 Spiniello  
 Anchor Construction, Corp.\*

UPON FURTHER MOTION, the Board found the bid of Anchor Construction Corporation **NON-RESPONSIVE** because of the company's failure to submit an actual duplicate bid book as required by the bid submission instructions. Therefore, the City cannot accept the company's bid.

Bureau of Water and Wastewater - WC 1231, Meter Setting Installation and Replacement, South-East Baltimore

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Monumental Paving & Excavating,  
 Inc.  
 Spiniello  
 J Fletcher Creamer & Sons, Inc.  
 Metra Industries  
 Shaney Construction Co., Inc.

## MINUTES

Bureau of Water and Wastewater - WC 1235, Meter Setting Installation and Replacement, South-West

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Monumental Paving & Excavating,  
Inc.  
Spiniello  
Civil Construction, LLC  
J Fletcher Creamer & Sons  
Shaney Construction Co., Inc.

Bureau of Water and Wastewater - WC 1236, Meter Setting Installation and Replacement, North Baltimore

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Monumental Paving & Excavating,  
Inc.  
Spiniello  
Metra Industries  
Anchor Construction Corp.  
Shaney Construction Co., Inc.

Bureau of Water and Wastewater - WC 1237, Meter Setting Installation and Replacement, North-West

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Monumental Paving & Excavating,  
Inc.  
Spiniello  
Metra Industries  
Anchor Construction Corp.  
Shaney Construction Co., Inc.

## MINUTES

Bureau of Purchases

- B50002305, X-Ray Machines -  
Sheriff's Office ==

## NO BIDS WERE RECEIVED.

Bureau of Purchases

- B50002324, Provide Temporary,  
Human Resources Services ==

The A.E. Brohurst Corporation  
All-Pro Placement Services, Inc.  
Excel Staffing and Personnel  
Services, Inc.  
Abacus Corporation  
Consolidated Services  
Biz Gov Solutions, LLC  
Boomerang  
SDC Information Services, Inc./  
Superior Staff Resources  
Adaptivity, Inc./JAG Professional  
Resources  
Reliant Resource Solutions, LLC

## MINUTES

There being no objections, the Board UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, April 11, 2012.

JOAN M. PRATT  
Secretary