

**MINUTES****REGULAR MEETING**

Honorable Bernard C. "Jack" Young, President  
Honorable Stephanie Rawlings-Blake, Mayor - **ABSENT**  
Harry Black, Director of Finance,  
Honorable 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 January 22, 2013, identifying matters to be considered as routine agenda items, together with any corrections and additions that have been noted by the Deputy Comptroller. I will entertain a motion to approve all of the items contained on the routine agenda."

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

## MINUTES

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 31, 1991, the following contractors are recommended:

American Paving Fabrics, Inc. and Subsidiary	\$ 8,000,000.00
B.S. Environmental, Inc.	\$ 1,089,000.00
Celtek, Inc.	\$ 1,341,000.00
Hempt Bros., Inc.	\$ 60,165,000.00
Inland Waters Pollution Control, Inc.	\$300,000,000.00
Work Capacity Rating Underwritten by Blanket Guarantee of \$300,000,000.00 from the Parent Corporation Inland Pipe Rehabilitation, LLC	
JRCRUZ Corp.	\$ 48,375,000.00
Mermaid Construction Company, Inc.	\$ 639,000.00
Shade Construction Company, Inc.	\$ 8,000,000.00

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

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

AS Architects, Inc.	Architect
EBA Engineering, Inc.	Engineer Land Survey
Glyndon Engineering & Technology Co.	Engineer
Stone Hill Design Associates	Landscape Architect
Symbiosis, Inc.	Landscape Architect

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

## MINUTES

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Option</u>			
1. Anthony Williams	326 N. Schroeder Street	F/S	\$20,000.00

Funds are available in account no. 9910-901780-9588-900000-704040, Poppleton Project.

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

DHCD - Condemnation

2. Leon Timmons and Lorenzie Bailey	2755 Tivoly Avenue	F/S	\$ 5,000.00
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Funds are available in account no. 9910-904326-9588-900000-704040, Coldstream Homestead Montebello Project.

Law Department - Court Settlement

3. Beatrice Hawkins (Prior Owner)	1723 E. Preston Street	F/S	\$ 5,700.00
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On August 10, 2011, the Board approved the acquisition by condemnation of the fee simple interest of 1723 E. Preston Street in the amount of \$4,800.00. The owner of the property interest valued it at \$15,000.00. The parties

**MINUTES****OPTIONS/CONDEMNATION/QUICK-TAKES** - cont'd

agreed to settle the action for \$10,500.00. Therefore, the Department is requesting the Board to approve an additional \$5,700.00.

UPON MOTION duly made and seconded, the Board approved and authorized the foregoing option, condemnation, and court settlement.

MINUTES

TRANSFERS OF FUNDS

\* \* \* \* \*

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

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SUBJECT to receipt of 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

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Enoch Pratt Free Library</u>		
1. <b>\$36,000.00</b>	9936-908200-9458	9936-915050-9457
5 <sup>th</sup> Public	Facilities Moderni-	Govans Library
Bldgs. Loan	zation	

The Govans Neighborhood Library built in 1921 is in need of roof replacement in order to provide a safe environment for the public and staff and to protect its investment in collections, furnishings, and equipment. Approval of this request will allow for the awarding of a contract for design and construction administration. The Facilities Modernization account was created to support renovations in neighborhood libraries and is a holding account until projects are initiated.



## MINUTES

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

The Board is requested to approve and authorize execution of the various agreements. The period of the agreement is January 1, 2013 through December 31, 2013, unless otherwise indicated.

1. **WOMEN'S HOUSING COALITION, INC.** **\$ 45,135.00**  
**(WHC)**

Account: 4000-496212-3573-591435-603051

The WHC will utilize the funds to cover salary and supportive services costs for women and women with children in apartments scattered throughout Baltimore City. Services will include but are not limited to child care services such as day care, after school and summer learning activities, transportation services, and case management services.

2. **WOMEN'S HOUSING COALITION, INC.** **\$ 44,298.00**  
**(WHC)**

Account: 4000-496212-3573-591435-603051

The WHC will utilize the funds to cover specific costs for operating its Scattered Site Housing and Family Program. The Program provides supportive services to women in apartments scattered throughout Baltimore City. The costs will include salary for a case manager, as well as child support services, and transport assistance.

3. **HOMELESS PERSONS REPRESENTATION PROJECT,** **\$110,760.00**  
**INC.**

Account: 4000-496212-3571-591445-603051

The organization provides legal assistance to 75 homeless single individuals and adult family members. Legal assistance will be utilized to obtain or maintain access to

## MINUTES

MOHS - cont'd

mainstream services such as cash assistance, health insurance and food stamps. Legal representation will also be offered to eliminate or reduce obstacles to employment or housing.

**MWBOO GRANTED A WAIVER.**

4. **PROJECT PLASE, INC.** **\$1,542,750.30**

Account: 4000-496313-3573-591226-603051

The organization will provide rental assistance and supportive services to 31 families and 72 individuals in 103 units/scattered site apartments - both one bedroom and family units - throughout Baltimore City. The population served will be homeless persons or families suffering from one or more of the following: HIV/AIDs, chronic substance abuse, chronic mental illness, or residential instability. The period of the agreement is February 1, 2013 through January 31, 2014.

**MWBOO GRANTED A WAIVER.**

5. **HEALTH CARE FOR THE HOMELESS, INC.** **\$ 147,282.00**  
(HCH)

Account: 4000-496212-3573-591459-603051

The HCH will utilize the funds to service 47 chronically homeless individuals in scattered site housing throughout Baltimore City. In addition to scattered site housing, the HCH will provide supportive services such as primary and preventative medical care, mental health services, case management, vocational assessments and services, support

**MINUTES**

MOHS - cont'd

groups and a State certified outpatient addiction program. The period of the agreement is October 1, 2012 through September 30, 2013.

The agreement is late because of a delay at the administrative level.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART FOR ITEM NOS. 3, 4, AND 5.**

The Board of Estimates received and reviewed Ms. Trueheart's protests. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protests. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

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

**MINUTES**

Mayor's Office - Second Amendment to  
of Human Services (MOHS) Consultant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution the second amendment to consultant agreement with Shawn M. Flower, d/b/a Choice Research Associates. The period of the agreement is January 1, 2013 through June 30, 2013.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Consultant will assist the City in creating and implementing the development of strategies and policies to reduce offender recidivism. These strategies and policies include: identifying programs and strategies to prepare offenders for release from incarceration, collaboration between City agencies, and partnerships with the Department of Public Safety and Correctional Services and community and faith-based organizations to provide post release services.

**APPROVED FOR FUNDS BY FINANCE****AUDITS NOTED THIS NO-COST TIME EXTENSION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution the second amendment to consultant agreement with Shawn M. Flower, d/b/a Choice Research Associates.

**MINUTES**

Department of General Services - Consultant Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a consultant agreement with Northeast Energy Services, LLC. The period of the agreement is December 9, 2012 through September 31, 2013.

**AMOUNT OF MONEY AND SOURCE:**

\$ 24,400.00 - 9916-913900-9197  
102,000.00 - 9916-913901-9197  
**\$126,400.00**

**BACKGROUND/EXPLANATION:**

On December 8, 2010, the Board approved the two-year agreement with Northeast Energy Services, LLC for financial analyses of various energy projects and emergency energy planning.

Under the terms of this agreement, the consultant will complete key analyses and technical support for the development of the Energy Assurance Plan, the City's Climate Action Plan, and Residential Aggregation and Conservation Projects.

The agreement is late because of delays in the administrative process.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the consultant agreement with Northeast Energy Services, 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 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. 3309 Eastern Ave.	Kostis Family, LLC	Awning with signage 60' x 4'
Annual Amount: \$574.30		
2. 1001 S. Lakewood Avenue k/a 1022 Binney Street	1001 S. Lakewood Avenue	Awning 9' x 3'6", one metal sign 2' x 2'
Annual Charge: \$123.00		
3. 1420 Key Highway	Key Highway Associates, LLC	Four canopies 57" x 22'8", one canopy 20' 8" x 2'2", one canopy 20'8" x 4'7", two canopies 15'6" x 5'7", one canopy 119'11" x 3'2", three double face electric signs, 3'
Annual Charge: \$3,107.43		

**MINUTES**

Department of General Services - cont'd

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
4. 16 E. Fayette Street	16 E. Fayette St., LLC	Retain cornice sign 15' x 2'

Annual Charge: \$239.00

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

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

**MINUTES**

Department of - Settlement Agreement and Release  
General Services

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a settlement agreement and release with Afram, Inc.

**AMOUNT OF MONEY AND SOURCE:**

\$93,343.00 - 9938-901722-9474

**BACKGROUND/EXPLANATION:**

The settlement payment is to be made to Harrison Law Group, counsel for Afram, Inc.

This settlement agreement and release is for Contract PB 07807 - Farring Baybrook Recreation Center Renovation and Addition. Construction on PB 07807 was completed in May 2011. The City asserted a claim against Afram, Inc. for liquidated damages and failure to pay wages. In turn, Afram, Inc., asserted a claim against the City for delay encountered on the project. The City and Afram, Inc. have agreed to resolve the disputes between them for a payment of \$93,343.00 by the City to Afram, Inc.

**APPROVED FOR FUNDS BY FINANCE**

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



**MINUTES**

Department of General Services - Settlement Agreement  
and Release

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a settlement agreement and release with Roy Kirby & Sons, Inc. for Contract PB 08820R, Fallsway Housing and Service Center.

**AMOUNT OF MONEY AND SOURCE:**

\$389,000.00 - 9910-908987-9588-900000-702064

**BACKGROUND/EXPLANATION:**

Roy Kirby & Sons, Inc. filed a Request for Equitable Adjustment due to delays encountered in performance of site work and for owner-requested changes. An amicable agreement and award of 399 additional days of construction time was negotiated and this request represents full and final restitution.

**TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$199,838.00</b>	9910-904912-9587	9910-908987-9588
Other Funds	Constr. Res.	Fallsway Shelter

This transfer will provide the increase in Other Funds appropriation in the account to match the amount of revenue received. This appropriation adjustment is necessary in order to make final payment to the vendor.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the settlement agreement and release with Roy Kirby & Sons, Inc. for Contract PB 08820R, Fallsway

## MINUTES

DHCD - cont'd

Housing and Service Center. 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 General Services - Task No. 012

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 012, to Northpoint Builders, Inc., under Project PB 07306, Oil Water Separator Replacement.

**AMOUNT OF MONEY AND SOURCE:**

\$129,800.00 - 2030-000000-1890-189305-601001

**BACKGROUND/EXPLANATION:**

The Department sought prices from multiple Indefinite Quantity Contract contractors to perform the Oil Water Separator Project at 6400 Pulaski Highway. Northpoint Builders, Inc. was selected at its low price to perform this work that includes replacing the Oil Water Separator at the Department of Transportation facility and all other related specified work all in accordance with the plans and specifications and the requirements of the Maryland Department of the Environment.

**MBE/WBE PARTICIPATION:**

Horton Mechanical	\$63,602.00	49.00%
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**APPROVED FOR FUNDS BY FINANCE****AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the assignment of Task No. 012, to Northpoint Builders, Inc., under Project PB 07306, Oil Water Separator Replacement.

**MINUTES**

Department of General Services - Amended and Restated  
Temporary Construction Easement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize an amended and restated temporary construction easement with Ms. Emma Lou Ford for her property at 410 Brunswick Street.

**AMOUNT OF MONEY AND SOURCE:**

\$17,238.96	- Total Fair Market Value
-16,567.00	- Original Fair Market Value
<b>\$ 671.96</b>	- 9956-905641-9551-900020-704001

**BACKGROUND/EXPLANATION:**

On September 28, 2011, the Board approved the original temporary construction easement in the amount of \$16,567.00. An additional compensation of \$671.96 is due for the increase in area for the temporary construction easement.

The Department of Public Works, Bureau of Water and Wastewater, will temporarily divert three above ground sewer pipes on property owned by Ms. Ford located at 410 Brunswick Street. This amended and restated temporary construction easement will allow the City's contractor access an additional area needed to divert the sewer pipes in conjunction with the Department of Public Works Sanitary Sewer Project No. 875, Southwest Diversion Sewer Rehabilitation Phase III.

UPON MOTION duly made and seconded, the Board approved and authorized the amended and restated temporary construction easement with Ms. Emma Lou Ford for her property at 410 Brunswick Street. The President **ABSTAINED.**

**MINUTES**

Baltimore Development Corporation - Release of Rights Under  
Ordinance and Siding  
Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a release of rights (Release) under Ordinance and siding agreement with CBAC Gaming, LLC and CSX Transportation, Inc. (CSX).

**AMOUNT OF MONEY AND SOURCE:**

No City funds will be expended.

**BACKGROUND/EXPLANATION:**

A portion of Warner Street which abuts the Casino site and one of the parcels on which the Casino will be located have railroad tracks owned by the CSX, which still remain. In order to make clear that these rights have been terminated and that the CSX no longer has rights to have the tracks in Warner Street and on the one parcel, CBAC Gaming, LLC, CSX, and the City have entered into the release that terminates the CSX's rights.

The approval of this release will assist in the City's providing clear title to the parcel and the portion of Warner Street to be closed.

**MBE/WBE PARTICIPATION:**

N/A

**A PROTEST WAS RECEIVED FROM MS. KIM TRUEHEART.**

The Board of Estimates received and reviewed Ms. Trueheart's protest. As Ms. Trueheart does not have a specific interest that is different from that of the general public, the Board will not hear her protest. Her correspondence has been sent to the appropriate agency and/or committee which will respond directly to Ms. Trueheart.

**MINUTES**

BDC - cont'd

UPON MOTION duly made and seconded, the Board approved and authorized execution of the release of rights (Release) under Ordinance and siding agreement with CBAC Gaming, LLC and CSX Transportation, Inc.

## Kim A. Trueheart

January 23, 2013

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 a lack of vision, poor fiscal and asset management and a complete failure by the Mayor of Baltimore City and the Baltimore Development Corporation (BDC) to negotiate development deals on behalf of citizens that provide economic benefit to citizens instead of corporations.

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 15, Baltimore Development Corporation (BDC) – Release of Rights Under Ordinance and Siding Agreement, if approved:
    - i. This agreement serves to demonstrate the **BLATANT disparate treatment** received by underserved neighborhoods;
    - ii. This agreement serves to demonstrate the BLATANT preferential treatment received by developers conducting business with the BDC;
  - b. Please provide for inspection the document(s) which show when this “rights issue” was identified to the BDC as an obstacle in executing this development project.
3. How the protestant will be harmed by the proposed Board of Estimates’ action:
  - a. 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. A similar obstacle stands in the way of executing the development project in my community, Howard Park ShopRite supermarket, yet NO viable solution has been presented in this matter, which has been outstanding for well over one-year without any suitable resolution in sight.
  - b. This BLATANT disparate treatment is UNACCEPTABLE!
4. This agreement should NOT be approved until a suitable solution for the Howard Park ShopRite supermarket is presented to this board.

I look forward to the opportunity to address this matter in person at your upcoming meeting of the Board of Estimates on January 23, 2013.

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

**MINUTES**Baltimore Development Corporation - Office Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an office lease agreement with Building Communities Today for Tomorrow, Inc. (BCTT), tenant, for the rental of a portion of the property known as 2901 Druid Park Drive, Suite A210, at the Business Center @ Park Circle, consisting of approximately 2,486 square feet. The period of the agreement is January 1, 2013 through December 31, 2013, with one one-year renewal option.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$31,876.92	\$2,656.41

**BACKGROUND/EXPLANATION:**

The BCTT is a private minority-owned and operated corporation serving children, adolescents, adults, and seniors who are at risk of removal from the home or community, or who are transitioning from residential settings back into the community.

The BCTT has been in business since 2000 and a tenant in the building since July 2008. The BCTT serves clients in Baltimore City, Prince Georges, and Montgomery Counties. The organization has lost some of its funding and is reducing its square footage in the building. Upon approval of this new office lease agreement, the previous lease dated January 27, 2010 will be terminated.

The space is leased on an "as is" basis. The tenant will be responsible for any improvements or build-out of the premises.

All other landlord services such as utilities, limited janitorial services, maintenance and repairs to the premises are included in the initial base rent.



## MINUTES

BDC - cont'd

In addition, the tenant 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 the insurance policies.

UPON MOTION duly made and seconded, the Board approved and authorized execution of the office lease agreement with Building Communities Today for Tomorrow, Inc. tenant, for the rental of a portion of the property known as 2901 Druid Park Drive, Suite A210, at the Business Center @ Park Circle, consisting of approximately 2,486 square feet.

**MINUTES**Employees' Retirement System - Investment Management Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an investment management agreement with Robert W. Baird & Co. Incorporated

**AMOUNT OF MONEY AND SOURCE:**

No General Fund monies are involved in this transaction.

\$50,000,000.00 - approximately of OPEB Trust assets in fixed income securities

\$ 137,500.00 - per year approximately for the management fee to Robert W. Baird & Co. Incorporated

**BACKGROUND/EXPLANATION:**

All funds and expenses will be expended from the Other Post Employment Benefits (OPEB) Trust. Robert W. Baird & Co. Incorporated will serve as an investment manager for the OPEB Trust.

The Employees' Retirement System Board, as the OPEB investment fiduciary, conducted a nationwide search for a fixed-income investment manager for a mandate of approximately \$50,000,000.00 of OPEB Trust Assets. The Employees' Retirement System Board narrowed the eligible firms to four finalists and conducted interviews. With the recommendation of the OPEB Trust investment consultant, Robert W. Baird Co. Incorporated was selected.

**MWBOO GRANTED A WAIVER.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the investment management agreement with Robert W. Baird & Co. Incorporated.

**MINUTES**

Bureau of Water and - Interim License Agreement  
Wastewater (BW&WW)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an interim license agreement with Sparrows Point, LLC. The period of the interim license agreement is September 14, 2012 through September 13, 2013, with automatic one-year renewals, unless terminated.

**AMOUNT OF MONEY AND SOURCE:**

\$908,666.67 - 2070-000000-5501-630040-603026

**BACKGROUND/EXPLANATION:**

The interim license agreement permits the Sparrows Point, LLC to accept and discharge treated effluent from the Back River Wastewater Treatment Plant. This agreement memorializes the commitment for Sparrows Point, LLC to work cooperatively with the City in identifying and granting a permanent easement for the discharge of Back River effluent from the Sparrow Point peninsula.

The RG Steel Company, latest owner and operator of the former Bethlehem Steel facility at Sparrows Point in Essex, Maryland, declared bankruptcy on May 31, 2012. On September 14, 2012, the assets of the steel company were purchased by a group of companies known as Sparrows Point, LLC. The City of Baltimore is a creditor in the bankruptcy proceeding of unpaid water bills and other charges owed the City's Water and Wastewater utilities. In addition, effluent from the City's Back River Wastewater Treatment Plant had been used at Sparrow Point since the 1940s as industrial water as part of the steel making process.

The Back River Wastewater Treatment Plant's National Pollutant Discharge Elimination System (NPDES) permit has two approved discharge points: Outfall 001, discharging the majority of effluent to the Back River; and Outfall 002, discharging effluent into two five-mile pipelines owned by Sparrows Point, LLC, conveying the effluent until its eventual discharge to one of several State-approved outfalls on the Sparrows Point peninsula.

**MINUTES**

BW&WW - cont'd

With all steel production closed down and no new steel operator identified, the current owners of Sparrows Point, LLC do not have a need for the City's Back River effluent. The City cannot discharge the effluent previously sent to Sparrows Point through its Outfall 001 due to load restrictions in its NPDES permit. The City needs to establish an interim license agreement with Sparrows Point, LLC to continue to accept and discharge Back River effluent until a permanent solution for conveying and discharging effluent is developed.

Under the proposed interim license agreement, the City will pay the sum of \$80,000.00 per month to Sparrows Point, LLC for accepting, managing, and discharging a maximum of 40 million gallons a day (mgd) of effluent. A rate of \$60,000.00 per month will be paid for the period between September 14 and November 30, 2012 when the full 40 mgd of effluent could not be accepted. The agreement also provides for the occasional excursion above 40 mgd with advance notice from the City.

The most important provision of the interim license agreement is Sparrows Point, LLC's commitment to the City for a permanent easement, allowing for the continued discharge of effluent through their property in facilities owned, operated, and maintained by the City. Without this interim license agreement and commitment for a permanent easement, the Back River Wastewater Treatment Plant would be faced with violating its NPDES permit and could be subject to significant fines imposed by the State for each violation.

**APPROVED FOR FUNDS BY FINANCE**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the interim license agreement with Sparrows Point, LLC. The President **ABSTAINED**.

MINUTES

PERSONNEL MATTERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved

all of the Personnel matters

listed on the following pages:

207 - 223

All of the Personnel matters have been approved

by the EXPENDITURE CONTROL COMMITTEE.

All of the contracts have been approved

by the Law Department

as to form and legal sufficiency.

In the absence of the Mayor, the Director

Mr. Black **ABSTAINED** on item no. 15 and 16.

The President **ABSTAINED** on item nos. 6 and 7.

The Comptroller voted **NO** on item no. 22.

**MINUTES****PERSONNEL**Department of General Services

	<u>Hourly Rate</u>	<u>Amount</u>
1. <b>JAN WALECKA</b>	\$40.91	<b>\$75,000.00</b>

Account: 1001-000000-1982-194700-601009

Ms. Walecka will work as an Architectural Project Management Specialist. Her duties will include, but are not limited to managing multiple and ongoing specialty architectural design and construction contracts for municipal buildings and facilities. She will also be responsible for providing direction in master planning, architectural and financial aspects, and representing the Department with City, State, and Federal agencies by providing architectural project management services on complex, LEED certified projects. She will submit a process report on a weekly basis regarding all projects. The period of the agreement is effective upon Board approval for one year.

Department of Human Resources (DHR)

2. <b>CARLA MURPHY</b>	\$200.00 for the first session, \$170.00 for each succeeding session and \$325.00 for each written report	<b>\$ 7,000.00</b>
3. <b>MICHELLE Z. BLUMENFELD</b>	\$200.00 for the first session, \$170.00 for each succeeding session and \$325.00 for each written report	<b>\$ 7,000.00</b>

**MINUTES****PERSONNEL**DHR - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
4. <b>JOHN WOODS</b>	\$200.00 for the first session, \$170.00 for each succeeding session and \$325.00 for each written report	<b>\$ 7,000.00</b>

The cost incurred for each hearing is charged to the appellant's agency.

The above-listed individuals will work as Hearing Officers. Ms. Murphy will also work as a Chief Hearing Officer. The Baltimore City Charter permits an investigation for employees discharged, reduced, or suspended for more than 30 days after the completion of the probationary period. The Hearing Officer presides over this investigation and submits a recommendation to the Civil Service Commissioners. The period of the agreement is effective upon Board approval for one-year.

5. Abolish the following nine vacant and unfunded Positions:

1 Position	<u>Job Number 4395-49507</u> 10215 - Grant Services Specialist I Grade 913 (\$25,863.00 - \$32,329.00)
6 Positions	<u>Job Numbers 5750-48645, 5750-48646, 5750-48647, 5750-48651, 5750-48652, 5750-48653</u> 10216 - Grant Services Specialist II Grade 919 (\$32,329.00 - \$51,282.00)

MINUTES

PERSONNEL

DHR - cont'd

2 Positions Job Numbers 5750-48663, 4358-49124  
10217 - Grant Services Specialist III  
Grade 941 (\$49,400.00 - \$84,800.00)

There are no additional costs associated with this action.

The nine positions were created as a result of short-term temporary stimulus grant funding from the U.S. American Recovery and Reinvestment Act. The funding has been terminated and these positions are no longer needed.

Office of the City Council

	<u>Hourly Rate</u>	<u>Amount</u>
6. <b>MARLENE KOEPPEL</b>	\$21.68	<b>\$14,634.00</b>

Account: 1001-000000-1000-106700-601009

Ms. Koepfel, retiree, will continue to work as a Special Assistant to Ms. Rochelle Spector. She will serve as an assistant and perform constituent services as needed. The period of the agreement is effective upon Board approval for one year.

7. Reclassify Two Positions

a. Job Number 1000-10254

From: Job Code 00707  
Class: Office Assistant II  
Grade: 075 (\$26,316.00 - \$29,913.00)

To: Job Code 01190  
Class: Staff Associate, President City Council  
Grade: 933 (\$34,100.00 - \$62,600.00)



MINUTES

PERSONNEL

Office of the City Council - cont'd

b. Job Number 1000-47662

From: Job Code 01182  
Class: Chief Clerk, City Council  
Grade: 088 (\$38,939.00 - \$47,176.00)

To: Job Code 01190  
Class: Staff Associate, President City Council  
Grade: 933 (\$34,100.00 - \$62,600.00)

Cost: \$60,763.23 - 1001-000000-1000-104800-601001

Police Department

	<u>Hourly Rate</u>	<u>Amount</u>
8. C. TAMARA HATCHER	\$14.42	\$30,000.00
9. ATTLAY S. WILLIAMS	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

These retirees will continue to work as Contract Service Specialists I in the Victims Assistant Unit. They will be responsible for assisting victims by providing copies of crime reports, information, and points of contact for the State's Attorney's Office. In addition, they will provide transportation to court, maintain a database of service requests and ensure victims have access to all relevant federal, state and local assistance programs. The period of the agreement is January 25, 2013 through January 24, 2014.

## MINUTES

PERSONNELPolice Dept. - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
10. <b>MELISSA D. WILLIAMS</b>	\$14.42	<b>\$30,000.00</b>
11. <b>JUANITA P. DEBELLOTTE</b>	\$14.42	<b>\$30,000.00</b>

Account: 1001-000000-2042-198100-601009

These retirees will continue to work as Contract Service Specialists I in the Personnel Section. They will be responsible for conducting background investigations for civilian and sworn applicants, reviewing documents, interviewing applicants, obtaining criminal record checks and completing neighborhood investigations of applicants. In addition, they will advise on results of investigations and make recommendation of applicant suitability. The period of the agreement is January 25, 2013 through January 24, 2014.

12. <b>TERRY WILLIAMS</b>	\$14.42	<b>\$30,000.00</b>
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Account: 1001-000000-2042-198100-601009

Ms. Williams will continue work as a Contract Services Specialist I - Evidence Control Unit. She will be responsible for receiving property/evidence submissions from police officers and lab personnel. Ms. Williams will ensure accuracy and completeness of all associated paperwork, releasing property for examination, evidence for court and recording chain of custody for all property released. The period of the agreement is January 25, 2013 through January 24, 2014.

## MINUTES

PERSONNELPolice Dept. - cont'd

	<u>Hourly Rate</u>	<u>Amount</u>
13. RODERICK O. DOTSON, JR.	\$14.42	\$30,000.00
14. RISA S. POWELL	\$14.42	\$30,000.00

Account: 1001-000000-2042-198100-601009

The retirees will work as Contract Service Specialists I in the Applicant Investigation Section. They will be responsible for conducting pre-employment investigations for sworn and civilian applicants, conducting local, state and national records and warrant checks. In addition, they will investigate references and conduct neighborhood canvasses, as well as interview applicants, gather all vital documents and summarize them in a pre-employment file. The period of the agreement is effective upon Board approval for one year.

**MINUTES****PERSONNEL**

	<u>Hourly Rate</u>	<u>Amount</u>
<u>Board of Liquor License Commission</u>		
15. CLEVELAND BRISTER	\$15.00	\$ 3,600.00
16. SYLVIA WILLIAMS	\$15.00	\$ 3,600.00

Account: 1001-000000-2501-259500-601063

Mr. Brister and Ms. Williams will continue to work as part-time Liquor Board Inspectors. Their duties will include, but will not be limited to visiting locations that have been issued special or one-day licenses; monitoring the sale and service of alcohol at one-day license events or extensions of licenses; participating in undercover investigations, and completing inspection reports for licensed premises in the City of Baltimore. The period of the agreement is effective upon Board approval for one year.

Bureau of Accounting and Payroll Services17. Create the following position:

Job Code: 34152 - Accounting Systems Analyst II  
 Grade 116 (\$53,900.00 - \$65,600.00)  
 Job No.: To be assigned by BBMR

Cost: \$74,962.00 - 1001-000000-1423-160800-601001

Department of Planning18. Create the following position:

Job Code: 00142 - Executive Level I  
 Grade 948 (\$55,200.00 - \$99,200.00)  
 Job No.: To be assigned by BBMR

Cost: \$132,508.00 - 1001-000000-1877-187400-601001

**MINUTES****PERSONNEL**Health Department19. Downgrade the following classification:

Job Code: 53275 - Health Facilities Coordinator

From: Grade 113 (\$46,700.00 - \$56,500.00)

To: Grade 110 (\$40,000.00 - \$48,900.00)

There are no costs associated with this class action.

Department of Recreation and Parks20. Create the following four positions:

- a. Job Code: 31311 - Administrative Analyst I  
Grade 087 (\$37,407.00 - \$45,218.00)  
Job No.: To be assigned by BBMR  
1 Position
- b. Job code: 53111 - Building Repairer  
Grade 429 (\$30,262.00 - \$33,337.00)  
Job No.: To be assigned by BBMR  
1 Position
- c. Job Code: 72492 - Building Project Coordinator  
Grade 093 (\$47,985.00 - \$58,508.00)  
Job No.: To be assigned by BBMR  
1 Position
- d. Job Code: 52212 - Electrical Mechanic II  
Grade 432 (\$32,953.00 - \$36,850.00)  
Job No.: To be assigned by BBMR  
1 Position

Cost: \$255,894.00 - 1001-000000-4803-371500-601001

**MINUTES****PERSONNEL**Department of Housing and Community Development21. Create the following one Position:

Job Code: 10216 - Grant Service Specialist II  
 Grade 919 (\$32,329.00 - \$51,282.00)  
 Job No.: To be assigned by BBMR

Cost: \$61,548.00 - 5000-569013-5971-439504-601001

Mayor's Office of Information Technology22. a. Reclassify Two PositionsJob Number 1472-12313

From: Job Code 33164  
 Class: Systems Programmer III  
 Grade: 120 (\$64,800.00 - \$91,100.00)

To: Job Code 10153  
 Class: IT Project Manager  
 Grade: 989 (\$72,800.00 - \$114,400.00)

b. Adjust the range for the IT Project Manager Classification (Salary Grade 989):

From: \$72,800.00 - \$114,400.00  
 To: \$72,800.00 - \$119,000.00

Cost \$9,980.00 - 1001-000000-1472-165800-601001

President: "The first item on the non-routine agenda can be found on page 29, item number 22, Mayor's Office of Information Technology. Will the parties please come forward?"

City Solicitor: "Uh - we actually -- Mr. President, we actually understood this to be on the non-routine agenda, but I am happy to address whatever questions there are with regard to it from

## MINUTES

any of members of the Board-

Comptroller: "You did not get the-

President: "Excuse me for one minute, uh- the Mayor's Information of Technology, no one is here? Because normally somebody is here. Well, uh- the Comptroller is asking that it matter be deferred."

City Solicitor: "It's - it's a personnel matter, and my understanding is and uh - that the Personnel Director uh -- is here; I do not know whether he is here uh- in a position to address this particular item."

President: "Well - well, the Comptroller respectfully asks that MOIT be here."

City Solicitor: "I am sorry, who did she ask-who did

President: "MOIT"

Comptroller: "You did not get the President's agenda?"

President: "Talk in the mic."

Comptroller: "--you said that you were not aware that it was on the non-routine?"

City Solicitor: "Yeah, I was not. I might have missed that. I was not asked to be here and Mr. Charles the head of HR. This is an HR matter that happens to affect MOIT --"

## MINUTES

Comptroller: "I would - I would like to have MOIT uh-- be here to respond to my questions."

City Solicitor: "Maybe I can, maybe Mr. Charles can. I don't think you necessarily are entitled to insist on who is going to be here address a particular item."

President: "But, Mr. Nilson, any other time that we ask for an agency to be here they are here. So, if MOIT --"

Solicitor: "This is a somewhat unusual--"

President: "Mr. Nilson can you let me finish please?"

City Solicitor: "Sure."

President: "If MOIT is not here. The Comptroller is respectfully asking for a deferral, and I think she is within her rights to ask for a deferral because MOIT should be here."

Comptroller: "That's true."

City Solicitor: "I would respectfully disagree. The Comptroller has sued the City and is seeking to depose and cross examine and question the head of MOIT."

President: "Mr. Nilson that has nothing to do with her asking about page 29, item 22."

City Solicitor: "The Director of Human Resources is here to address that matter, I think, if he can."



## MINUTES

President: "He is not the one, Mr. Nilson that the Comptroller asked to be here and this has never happened before. So, she is respectfully asking for a deferral. You can either vote it up or you can vote it down."

City Solicitor: "I would move that we approve the item as submitted."

President: "Is there a second?"

Director of Finance: "Second."

President: "All those in favor, say AYE."

City Solicitor: "AYE"

President: "Those opposed say "No."

President: "The Comptroller has a question."

Comptroller: "To get questions on the record, uh-- we will have the Department of Human Resources uh- uh- hopefully be able to answer them, if not I would like them brought back to the Board for the answers."

President: "Okay. Human Resources can come forward."

City Solicitor: "I am sorry, was the vote-was the vote taken?"

President: "The vote wasn't carried through. Uh -- Mr. Charles -

-"

## MINUTES

City Solicitor: "Because, why?"

President: "The vote was not carried through. Mr. Nilson I think I am the President of the Board of Estimates and I think I am controlling what happens here today. MOIT is not here. Before we took the vote and closed the vote she had a question and she is within her rights to ask a question."

Comptroller: "Good morning,

Ronnie Charles: "Good morning."

Comptroller: "Good, I have a couple of question. You want to come closer and state your name?"

Ronnie Charles: "Ronnie Charles, Director of Human Resources."

Comptroller: "Okay. I have several questions. Uh- Question number one is how many project managers are currently on staff in MOIT?"

Ronnie Charles: "Uh- I believe three, three."

Comptroller: "You believe or you are certain?"

Ronnie Charles: "I am not certain."

Comptroller: "I need - I need facts. How many project managers are going to be hired currently or in the future? "

Ronnie Charles: "I am told there will be two hired in the future?"

Comptroller: "Two more hired? "

Ronnie Charles: "Yes Ma'am."

## MINUTES

Comptroller: "and could you give me a detailed explanation of their tasks?"

Ronnie Charles: "Well their tasks will be to manage large scale IT projects throughout the City, supporting a number of different agencies on major uh- infrastructure projects. "

Comptroller: "Okay, are any of the Project Managers going to -- in MOIT-- going to implement Voice over IP (VoIP)?"

Ronnie Charles: "Not to my knowledge."

Comptroller: "Again, I need facts. Are any of the Project Managers going to implement VoIP in MOIT? Because I had previously asked these questions on December 12th of Purchasing and um -- I have not received these answers."

City Solicitor: "I am sorry, what was that Madam Comptroller?"

Comptroller: "I previously asked these questions at the December 12th meeting and I did not receive these answers that is why I am asking them again."

City Solicitor: "I think-I think Madam Comptroller that MOIT has responded to that question with regard to the position that is before the Board today; and categorically indicated that that occupant of that position will have no responsibilities in any way shape or form for VoIP."

Comptroller: "And the last question that I have is, in the

## MINUTES

background explanation it says that MOIT will be uh performing the Department of Communication Services ebonding. Who requested that? Did the Department of Communications request that MOIT do it for the Municipal Telephone Exchange?"

Ronnie Charles: "It is my understanding that the uh-, that the requestor was a Mr. Etta, of the Department requested that particular project."

Comptroller: "Maybe he can respond to that because it is my understanding that it was not requested by the Department of Communications. Can you (Mr. Etta) respond to that? "

Simon Etta: "Good morning, Mr. President, members of the Board."

Comptroller: "State your name."

Simon Etta: "My name is Simon Etta, Acting Director of the Department of Communication Services."

Comptroller: "Can you talk a little louder?"

Simon Etta: "We did not officially request MOIT to implement ebonding. We had some previous discussions and uh -- with Verizon on that topic and we later on corresponded with MOIT that we did not want to follow-up with that, because Verizon had mentioned that they would not uh -- be implementing ebonding any longer."

Comptroller: "That Verizon would not be implementing the bond--"

## MINUTES

Simon Etta: "ebonding, correct."

Comptroller: "Were you aware of that?"

Ronnie Charles: "No, I was not."

Simon Etta: "And I did send an e-mail copied to Mr. Tonjes about that."

Comptroller: "Did he respond?"

Simon Etta: "I never got a response from him."

Comptroller: "That is one of the problems that we have in the Department of Communications, we are not getting responses from MOIT as we should. Uh- So, could you (Mr. Charles) uh- the questions that I asked, could you specifically get them back to me in writing?"

Ronnie Charles: "Absolutely."

Comptroller: "Okay. Thank you."

President: "Thank you. There was a motion that was seconded, it was voted on the motion carries --"

Comptroller: "and I vote No."

President: "The motion carries. You vote No."

**MINUTES****PERSONNEL**Department of Human Services

23. Adjust the maximum end of the range of salary for salary Grade 977

From: \$15,080.00 - \$23,296.00

To: \$15,080.00 - \$31,200.00

There are no additional costs associated with this action.

Fire Department - Office of Emergency Management

24. Create the following three Positions:

10217 - Grant Services Specialist III  
Grade 941 (\$49,400.00 - \$84,800.00)  
Job No.: To be assigned by BBMR

Cost: \$343,440.00 - 4000-470912-2023-212612-601009  
4000-471312-2023-212602-601009

## MINUTES

Health Department - TRANSFER OF LIFE-TO-DATE  
SICK LEAVE

The Board is requested to approve the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Annlyn Porter.

The transfer of sick leave days is necessary in order for the designated employee to remain in pay status with continued health coverage. The City employees have asked permission to donate the sick leave days that will be transferred from their LIFE-TO-DATE sick leave balances as follows:

<u>NAMES</u>	<u>DAYS</u>
Selvakumar Paul	2
Maureice Artis-Greene	5
Teresa Jeter-Cutting	4
Leslie Thompson	3
Pamela Blankson	3
Patricia McCord	2
Eunice James	2
Edith P. Horsey	5
Alfreda S. Rivers	1
Teresa Clark-Palucki	1
Pamela Sams-Turner	1
Aroona Khadka	<u>1</u>
<b>Total:</b>	<b>30</b>

**APPROVED FOR FUNDS BY FINANCE**

**THE LABOR COMMISSIONER RECOMMENDED APPROVAL.**

UPON MOTION duly made and seconded, the Board approved the transfer of LIFE-TO-DATE sick leave days from the listed City employees to the designated employee, Annlyn Porter.

**MINUTES**Health Department - Agreements and Amendments to Agreements

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

1. **ACTION-IN-MATURITY, INC.** **\$ 28,307.00**

Account: 4000-433513-3024-295905-603051

2. **ALLEN CENTER BOARD, INC.** **\$ 57,564.00**

Account: 4000-433513-3024-295901-603051

The above-listed organizations will serve as the community focal point for seniors and their caregivers. The services provided will include but are not limited to social, recreational and educational programs, information and assistance, outreach, wellness, and transportation. The period of the agreement is October 1, 2012 through September 30, 2013.

The agreements are late because the Department was waiting on finalization of budget and signatures from the providers.

**MWBOO GRANTED A WAIVER ON ITEM NO. 2.**

3. **D'JUAN M. HOPEWELL, CONSULTANT** **\$ 6,000.00**

Account: 6000-626613-3080-292303-603018

Mr. Hopewell will perform services in the area of B'More Healthy Babies Teen Pregnancy Prevention Initiative. He will develop information to involve young men and parents in family planning and reproductive health decision making through the provision of age and medically appropriate materials.

Mr. Hopewell will develop the technical content for the materials and will work directly with Mission Media to ensure that the content is disseminated in a user-friendly way to targeted audiences Citywide. The period of the agreement is December 19, 2012 through June 30, 2013.

The agreement is late because of delays in the completion of necessary documentation.



## MINUTES

Health Department - cont'd

4. **SISTERS TOGETHER AND REACHING INC. (STAR)** **\$ 11,987.00**

Account: 1001-000000-3041-274002-603051

STAR will perform services in the Needle Exchange Program (NEP) - The Block Project. The funds will be used to support the two part-time evening staff (Outreach Worker/Counselor and Mobile Unit Driver) on the STAR Mobile Unit for The Block Project.

STAR will provide services to clients engaged and assessed on Baltimore & Gay Streets or within a four to six block radius. The services will include HIV, Sexually Transmitted Infections (STI) Counseling, Testing and Referral (CTR) including phlebotomy, Health Education Risk Reduction (HERR) and linkages to care, treatment, and other supportive services. The period of the agreement is July 1, 2012 through June 30, 2013.

The agreement is late because of delayed completion of the necessary documentation. The Department apologizes for the lateness.

GRANT AGREEMENT

5. **NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO)** **\$ 65,000.00**

Account: 6000-619713-3001-599000-406001

As part of the NACCHO's accreditation support initiative, the Health Department will complete the pre-requisites for accreditation, namely the community health assessment, community health improvement plan and the agency's strategic plan. The Health Department will be reimbursed by the NACCHO, which is serving as the intermediary for the Centers for Disease Control. The agreement is for the period December 1, 2012 through July 31, 2013.

The agreement is late because revisions to the grant agreement delayed processing.

## MINUTES

Health Department - cont'd

AMENDMENT TO AGREEMENT

6. **ASSOCIATED BLACK CHARITIES, INC. (ABC)** **\$ 46,400.00**

Account: 4000-498712-3023-606102-603051

On July 18, 2012, the Board approved the original agreement with ABC in the amount of \$1,839,919.00, for the period March 1, 2012 through February 28, 2013.

The Department received approval from the Health Resources Services Administration (HRSA) to carryover an unobligated balance of \$46,400.00 from the budget period of March 1, 2011 through February 29, 2012 to the current budget period of March 1, 2012 through February 28, 2013, making the total amount \$1,886,319.00.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the aforementioned agreements and amendments to agreements. The Comptroller **ABSTIANED** on item no.

6.

**MINUTES**

Health Department - Notice of Award and Cooperative  
Grant Award Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of the Notice of Award (NoA) and cooperative grant agreement from the Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for HIV, Viral Hepatitis, STDs, and TB Prevention. The budget period is January 1, 2013 through December 31, 2013.

**AMOUNT OF MONEY AND SOURCE:**

\$207,628.00 - 4000-422113-3030-271400-404001

**BACKGROUND/EXPLANATION:**

The grant award agreement is for the project titled Tuberculosis Prevention and Control Cooperative Agreement.

The grant funds will allow, the Department's TB Prevention Program to use funds to support the City's TB control efforts, to provide medical care and treatment for active and latent TB patients, and to conduct contact investigations. The funds are used for staff, radiology services, and clinician salaries.

The NoA is being presented at this time because it was recently received from the grantor.

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Notice of Award and cooperative

**MINUTES**

Health Department - cont'd

grant agreement from the Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for HIV, Viral Hepatitis, STDs, and TB Prevention.

**MINUTES**

Health Department - Notice of Award and Cooperative  
Grant Award Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize acceptance of a Notice of Award and Cooperative Grant Agreement with the Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for HIV, Viral, Hepatitis, STDS, and TB Prevention. The budget period is January 1, 2013 through December 31, 2013.

**AMOUNT OF MONEY AND SOURCE:**

\$2,041,574.00 - 4000-422513-3030-272500-404001

**BACKGROUND/EXPLANATION:**

The grant award agreement is for the project titled Comprehensive HIV Prevention Project.

Under the terms of the cooperative agreement, the grant will be used to fund innovative testing activities that increase identification of undiagnosed HIV infections and/or improve the cost effectiveness of HIV testing activities. The grant funds will also enhance linkage to and retention in care for persons with new and prior diagnosis of HIV infection. The project will use programmatic and epidemiologic use of CD4, and viral load and other surveillance data to assess and reduce HIV transmission risk.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

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

UPON MOTION duly made and seconded, the Board approved and authorized acceptance of the Notice of Award and Cooperative

**MINUTES**

Health Department - cont'd

Grant Agreement with the Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for HIV, Viral, Hepatitis, STDS, and TB Prevention.

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

The Board is requested to ratify the procurement of supplies and approve and authorize payment to Fisher Scientific.

**AMOUNT OF MONEY AND SOURCE:**

\$1,444.18 - 6000-630305-3040-275600-604037

**BACKGROUND/EXPLANATION:**

This payment to Fisher Scientific is for Dispenstirs received on July 23, 2012.

Dispenstirs is a product used to determine a patient's sexually transmitted disease status. The Department was to purchase this product from National Environmental, Inc., the approved Citibuy vendor.

The Lab Director did not read the PO carefully and placed the order with Fisher Scientific, which supplies other medical goods to the Bureau of Disease Control Laboratory. Therefore, the Department requests the Board to ratify the purchase and approve and authorize payment to Fisher Scientific.

**MBE/WBE PARTICIPATION:**

N/A

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

UPON MOTION duly made and seconded, the Board approved ratification of the procurement of supplies and approved and authorized payment to Fisher Scientific.

**MINUTES**Health Department - Employee Expense Statements**ACTION REQUESTED OF B/E:**

The Board is requested to approve the expense statements for the following employees:

1. **MICHELLE BROWN** **\$192.73**

Account: 1001-000000-3100-295900-604003 \$133.78  
June 2012 - Uniform Expenses

1001-000000-3100-295900-604003 \$ 58.95  
August 2012 - Uniform Expenses

Ms. Brown is a new employee and did not understand the procedures for submitting her expense statement. She has been advised of the correct procedures for this process.

2. **ELISSA JAMES** **\$ 69.38**

Account: 5000-533513-3044-295900-603002  
October 2012 - Mileage

Ms. James submitted her expense statement within the required time frame. However, the expense statement was accidentally attached to another document and was overlooked by the accountant.

3. **JERNAINE COOPER** **\$ 15.00**

Account: 1001-000000-3100-295900-603003  
August 2012 - Parking

Ms. Cooper is a new employee and did not understand the procedures for submitting her expense statement for reimbursement. She has been advised of the correct procedures for submitting expense reports on time.



**MINUTES**

Health Department - cont'd

The Department apologizes for the lateness.

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.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

UPON MOTION duly made and seconded, the Board approved the expense statements for the aforementioned employees.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |  |             |         |
|--|-------------|---------|
| 1. NSI SOLUTIONS, INC.   | \$10,000.00 | Renewal |
| Solicitation No. B50001816 - Analysis of Drinking Water -<br>Department of Public Works - Req. No. P516057 |             |         |

On February 4, 2011, the City Purchasing Agent approved the initial award in the amount of \$12,627.60. The award contained two 1-year renewal options. On February 17, 2012, the City Purchasing Agent approved the first one year renewal in the amount of \$10,000.00. This final renewal in the amount of \$10,000.00 will make the total award amount \$32,627.60 and is for the period February 9, 2013 through February 8, 2014.

- |   |             |          |
|---|-------------|----------|
| 2. F.L. ANDERSON COMPANY  | \$29,202.30 | Only Bid |
| Solicitation No. B50002757 - White Nomex Turn Out Coats - Fire<br>Department - Req. No. R619640 |             |          |

The period of the award is January 23, 2013 through January 22, 2016.

- |  |             |         |
|--|-------------|---------|
| 3. MARYLAND FIRE<br>EQUIPMENT CORP.  | \$20,000.00 | Renewal |
| Solicitation No. B50002298 - Fire Helmet Repairs - Fire<br>Department - Req. No. N/A |             |         |

On February 17, 2012, the Board approved the initial award in the amount \$20,000.00. The award contained two 1-year renewal options. This renewal in the amount of \$20,000.00 is for the period February 17, 2013 through February 16, 2014, with one 1-year renewal option remaining.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- |  |             |                           |
|--|-------------|---------------------------|
| 4. LIFE TECHNOLOGIES,<br>CORP.   | \$39,170.40 | Sole Source/<br>Agreement |
| Solicitation No. 08000 - Preventive Maintenance and<br>Calibrations - Police Department - Req. No. R610254 |             |                           |

The Board is requested to approve and authorize execution of an agreement with Life Technologies, Corp. The period of the agreement is effective upon Board approval for one-year with three 1-year renewal options.

The vendor, Life Technologies, Corp. is solely certified with access to the manufacturer's proprietary service tools to fix the equipment and install replacement parts as needed. Delays in the processing of this procurement were due to consolidation documents needed from the vendor and the Law Department's approval of agreement changes proposed by the vendor. The period of the award is August 1, 2012 through July 31, 2013, with three 1-year renewal options remaining.

**(FILE NO. 57210)**

- |   |             |         |
|---|-------------|---------|
| 5. SPARKS AT PLAY, LLC  | \$28,350.00 | Low Bid |
| Solicitation No. 07000 - Park Wood Fiber - Department of<br>Recreation and Parks - Req. No. R621744 |             |         |

The period of the award is January 23, 2013 through January 22, 2014.

- |  |         |         |
|--|---------|---------|
| 6. GARDENS REPRODUCTIVE ARTS, INC.<br>DBA GARDENS REPROGRAPHICS, INC.                        | \$ 0.00 | Renewal |
| Solicitation No. B50001856 - Print Jobs - Department of<br>Transportation - Req. No. Various |         |         |

On March 2, 2011, the City Purchasing Agent approved the initial award in the amount of \$18,400.00. The award contained two 1-year renewal options. On January 18, 2012, the City Purchasing Agent approved an increase in the amount of \$5,000.00. On February 1, 2012, the Board approved a renewal in the amount of \$20,000.00. This renewal is for the period March 1, 2013 through February 28, 2014.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

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|---|-------------|-----------------|
| 7. MISSION MEDIA  | \$43,800.00 | Selected Source |
| Solicitation No. 06000 - Teen Pregnancy Prevention Initiative<br>- Health Department - Req. No. R616440 |             |                 |

Mission Media was specifically identified in a grant proposal submitted to the Abell Foundation to continue to expand the social marketing campaign on teen pregnancy prevention. The period of the award is January 23, 2013 through June 30, 2013.

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|---|-------------|----------|
| 8. MCKESSON MEDICAL-SURGICAL  | \$20,000.00 | Increase |
| Solicitation No. 06000 - Naloxone - Health Department - Req.<br>No. P521410 |             |          |

On September 11, 2012, the Board approved the initial award in the amount of \$8,152.00. The award contained two 1-year renewal options. This increase in the amount of \$20,000.00 is for the period September 11, 2012 through September 10, 2013, with two 1-year renewal options remaining.

- |  |              |         |
|--|--------------|---------|
| 9. MID-ATLANTIC WASTE<br>SYSTEMS   | \$ 30,000.00 | Renewal |
| Solicitation No. B50000886 - Roll-Off Container Rehabilitation<br>& Repair - Department of Public Works, Bureau of Solid Waste -<br>P.O. No. P507043 |              |         |

On January 28, 2009, the Board approved the initial award in the amount of \$84,202.05. The award contained two 2-year renewal options. On December 22, 2010, the Board approved the first two-year renewal. This final renewal in the amount of \$30,000.00 is for the period February 2, 2013 through February 1, 2015.

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

## 10. FIRE SAFETY CO.

<u>FIRELINE CORPORATION</u>	<u>\$ 0.00</u>	<u>Renewal</u>
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Solicitation No. B5000938 - Provide Inspection, Services and Repairs for Fire Extinguishers - Agencies - Various - P.O. Nos. P556602 and P506603

On February 4, 2009, the Board approved the initial award in the amount of \$1,842,080.85. The award contained two 1-year renewal options. On January 25, 2012, the Board approved the first renewal. This final renewal is for the period March 1, 2013 through February 28, 2014.

**MWBOO GRANTED A WAIVER.**

## 11. GENERAL TRAFFIC EQUIPMENT

<u>CORP.</u>	<u>\$ 95,000.00</u>	<u>Renewal</u>
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Solicitation No. B50002231 - Pedestrian Traffic Signal Assemblies - Department of Transportation - P.O. No. P519753

On February 8, 2012, the Board approved the initial award in the amount of \$94,750.00. The award contained three 1-year renewal options. This renewal is for the period February 23, 2013 through February 22, 2014 with two 1-year renewal options remaining.

**MWBOO GRANTED A WAIVER.**

## 12. P. FLANIGAN &amp; SONS,

<u>INCORPORATED</u>	<u>\$5,000,000.00</u>	<u>Renewal</u>
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Solicitation No. B50001348 - Paving Materials (Hot and Cold Patch) - Agencies - Various - P.O. No. P512618

On March 10, 2010, the Board approved the initial award in the amount of \$6,003,250.00. The award contained two 1-year

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

renewal options. On November 23, 2011, the Board approved an increase in the amount of \$6,000,000.00. This renewal in the amount of \$5,000,000.00 is for the period March 22, 2013 through March 21, 2014, with one 1-year renewal option remaining.

**MWBOO GRANTED A WAIVER.**

13. ACME AUTO LEASING, LLC	\$ 782,761.50	
HRAL, LLC, d/b/a ALLSTATE	260,920.50	
LEASING	<u>\$1,043,682.00</u>	Increase

Solicitation No. B50001886 - Vehicle Leasing - Agencies - Various - P.O. Nos. P519341 and P519345

On January 18, 2012, the Board approved the initial award in the amount of \$372,018.00. The award contained two 2-year renewal options. The two lowest bid vendors were awarded the contract to assure availability of vehicles. The extended quantities of vehicles on the bid sheets were not included in the original award amount. This increase in the amount of \$1,043,682.00 will make the award amount \$1,415,700.00, and is for the period January 25, 2012 through January 24, 2015, with two 2-year renewal options remaining.

**MWBOO GRANTED A WAIVER.**

14. APPLIED TECHNOLOGY SERVICES, INC.	\$ 615,018.00	Increase
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Maryland State Contract No. 060B8900013 - Hardware and Associated Equipment and Services - Agencies - Various - Req. Nos. Various

On July 18, 2012, the Board approved the initial award to be used by the Department of Transportation in the amount of \$216,500.00. The Department of General Services and the Police

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Department have requested to use the same License Plate Recognition services. This increase is necessary due to increased usage of this contract. This increase in the amount of \$615,018.00 will make the total contract amount \$831,518.00.

MBE/WBE PARTICIPATION:

N/A

- |                                 |              |                 |
|---------------------------------|--------------|-----------------|
| 15. ALERE NORTH AMERICA<br>INC. | \$175,565.00 | Selected Source |
|---------------------------------|--------------|-----------------|
- Solicitation No. 06000 - Clearview HIV Test Kits - Health Department - Req. No. R620964

The Clearview Complete HIV 1/2 test kits are supplied only by Alere North America Inc.

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.

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|--|--------------|-------------|
| 16. PRO-FIX MEDICAL REPAIR<br>AND SALES, LLC | \$ 75,000.00 | Sole Source |
|--|--------------|-------------|
- Solicitation No. 08000 - Stretcher Repair - Fire Department - Req. No. R619754

The vendor is the manufacturer's sole authorized repair and service provider in this area for the stretchers currently in use by the Fire Department. The period of the award is January 23, 2013 through January 22, 2014, with three 1-year renewal options.

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

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

to Article VI, Section 11 (e)(i) of the City Charter, the procurement of the equipment and/or service is recommended.

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|--|---------------------|-----------------|
| 17. <u>ACCONTEMPS</u>  | <u>\$ 23,762.00</u> | <u>Increase</u> |
| Solicitation No. 06000 - Provide Temporary, Executive-Level Accountant Services - Department of Finance - P.O. No. P517874 |                     |                 |

On August 10, 2011, the Board approved the initial award in the amount of \$42,369.60 to fulfill the Finance Department's immediate need for temporary, skilled accountants. Subsequent actions have been approved. The agency has not found permanent employees. The agency is requesting an increase while the agency continues with the permanent hiring process. This increase in the amount of \$23,762.00 will make the total award amount \$299,230.72 and is effective through April 30, 2013.

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.

**MWBOO GRANTED A WAIVER.**

- |   |                |                |
|---|----------------|----------------|
| 18. <u>AIRGAS USA, LLC</u>  | <u>\$ 0.00</u> | <u>Renewal</u> |
| Solicitation No. B50001283 - Welding Equipment and Supplies - Department of General Services - Req. No. Various |                |                |

On January 20, 2010, the Board approved the initial award in the amount of \$500,000.00. The award contained two 1-year renewal options. This renewal is for the period February 1, 2013 through January 31, 2014, with one 1-year renewal option remaining.

**MWBOO GRANTED A WAIVER.**



## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

- |                                 |              |         |
|---------------------------------|--------------|---------|
| 19. COMPRISE TECHNOLOGIES, INC. | \$ 22,222.00 | Renewal |
|---------------------------------|--------------|---------|
- Solicitation No. 08000 - Annual Renewal of SAM (Smart Access Manager) Support - Enoch Pratt Free Library - Req. No. R619312

On May 11, 2011, the City Purchasing Agent approved the initial award in the amount of \$21,274.31. The award contained four 1-year renewal options. On January 11, 2012, the Board approved the first renewal in the amount of \$21,914.00. This renewal in the amount of \$22,222.00 is for the period February 1, 2013 through January 31, 2014, with two 1-year renewal options remaining.

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

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|----------------------------|---------|-----------|
| 20. SIEMENS INDUSTRY, INC. | \$ 0.00 | Extension |
|----------------------------|---------|-----------|
- Solicitation No. BP02155 - Replace Existing Traffic Signal System - Department of Transportation - P.O. No. P505702

On February 5, 2003, the Board approved the initial award in the amount of \$5,759,386.00. Subsequent actions have been approved. On June 15, 2006, the City Purchasing Agent adjusted the initial time end date to December 31, 2008. On December 10, 2008, the Board approved a ratification and renewal in the amount of \$1,500,000.00. The period of the ratification was February 5, 2008 through December 9, 2008. The renewal was for the period December 10, 2008 through February 4, 2013, with no renewal options remaining. An extension is requested to allow time for the Department of Transportation evaluate their requirement and revise the specifications to advertise for a new contract. The period of the extension is February 5, 2013 through August 31, 2013.

**MWBOO SET GOALS OF 9% MBE AND 3% WBE.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

<b>MBE:</b> Plexus Group	11.22%	
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**MWBOO FOUND VENDOR IN COMPLIANCE WITH MBE GOALS AND GRANTED A WAIVER FOR WBE GOAL.**

## 21. SCIENTIFIC SPECIALTIES

SERVICE, INC.	\$ 25,000.00	Renewal
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Solicitation No. B50001823 - Sample Containers - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P516177

On February 2, 2011, the Board approved the initial award in the amount of \$25,000.00. The award contained two 1-year renewal options. On February 1, 2012, the Board approved the first renewal in the amount of \$25,000.00. This final renewal in the amount of \$25,000.00 is for the period February 16, 2013 through February 14, 2014.

22. STAR ASSOCIATES, INC.	\$ 71,175.00	Renewal
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Solicitation NO. B50002277 - Provide Shuttle Bus/Van Services - Mayor's Office of Human Services - Req. No. R594588

On March 14, 2012, the Board approved the initial award in the amount of \$71,175.00. The award contained three 1-year renewal options. This renewal in the amount of \$71,175.00 is for the period April 1, 2013 through March 31, 2014, with two 1-year renewal options remaining.

**MWBOO GRANTED A WAIVER.**

23. FERGUSON ENTERPRISES, INC.	\$100,000.00	Renewal
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Solicitation No. B50001786 - Various Types K Copper Tubing - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P516498

On February 16, 2011, the Board approved the initial award in the amount of \$151,000.00. The award contained three 1-year renewal options. On February 1, 2012, the Board approved a renewal in the amount of \$150,000.00. This renewal in the amount of \$100,000.00 is for the period February 21, 2013

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

through February 20, 2014, with one 1-year renewal option remaining.

**MWBOO GRANTED A WAIVER.**

- |   |              |         |
|---|--------------|---------|
| 24. JANI-KING OF BALTIMORE  | \$ 12,924.00 | Renewal |
| Solicitation No. B50001280 - Janitorial Services - Health Department - P.O. No. P516056 |              |         |

On February 3, 2010, the Board approved the initial award in the amount of \$12,924.00. The award contained three 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$12,924.00 is for the period February 1, 2013 through January 31, 2014.

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|---|--------------|---------|
| 25. COASTAL BIOANALYSIS INC.  | \$ 20,000.00 | Renewal |
| Solicitation No. B50001759 - Toxicity Testing - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P515986 |              |         |

On January 26, 2011, the Board approved the initial award in the amount of \$16,696.00. The award contained two 1-year renewal options. On January 1, 2012, the Board approved a renewal in the amount of \$20,000.00. This final renewal in the amount of \$20,000.00 is for the period February 9, 2013 through February 8, 2014.

- |  |              |         |
|--|--------------|---------|
| 26. RANGE MAINTENANCE INC.   | \$150,000.00 | Renewal |
| Solicitation No. B50001634 - Police Range Maintenance - Police Department - P.O. No. P516167 |              |         |

On February 9, 2011, the Board approved the initial award in the amount of \$100,000.00. The award contained five 1-year renewal options. On January 25, 2012, the Board approved a renewal in the amount of \$150,000.00. This renewal in the amount of \$150,000.00 is for the period February 2, 2013 through February 1, 2014, with three 1-year renewal options remaining.

**MWBOO GRANTED A WAIVER.**

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

27. HCE, INC.	\$200,000.00	Renewal
Solicitation No. B50000929 - Portable Chemical Toilets - Agencies - Various - P.O. No. P506804		

On February 18, 2009, the Board approved the initial award in the amount of \$200,000.00. The award contained four 1-year renewal options. Subsequent actions have been approved. This final renewal in the amount of \$200,000.00 is for the period February 17, 2013 through February 16, 2014.

**MWBOO GRANTED A WAIVER.**

28. AB&B TERMITE AND PEST CONTROL		
PRIORITY TERMITE AND PEST CONTROL	\$100,000.00	Renewal
Solicitation No. B50001701 - Pest Control Services - Agencies - Various - P.O. Nos. P516127 and P520926		

On February 16, 2011, the Board approved the initial award in the amount of \$80,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$100,000.00 is for the period April 1, 2013 through March 31, 2014, with one 1-year renewal option remaining.

**MWBOO GRANTED A WAIVER.**

29. XYLEM DEWATERING SOLUTIONS, INC. d/b/a GODWIN PUMPS OF AMERICA, INC.	\$ 50,000.00	Renewal
Solicitation No. 08000 - Service/Labor/Repair Parts for Godwin Pumps - Department of Public Works, Bureau of Solid Waste - P.O. No. P516258		

On February 16, 2011, the Board approved the initial award in the amount of \$80,000.00. Subsequent actions have been

## MINUTES

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

approved. This final renewal in the amount of \$50,000.00 is for the period February 15, 2013 through February 14, 2014.

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.

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|---|--------------------|--------------------|
| 30. <u>HARRIS CORPORATION</u>   | <u>\$99,786.00</u> | <u>Sole Source</u> |
| <u>Solicitation No. 08000 - Hailstorm Cell Phone Tracker Upgrade - Police Department - Req. No. R621355</u> |                    |                    |

The vendor is the sole source provider of this proprietary system required by the Police Department to maintain compliance with Federal, State and local laws.

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.

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|---|---------------------|--------------------|
| 31. <u>GLOBAL EMERGENCY RESOURCES</u>   | <u>\$130,482.00</u> | <u>Sole Source</u> |
| <u>Solicitation No. 08000 - Emergency Patient Tracking Kit - Fire Department - Req. No. R619905</u> |                     |                    |

The requested kit is only available from the developer and must be compatible with existing Fire Department assets.

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 Purchases

32. **FIRST CALL**

TRI COUNTY PETROLEUM  
d/b/a PETROCHOICE

**SECOND CALL**

US LUBES, LLC	\$ 0.00	Renewal
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Solicitation No. B50000899 - Oils and Lubricants - Department of General Services, Fleet Management - P.O. Nos. P506845 and P506818

On February 18, 2009, the Board approved the initial award in the amount of \$2,000,000.00. The award contained two 1-year renewal options. Subsequent actions have been approved. This final renewal is for the period February 17, 2013 through February 16, 2014.

**MWBOO GRANTED A WAIVER.**

UPON MOTION duly made and seconded, the Board approved the informal awards, renewals, increases to contracts and extension. The Board also approved and authorized execution of the agreement with Life Technologies, Corp. (item no. 4.) The President **ABSTAINED** on item nos. 1, 21, 23, and 25. The Comptroller voted **NO** on item no. 20.

**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the land disposition agreement with Michael R. Simms, Jr., developer, for the sale of the property located at 1013 Bennett Place.

**AMOUNT OF MONEY AND SOURCE:**

\$4,000.00 - Purchase Price

**BACKGROUND/EXPLANATION:**

The property will be purchased and renovated with private funds.

The property was acquired through Tax Sale and the property was journalized on December 22, 2010.

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

Pursuant to the Waiver Valuation process the property was priced at \$7,000.00. The property is being sold below the price determined by the waiver value process for \$4,000.00.

The subject property is being sold below the price determined in accordance with the Appraisal Policy of Baltimore City for the following reasons:

- i. specific benefit to the immediate community, revitalization through rehabilitation and home ownership,
- ii. elimination of blight and neighborhood stabilization, and,
- iii. economic development, returning the property to productive use and to the active tax rolls of the City.

## MINUTES

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

The property is not subject to Article 5, Subtitle 28 of the Baltimore City Code because it will be sold below \$49,999.99.

**(FILE NO. 57211)**

UPON MOTION duly made and seconded, the Board approve and authorize execution of the land disposition agreement with Michael R. Simms, Jr., developer, for the sale of the property located at 1013 Bennett Place.



**MINUTES**

Department of Housing and - Land Disposition Agreement  
Community Development

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a land disposition agreement with Ewin Corp, LLC, developer, for the sale of the properties located at 3537 Reisterstown Road and 3005 W. Garrison Avenue.

**AMOUNT OF MONEY AND SOURCE:**

\$8,000.00 - 3537 Reisterstown Road  
1,000.00 - 3005 W. Garrison Avenue  
\$9,000.00 - Purchase Price

**BACKGROUND/EXPLANATION:**

The properties once conveyed will be rehabilitated and sold to low or moderate-income households. Once transferred and redeveloped the properties will be active on the tax rolls of Baltimore City.

The City Council Journalization publication was completed on December 29, 2010.

**STATEMENT OF PURCHASE AND RATIONALE FOR SALE BELOW BY THE WAIVER VALUATION PRICE:**

Pursuant to the Appraisal Policy of Baltimore City, the properties were priced using the Valuation Waiver process. The property located at 3537 Reisterstown Road was priced at \$7,240.00 and is being sold above the value for \$8,000.00. The property located at 3005 W. Garrison Avenue was priced at \$5,000.00 and is being sold for \$1,000.00. This property is being sold below the Waiver Valuation price because of the following factors:

- a) specific benefit to the immediate community,
- b) elimination of blight, and
- c) economic development, creation of real estate and other taxes.

**MINUTES**

DHCD - cont'd

**MBE/WBE PARTICIPATION:**

Minority and Women's Business Enterprise Program participation is not required for this project as there will not be a construction component.

**(FILE NO. 57211)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the land disposition agreement with Ewin Corp, LLC, developer, for the sale of the properties located at 3537 Reisterstown Road and 3005 W. Garrison Avenue.

## MINUTES

Department of Housing and - Agreements  
Community Development

The Board is requested to approve and authorize execution of the following agreements:

1. **COPPIN HEIGHTS COMMUNITY DEVELOPMENT CORPORATION, INC.** **\$ 40,000.00**

Account: 2089-208913-5930-426526-603051

The organization is dedicated to being a catalyst to stimulate economic development within the Greater Coppin Heights/Rosemont community by offering The Tool Box For Financial Fitness financial literacy program (TBFF). The TBFF program aims to combat financial illiteracy, evictions and foreclosures in Baltimore City. The TBFF Program provides low-to-moderate-income residents with the skills to manage their money, make sound financial decisions, and decrease their debt. The period of the agreement is October 1, 2012 through September 30, 2013 .

2. **THE VILLAGE LEARNING PLACE, INC. (VLP)** **\$ 43,166.00**

Account: 2089-208912-5930-429330-603051 \$ 2,416.00  
 2089-208913-5930-429330-603051 \$ 40,750.00

The organization provides free educational and youth programs to low-to moderate-income persons in the Greater Charles Village/Barclay area of Baltimore City. The funds will be used to subsidize the organization's operating expense. The period of the agreement is July 1, 2012 through June 30, 2013.

On May 2, 2012, 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 2012 Annual Action Plan for the following formula programs:

**MINUTES**

DHCD - cont'd

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

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2012 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

**APPROVED FOR FUNDS**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**MINUTES**

Space Utilization Committee - Second Amendment to a Lease Agreement

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**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a second amendment to a lease agreement with Nextel Communications of the Mid-Atlantic, Inc. for the rental of a portion of the tower and storage space located at 6512 Harford Road.

**AMOUNT OF MONEY AND SOURCE:**

\$8,400.00 - Payable annually during placement of additional equipment on the tower

**BACKGROUND/EXPLANATION:**

On December 1, 1999, the Board approved the original lease with Nextel Communications of the Mid-Atlantic, Inc. for five years with renewal terms. On October 28, 2009, lessor and lessee entered into the first amendment to the lease. The demised premises are used for cellular telephone communications.

This second amendment to the lease will allow for an additional microwave antenna and remote radio heads at an existing site. During the period of time the Microwave and Remote Radio Head Equipment are installed on the building the lessee will pay the lessor additional yearly rent of \$8,400.00. All other terms and conditions of the original and first amendment will remain unchanged.

The Space Utilization Committee approved the second amendment to the lease agreement on January 15, 2013.

**(FILE NO. 55606)**

UPON MOTION duly made and seconded, the Board approved and authorized execution of the second amendment to the lease agree-

**MINUTES**Space Utilization Committee - cont'd

ment with Nextel Communications of the Mid-Atlantic, Inc. for the rental of a portion of the tower and storage space located at 6512 Harford Road.

**MINUTES**Space Utilization Committee - Transfer of Jurisdiction**ACTION REQUESTED OF B/E:**

The Board is requested to approve the transfer of jurisdiction and the reporting agency for the property known as WS Olney Road 325-3 ft. N. of Woodland Avenue (Block 4798, Lot 69) from the inventory of the Department of Real Estate to the inventory of the Department of Housing and Community Development.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Housing Authority of Baltimore City has requested this property for construction of the required United Federal Accessibility Standards (UFAS) units.

The Space Utilization Committee approved this transfer of jurisdiction on January 15, 2013.

**(FILE NO. 56665)**

UPON MOTION duly made and seconded, the Board approved the transfer of jurisdiction and the reporting agency for the property known as WS Olney Road 325-3 ft. N. of Woodland Avenue (Block 4798, Lot 69) from the inventory of the Department of Real Estate to the inventory of the Department of Housing and Community Development. The President **ABSTAINED.**

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

The Board is requested to approve and authorize execution of a lease agreement with the Baltimore City Board of School Commissioners (BCBSC), tenant, for the rental of a portion of the property known as 1510 W. Lafayette Avenue, being on the 1<sup>st</sup> and 2<sup>nd</sup> floors, consisting of approximately 7,200 square feet. The period of the lease agreement is July 1, 2012 through June 30, 2013 with no option to renew.

**AMOUNT OF MONEY AND SOURCE:**

\$1.00 - Annual rent

**BACKGROUND/EXPLANATION:**

The Baltimore City Board of School Commissioners will use the leased premises as an Alternative School, known as the Youth Opportunity Academy for selected Baltimore City Public School System students.

The landlord will be responsible for maintenance and repair of the property, the burglar and fire alarm systems, and utilities.

The tenant will be responsible for custodial services and security of the leased premises.

The lease agreement is late because of the ongoing negotiation of a management agreement between the BCBSC and the Mayor's Office of Employment Development.

The Space Utilization Committee approved this lease agreement on January 15, 2013.

UPON MOTION duly made and seconded, the Board deferred this item for one week.



**MINUTES**Space Utilization Committee - Interdepartmental Lease Agreement**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of an interdepartmental lease agreement with the Department of General Services, landlord and Mr. Bill Henry, tenant, for the rental of approximately 1,148 square feet of space located at 5225 York Road on the 2<sup>nd</sup> level. The period of the lease agreement is December 8, 2012 through December 7, 2013 with no option to renew.

**AMOUNT OF MONEY AND SOURCE:**

<u>Annual Rent</u>	<u>Monthly Installments</u>
\$10,068.00	\$839.00

Account: 1001-000000-1000-106600-603016

**BACKGROUND/EXPLANATION:**

Mr. Henry will use the leased premises as office space for the operation of the 4<sup>th</sup> Councilmatic District.

The landlord will maintain the interior common areas and exterior of the building, provide janitorial and pest control services, and provide for all utilities.

The tenant will be responsible for the cost of improvements, providing equipment for tenant operation, telephone and computer services, and providing security for the leased premises.

The interdepartmental lease agreement is late because of delays in the Departments' reviews and administrative processes.

The Space Utilization Committee approved this lease agreement on January 15, 2013.

UPON MOTION duly made and seconded, the Board deferred this item for one week.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

\* \* \* \* \*

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

260 - 270

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

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

The President **ABSTAINED** on item nos. 3-6.

## MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONSBureau of Purchases

- |   |                                      |               |
|---|--------------------------------------|---------------|
| 1. B50002730, Industrial<br>Cleaning Services | Mobile Dredging &<br>Pumping Company | \$ 221,550.00 |
|---|--------------------------------------|---------------|

(Agencies: Various)

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

**MBE:** Penguin Services Group, Inc. 10.00%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

- |  |                         |               |
|--|-------------------------|---------------|
| 2. B50002762, Hosted VOIP<br>System for State's<br>Attorney's Office | iCore Networks,<br>Inc. | \$ 324,383.88 |
|--|-------------------------|---------------|

(State's Attorney's Office)

**MWBOO SET MBE GOALS AT 5% AND WBE GOALS AT 0%.**

**MBE:** Bithgroup Technologies, Inc. \$20,190.40 5.00%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

**A PROTEST WAS RECEIVED FROM BUSINESS AUTOMATION TECHNOLOGIES.**

President: "The second item on the non routine agenda can be found on Page 64, item no. 2, Bureau of Purchases, Hosted VOIP System for State's Attorney's Office, will the parties please come forward?"

Mr. Krus: "This is the award of a Hosted VOIP System for the States Attorney's Office to iCore Networks in the amount of \$324,383.88. I'm Tim Krus City Purchasing Agent."

Mr. Issac Fazhuman: "Issac Fazhuman, I am the President of

## MINUTES

Business Automation Technologies. Um This is my first time at a meeting like this. But, we presented our bid timely at a price of \$179,000.00. Ah, half the price of the award that you want to give to iCore, and we got back -- shall I just present my case? I'll try to be brief. We submitted our bid and on Friday about 3 o'clock I got an email that there be an award to iCore. I looked up -- I called the Purchasing Department to get an explanation. The Purchasing Department said that I didn't - that I wasn't certified to have complied with the MBE Minority Business Enterprise requirements. I looked at my paperwork, I signed an affidavit we have ah - from the Baltimore City website, we found a telecommunications minority business that was certified, Brown's Communications. I certified an affidavit and swore under penalty of perjury that I would submit all contracts. I would submit all cancelled checks. If I were given the contract cancelled checks as payments to the minority company that was in a certified affidavit that is on file with the City of Baltimore. Apparently, the document, one document that didn't have to be certified was to be signed by the minority contractor Brown's Communications which they did and was submitted with the bid and apparently prior it didn't get to my office it came in late, I didn't sign that document. There are provisions in your general conditions of the contract to

## MINUTES

allow you to waive minor irregularities. I'm from New Jersey, they have such things too. So, the fact that I signed the affidavit and swore I'd present all cancelled checks, payments and documentation of the contract to the City makes the other affidavit in a way redundant, that signature. The minority contractor signed the document and ah it was just a minor irregularity and I do not think it's in the interest of the City to spend twice as much. We bid \$179,000.00; I don't think it's in this interest to spend twice as much for the same service. Ah, so that's basically my case, I think the bid should be considered. I think the council needs to consider its obligation to its constituents and weigh that against is this a minor. I feel well what was brought to my attention was minor and should not have to cost the City -- does not have to cost the City a \$170,000.00. Thank you."

President: "Thank you. Tom, before you ask the question um where is this money coming from. Is this coming out of the State's Attorney's budget?"

Mr. Corey: "I have no idea where its coming from."

Mr. Krus: "It is."

President: "It is."

Mr. Corey: "Okay."

President: "Okay."

## MINUTES

Mr. Corey: "Good morning Mr. President members of the Board. Thomas Corey, Chief of the Minority and Women's Business Opportunity Office. The fact that the Statement of Intent Form was not signed by the Prime Contractor is a material defect. It's been that way and viewed since this program has been in existence. By both parties signing that particular document it is evidence to us that the parties the prime and the sub have negotiated the scope of the work and the price to be paid for that work. That is delineated even though that there is actually that is sort of meeting of the minds between the two parties. So we consider it a material defect and this Board have treated it in that way throughout the time this program has been in existence."

City Solicitor: "Have there been situations Mr. Corey we do see from time to time and maybe even often situations where the Statement of Intent wasn't signed the subcontractor. Have there been situations where it hasn't been signed by the prime contractor that you can recall and tell us about today?"

Mr. Corey: "Yes there have been um --- not as many situations as this where the sub hasn't signed. But there have been situations where the prime has not signed and there have even been situations where the prime didn't sign and tried to use that as a way of getting of meeting its obligation with the

## MINUTES

subcontractor."

President: "Okay, well I wish there was something that we can all get our heads together to try to wrap it around, because what I am looking at the City facing budget deficit and we're trying to save money and use these little defects to keep us from saving money. I mean we need to really look at this because I'm going to be honest with you, I don't like voting for stuff like this especially when we have someone who can do it cheaper and this company is going to almost double the price. I mean we're supposed to be looking out for the best interest of the City of Baltimore and taking care of our fiduciary responsibility of saving the City money, not giving money away."

Mr. Corey: "Mr. President with all due respect my office, -- uh -- my office only calls balls and strikes! The Board can use its discretion to determine and make those decisions. We cannot make those decisions; we do not have that authority."

President: "I understand, but what I'm saying is that all these bright minds need to get together because when closing down rec centers, we're shutting down fire companies and we're doing this kind of stuff doesn't sit well."

City Solicitor: "I a --."

Comptroller: "You're saying that Mr. Nilson that one of the reasons that it cannot be done is because the prime may not use

## MINUTES

the sub. There is no way that this Board if we approve the lowest bidder that the Board can hold the prime --."

City Solicitor: "There have been instances in the past before the Board adopted its strict policy which it has followed every time this issue has come up. On the Statement of Intent Form and I've been around since 2007, but there were at least on one occasion earlier on where the prime didn't sign the Statement of Intent and used that lack of a signature to try to get out of the particulars that appeared on that Statement of Intent. I share the Council President's uh -- dismay about having to pass lower bids but the Board's policy has been pretty consistent and I think before -- I don't think that the Board should change that long standing policy with regard to MBE forms and this form in particular without articulating that policy change not in the context to a particular bid situation but in a broader sense. So, I -- as much as it pains me I, will make and support a Motion to approve the recommendation of the agency. When the time comes for a motions."

President: "Okay."

Mr. Frazhman: "May I have one response to your counsel?"

President: "There is already a Motion on the floor."

Mr. Frazman: "Excuse me."

President: "There is already a Motion on the floor."



## MINUTES

Director of Public Works: "Second."

City Solicitor: "Well actually I said I would make the motion when the time comes."

Mr. Frazman: "I only liked to say that again when I reviewed the documents I signed an affidavit that's an agreement with the City. So, I swore to the City under oath that I would abide by the Minority Business Enterprise requirements of the contract and produce documentation of contracts, checks and any other documentation. So, I have no -- I think in careful reading of the affidavits I have no option but to comply or the City doesn't have to pay me, because I wouldn't -- and if I were to -- so if there were no -- basing it on a hypothetical on a rare case where somebody doesn't go through with that contractor, I'm still obligated to the City to comply with the MBE requirements and substitute a contractor. So, the City has ah ah safety to see that there is compliance because I swore that I would comply I can change vendors and the City has the option to withhold payment to me for non compliance. So, again I see the signature that was missing is totally redundant and the important signature under oath is in the bid. Thank you."

Mr. Corey: "Mr. President."

President: "Go ahead."

Mr. Corey: "It is not redundant and its true he signed an

## MINUTES

affidavit that he would comply, but when he reduces the contract or the terms of the agreement he has with the sub that he's named because both signatures are not on there, he doesn't have to honor what's in that document. He can come up as we stated earlier with a different price and a different scope of work, uh -- and that has been tried before. So, that's why this Board has always upheld that this particular must be signed by the prime and the subcontractor to have assurances that they have reduced those terms to a contract."

City Solicitor: "Yeah and the problem here as I understand it that the necessity for both parties to sign the Statement of Intent is clearly expressed in the bid packages and the documents themselves. So a prime who wants to avoid particulars of what is the work that this sub is going to do and what is the sub going to get paid for or he can just say well obviously I didn't agree with that, because I didn't sign the document the way I was supposed to now I'm going to negotiate different terms. This gentleman may be totally honorable but we have to follow a regular process that that where we say that you have to sign that document and consistently enforce that requirement we have to mean that. So, I regrettably that's why when the time come to make a motion I'm prepared to move rejection of the protest and approve the submittal."

## MINUTES

President: "Okay. You've made your motion?"

City Solicitor: "I set a Motion."

President: "Second by --."

Director of Public Works: "Second."

President: "by Mr. Foxx. All those in favor say AYE. Those opposed NAY. The Motion carries. But I just want to reiterate that we need to look at these polices and what we can do to try to give a window where people can come and make those changes that are necessary especially when they are saving the City money."

Mr. Corey: "Mr. President, when the -- this law is reauthorized we are writing rules and regulations, we will look at that and see what we can be about. Because I too am sympathetic to this issue. But right now we must follow the rules."

President: "Okay. That's the only reason I didn't vote NO."

\* \* \* \* \*

Law Offices of  
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Facsimile: 908.894.5729  
wluers@luerslaw.com

January 21, 2013

Walter M. Luers, Esq.\*

\*Also admitted in New York

**VIA OVERNIGHT COURIER**

Board of Estimates  
c/o Clerk to the Board of Estimates  
Room 204  
City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

**Re: *Solicitation Number B50002762***

Dear Members of the Board:

We represent Business Automation Technologies (“BAT”) and write to register formally our protest to the disqualification of BAT’s bid and the Board’s anticipated award of Solicitation Number B50002762 to iCore Networks, Inc.

**We request that the matter of our protest be placed on the Board’s agenda for its January 23, 2013 meeting.**

As the Board knows, BAT’s bid for this Solicitation was the low bid, which was \$179,000. iCore Networks, Inc.’s bid of \$409,000 was the next-lowest. The third bid was Momentum, priced at \$490,000.

We have been informed that the reason BAT’s bid was disqualified was because they inadvertently missed one signature line on the MBE/WBE and Prime Contractor’s Statement of Intent. That form apparently was signed by BAT’s MBE contractor, but was inadvertently not signed by BAT’s principal, Isaac Fajerman. For this reason, and this reason alone, BAT’s bid was disqualified and not reviewed by the City Purchasing Agent.

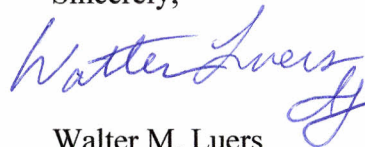
On behalf of BAT, we protest the rejection of BAT’s bid on the basis of this immaterial defect. The failure of the “prime contractor” to sign a form is not material. The purpose of the form is to identify the approved MBE/WBE contractor with whom the prime contractor will be working. That goal was accomplished both by evidence of the MBE’s Browns Communications signature, as well as by BAT’s submission of the signed and notarized MBE/WBE Participation Affidavit in which BAT acknowledges that it has made a good-faith effort to secure MBE/WBE participation.

The rejection of BAT's bid, in favor of a bid that \$230,000 and 228% more expensive than the lowest bid harms the interests of the taxpayers of the City of Baltimore because it favors an extravagantly higher bid on the basis of a non-material technicality.

For these reasons, we urge the Board utilize its discretion pursuant to GC11 and waive the "minor technicality" that caused the City Purchasing Agent to not recommend BAT's bid and direct the City Purchasing Agent to evaluate BAT's bid and, upon such evaluation, determine to whom Solicitation B50002762 should be awarded.

BAT stands ready, willing and able to submit an MBE/WBE and Prime Contractor's Statement of Intent with the requisite signatures, should that be required by the Board.

Sincerely,

A handwritten signature in blue ink that reads "Walter Luers" with a stylized flourish at the end.

Walter M. Luers

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater

3. WC 1202, Fells Point/ Spiniello \$4,663,300.00  
 Butchers Hill Area Infra- Companies  
 structure Rehabilitation

**MBE:** M. Luis Construction Company, Inc. \$620,000.00 13.29%  
 JJ Adams Fuel Oil Company, LLC 100,000.00 2.14%  
 Fallsway Construction Company, LLC 120,000.00 2.57%  
**\$840,000.00 18.00%**

**WBE:** R&R Contracting Utilities, Inc. \$328,000.00 7.03%

**MWBOO FOUND VENDOR IN COMPLIANCE.**

Bureau of Water & Wastewater

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$6,155,556.00	9960-909100-9558	
Water Rev. Bonds	Constr. Res. Water	
	Infrastructure Rehab	
\$ 466,330.00	-----	9960-904706-9557-2
		Extra Work
466,330.00	-----	9960-904706-9557-3
		Engineering
279,798.00	-----	9960-904706-9557-5
		Inspection
4,663,300.00	-----	9960-904706-9557-6
		Construction
<u>279,798.00</u>	-----	9960-904706-9557-9
<b>\$6,155,556.00</b>		Administration

The funds are required to cover the cost of the award for construction of WC 1202, Fells Point/Butchers Hill Infrastructure Replacement.

MINUTES

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater

5. S.W.C. 7760R - Leakin                      Meadville Land                      \$697,661.30  
 Park Stream Restoration                      Service, Inc.  
 at Fairmount Storm Drain

<b>MBE:</b> Kayden Premier Enterprises, Inc.	\$169,033.75	24.23%
<b>WBE:</b> Axiom Engineering Design, LLC	\$ 31,200.00	4.47%
Acorn Supply & Distributing, Inc.	3,546.64	0.51%
	<u>\$ 34,746.64</u>	<u>4.98%</u>

**MWBOO FOUND VENDOR IN COMPLIANCE.**

Bureau of Water & Wastewater

6. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 920,913.00	9958-903451-9522	
Other Funds-CTB	Constr. Res.	
State Constr.	Fairmont Storm Drain	
Rev.	Improvements	
\$ 69,765.85	-----	9958-902451-9520-2
		Extra Work
69,765.85	-----	9958-902451-9520-3
		Engineering
41,860.00	-----	9958-902451-9520-5
		Inspection
697,661.30	-----	9958-902451-9520-6
		Construction
41,860.00	-----	9958-902451-9520-9
<u>\$ 920,913.00</u>		Administration

The transfer will cover the cost of the award for S.W.C. 7760, Leakin Park Stream Restoration at Fairmont Storm Drain.

**MINUTES**Law Department - Settlement Agreements and Releases

The Board is requested to approve the settlements of the following claims. The settlements have been reviewed and approved by the Settlement Committee of the Law Department.

1. Henson, et al. v. Mayor and City Council of Baltimore, et al. \$45,000.00

Account: 2036-000000-1752-175200-603070

2. Headley v. Mayor and City Council of Baltimore, et al. \$30,500.00

Account: 2036-000000-1752-175200-603070

UPON MOTION duly made and seconded, the Board approved settlements and releases as requested by the Law Department.



**MINUTES****TRAVEL REQUESTS**Police Department

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
1. Brian K. Allman Alexander Rosado	National Institute of Crime Prevention Trainers, Sex Offences Unit Denver, CO Feb. 4 - 8, 2013 (Reg. Fee \$475.00 ea.)	MD Reimburse- ment Grant	\$3,540.38

Department of Recreation and Parks

2. Calvin Ford Mack Allison, Jr.	2013 National Silver Gloves Boxing Championships Ringside Jackson County, MO Jan. 30 - Feb. 3, 2013 (Reg. Fee \$0.00 ea.)	Upton Boxing	\$2,191.14
--	---	-----------------	------------

A rental car is needed to transport the Coaches/Chaperones and the boxing participant. The vehicle will also be used to transport training equipment and to travel to and from the event. The cost of the rental vehicle is \$281.54.

**AM-240-8**

If official City business at the event site will require extensive inspection trips, tours, or other unusual but necessary land travel, the Board of Estimates must approve funds for such expenses in advance of the trip.

## MINUTES

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of General Services</u>			
3. William Doane, Jr.	2013 International Archibus Users' Conf. San Francisco, CA April 06-11, 2013 (Reg. Fee \$1,295.00)	Gen. Funds	\$3,962.85

The subsistence rate is \$226.00 per day and is insufficient to cover the cost of the hotel of \$239.00 per night and the ground transportation to and from the conference site. Therefore, the agency is requesting additional subsistence in the amount of:

\$13.00 for hotel per day;  
\$40.00 per day for food; and  
\$22.00 for shuttle to and from the conference site.

The Department will pay the cost of airfare and registration in the amount of \$1,017.60 and \$1,295.00, respectively with a City issued credit card assigned to Mr. David Cunningham. The disbursement to Mr. Doane will be in the amount of \$1,650.25.

The Board, UPON MOTION duly made and seconded, approved the travel requests.

**MINUTES**

Department of General Services - Developer's Agreement No. 1274A

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of developer's agreement no. 1274-A with Columbus School Limited Partnership, developer.

**AMOUNT OF MONEY AND SOURCE:**

\$27,300.00

**BACKGROUND/EXPLANATION:**

The developer would like to install new storm drain to its proposed construction located in the vicinity of 2000 East North Avenue. This developer's agreement will allow the organization to do its own installation, in accordance with Baltimore City standards.

A Performance Bond in the amount of \$27,300.00 has been issued to Columbus School Limited Partnership, which assumes 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 developer's agreement no. 1274-A with Columbus School Limited Partnership, developer.

MINUTES

EXTRA WORK ORDERS

\* \* \* \* \*

UPON MOTION duly made and seconded,

the Board approved the

Extra Work Orders

listed on the following page:

276

All of the EWOs had been reviewed and approved

by the

Department of Audits, CORC,

and MWBOO, unless otherwise indicated.

The President **ABSTAINED** on item nos. 1 - 3.

## 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. Compl.</u>	

Bureau of Water & Wastewater

- |    |   |                       |  |      |
|----|---|-----------------------|--|------|
| 1. | EWO #010, \$162,221.00 - S.C. 867-Rehabilitation/Replacement of Southwest Diversion Pressure Sewer - Phase II |                       |  |      |
|    | <u>\$6,674,000.00</u>   | <u>\$637,231.62</u>   | Spiniello Companies                            | 0 99 |
| 2. | EWO #023, \$11,571.95 - W.C. 1175-Water Appurtenance Installation   |                       |  |      |
|    | <u>\$3,786,300.00</u>   | <u>\$2,593,452.24</u> | Spiniello Companies                            | - -  |
| 3. | EWO #023, \$47,224.97 - W.C. 1212-Water Appurtenance Installations  |                       |  |      |
|    | <u>\$4,997,010.40</u>   | <u>\$1,297,044.94</u> | R.E. Harrington<br>Plumbing & Heating,<br>Inc. | - -  |

## MINUTES

PROPOSAL AND SPECIFICATIONS

1. Department of Transportation - TR 12015R, Reconstruction of Deteriorated Manholes at Various Locations Citywide  
**BIDS TO BE RECV'D: 02/27/2013**  
**BIDS TO BE OPENED: 02/27/2013**

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

\* \* \* \* \*

President: "If there will be no more business before the Board, the meeting will recess until bid opening at twelve. Thank you"

**MINUTES**

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

**BIDS, PROPOSALS AND CONTRACT AWARDS**

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

Bureau of Water and - WC 1239, Water Appurtenance  
Wastewater Installations  
**BIDS TO BE RECV'D: 01/30/2013**  
**BIDS TO BE OPENED: 01/30/2013**

Bureau of Water and - WC 1261, On-Call/Urgent Need Water  
Wastewater Infrastructure Rehabilitation  
**BIDS TO BE RECV'D: 01/30/2013**  
**BIDS TO BE OPENED: 01/30/2013**

## MINUTES

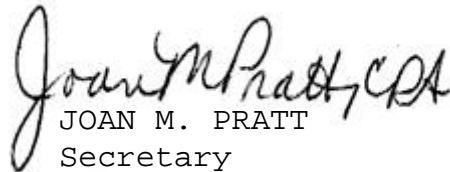
Thereafter, UPON MOTION duly made and seconded, the Board received, opened and referred the following bids to the respective departments for tabulation and report:

Bureau of Purchases - B50002773, Skid Steer Loaders  
with attachment and Flat Bed  
Trailers

---

Finch Services, Inc.  
Interstate Trailers, Inc.  
Stephan L. Green Trailers  
Correlli, Inc.  
Border Equipment  
Security Equipment Company  
Jesco, Inc.  
Valley Supply & Equipment Co., Inc.  
Metro Rental's Inc.  
Alban Tractor Co., Inc.

There being no objections, the Board, UPON MOTION duly made and seconded, adjourned until its next regularly scheduled meeting on Wednesday, January 30, 2013.

  
JOAN M. PRATT  
Secretary