

NOTICE:

1. On January 22, 2014, the Board of Estimates approved the Resolution on the Regulation of Board of Estimates Meetings and Protests, effective February 05, 2014. Pursuant to the Resolution:

a. Anyone wishing to speak before the Board, whether individually or as the spokesperson of an entity must notify the Clerk of the Board in writing no later than by noon on the Tuesday preceding any Board meeting, or by an alternative date and time specified in the agenda for the next scheduled meeting. The written protest must state (1) whom you represent and the entity that authorized the representation (2) what the issues are and the facts supporting your position and (3) how the protestant will be harmed by the proposed Board action.

b. Matters may be protested by a person or any entity directly and specifically affected by a pending matter or decision of the Board. In order for a protest to be considered, the protestant must be present at the Board of Estimates meeting.

c. A Procurement Lobbyist, as defined by Part II, Sec. 8-8 (c) of The City Ethics Code must register with the Board of Ethics as a Procurement Lobbyist in accordance with Section 8-12 of The City Ethics Code.

The full text of the Resolution is posted in the Department of Legislative Reference, the President of the Board's web site, (http://www.baltimorecitycouncil.com/boe_agenda.htm) and the Secretary to the Board's web site (<http://www.comptroller.baltimorecity.gov/BOE.html>).

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

BOARD OF ESTIMATES' AGENDA - MARCH 30, 2016

THE DEPARTMENT OF FINANCE
WILL PRESENT THE
PRELIMINARY BUDGET RECOMMENDATIONS FOR FY 2017
TO THE BOARD OF ESTIMATES

AGENDA

BOARD OF ESTIMATES

03/30/2016

BOARDS AND COMMISSIONS

1. Prequalification of Contractors

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

Access Demolition Contracting, Inc.	\$ 1,500,000.00
Bay Country Professional Concrete, LLC	\$ 8,000,000.00
CCTV Master, LLC	\$ 1,500,000.00
Colt Insulation, Inc.	\$ 2,223,000.00
Fresh Air Concepts, LLC	\$ 2,439,000.00
Living Classrooms Foundation	\$ 50,220,000.00
MRP Contractors, LLC	\$ 2,547,000.00
Nichols Contracting, Inc.	\$ 8,000,000.00

2. Prequalification of Architects and Engineers

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

Accumark, Inc.	Engineer Land Survey
Daniel Consultants, Inc.	Engineer
Design Collective, Inc.	Architect Landscape Architect

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BOARD OF ESTIMATES

03/30/2016

Department of Law - Settlement Agreement and Release

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the Settlement Agreement and Release for the action brought by Plaintiffs Jean Williams, G. M. and Y. M. against Officer James Bradley for alleged assault, battery, negligence/gross negligence, intentional infliction of emotional distress, and civil conspiracy and violations of the Maryland Declaration of Rights.

AMOUNT OF MONEY AND SOURCE:

\$125,000.00 - 1001-000000-2041-716700-603070

BACKGROUND/EXPLANATION:

In March of 2012, members of a taskforce with the DEA were conducting an investigation centered on Robert Moore and Sarah Hooker's family. In 2012, Robert Moore was arrested, leaving Ms. Hooker as the sole parental guardian of minor Plaintiffs G. M. and Y. M. On March 9, 2012, Ms. Hooker was arrested, the Department of Social Services (DSS) filed an emergency Children in Need of Assistance Petition and through that petition obtained a Shelter Care Order concerning minor Plaintiffs G. M. and Y. M. on March 12, 2012. The Shelter Care Order placed the children in the care and custody of DSS. The DSS consulted Defendant Detective Bradley to inquire whether the children had any family members with whom they could be placed and Defendant Detective Bradley identified the minors' paternal grandmother, Plaintiff Williams. The minors were then temporarily placed with Plaintiff Williams, pending a DSS investigation.

Following Ms. Hooker's arrest, the Detectives continued the ongoing investigation into Ms. Hooker. Defendant Detective Bradley contends that he warned Plaintiff Williams to keep the children away from areas of the City involved in Ms. Hooker's

AGENDA

BOARD OF ESTIMATES

03/30/2016

Dept. of Law - cont'd

illicit activities. The surveillance team conducting the investigation on Ms. Hooker saw Ms. Williams with the children in an area that the taskforce considered to be unsafe. The Plaintiff Williams admits to taking the children to that location approximately once a week, but denies being told it was unsafe. On April 6, 2012, pursuant to a Shelter Care Order, Detective Bradley removed the minor plaintiffs from temporary placement with Plaintiff Williams' care and delivered them to the Baltimore County Social Services Office. Plaintiff Williams' house is documented to be a safe environment and a good place to raise the grandchildren. Plaintiff Williams has a Foster Care and Assisted Living license. On August 31, 2012, Plaintiff Williams eventually regained custody of Plaintiffs G. M. and Y. M.

As a result of these occurrences, the Plaintiffs filed suit for compensatory and punitive damages in an amount in excess of \$75,000.00 for each claim. Because of conflicting factual issues, questions regarding the basis for the removal of the children from Plaintiff Williams' care, and given the uncertainties and unpredictability of jury verdicts, the parties propose to settle the matter for a total sum of \$125,000.00 in return for a dismissal of the litigation.

Based on a review of the facts and legal issues specific to this case, the Settlement Committee of the Law Department recommends that the Board of Estimates approve the settlement of this case as set forth herein.

APPROVED FOR FUNDS BY FINANCE

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

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BOARD OF ESTIMATES

03/30/2016

Parking Authority of - Parking Facility Rate Adjustment
Baltimore City (PABC)

ACTION REQUESTED OF B/E:

The Board is requested to approve an adjustment to the transient rates at the City-owned Arena Garage that is managed by the PABC. The Parking Facility Rate Adjustment is effective upon Board approval.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The PABC is charged with managing the City of Baltimore's parking assets. Proper stewardship of those assets requires that the PABC realize the best possible return on the City's parking investments.

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

To bring the transient rates charged at the Arena Garage in line with its surrounding facilities, the PABC staff developed the submitted rate adjustment recommendation. The rate adjustments were unanimously approved by the PABC Board of Directors.

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BOARD OF ESTIMATES

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PABC - cont'd

Location	Proposed Transient Rate Changes			Proposed Monthly Rate Changes
Arena Garage	Regular Transient Rates			Regular Monthly Rate
		Current Rate	Proposed Rate	Last Rate Change
	4 – 12 Hour Rate	\$16.00	\$17.00	March 2015
	13–24 Hour Rate	\$17.00	\$18.00	March 2015
				No proposed changes

MBE/WBE PARTICIPATION:

N/A

APPROVED FOR FUNDS BY FINANCE

EXTRA WORK ORDERS

* * * * *

The Board is requested to approve the
Extra Work Orders
as listed on the following pages:

8 - 9

The EWOs have been reviewed and approved
by the Department of
Audits, CORC, and MWBOO
unless otherwise indicated.

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BOARD OF ESTIMATES

03/30/2016

EXTRA WORK ORDERS

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

Department of Transportation

1. EWO #001, \$.00 - TR 15014, Resurfacing Highways at Various Locations, Southeast, Sector IV

\$2,363,000.00	-	Manuel Luis Construction Co., Inc.	90	70
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This authorization was requested by the prime contractor for a 90-day non-compensatory, time extension due to the winter months that have impeded construction for concrete and asphalt. The Notice-to-Proceed was effective July 20, 2015 with a completion date of March 16, 2016. This request will extend the contract to June 14, 2016. There were no previous time extensions and the Engineer's Certificate of Work Completion has not been provided to the contractor.

2. EWO #001, (\$119,674.00) - TR 15016, Salt Facility and Site Improvements

\$2,258,936.25	-	P. Flanigan & Sons, Inc.	60	65
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This authorization is requested on behalf of the contractor and provides for a 60-day non-compensatory time extension. The 120-day consecutive calendar day construction duration was very aggressive for the scope of work and the contractor experienced an historically record snow fall during the performance of the work. In an attempt to help the City with snow removal, the Contractor totally focused on trying to complete the erection of the Salt Barn before the first snow fall by surgically performing site demolition to fast track construction of the Salt Barn. The Contractor reached 80% construction completion of the Salt

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BOARD OF ESTIMATES

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EXTRA WORK ORDERS

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

Department of Transportation - cont'd

Barn and additional time is needed to complete the site improvements portion of the contract. The Notice-to-Proceed was effective November 19, 2015 with a completion date of March 18, 2016. The time extension will result in a new completion date of May 17, 2016. Also incorporated in this change order are Value Engineering scope work reductions accepted by the Department of Transportation which includes the elimination of the overhead door and asphalt in lieu of concrete for the Salt Barn interior slab. As a result, it is a net of a 60-day construction schedule savings of minus 15 days. Work requested under this change order has not been completed. An Engineer's Certificate of completion of work has not been completed.

Department of Public Works/Office of Eng. & Constr. (DPW)

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|----|--|----------------|--------------------|
| 3. | EWO #039, \$38,280.74 - WC 1160R, Montebello Plant 2 | | |
| | <u>Finished Water Reservoir</u> | | |
| | \$36,922,950.00 | \$6,862,310.47 | Alan A. Myers, - - |
| | | | LLP |

Water Contract 1160 at Montebello Plant 2 included connection of newly installed 96-inch pipe to the existing interconnection main, which was shown on the contract documents to be 96-inch interior diameter. The existing main was a 1930's formed-in-place concrete tunnel, not fabricated pipe. When the existing main was saw cut, it was discovered to be 92-inch interior diameter. In order to seal the connection point of these two different diameter mains, additional interior seals were needed to bridge and overlap the 96-inch to 92-inch transition. This work required the Montebello Plant 1 Finished Water Reservoir to be taken out of service, and was delayed until the Winter 2015 shutdown period. The contractor submitted a lump sum cost proposal which has been reviewed by the engineer and was found to be acceptable.

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BOARD OF ESTIMATES

03/30/2016

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development - Option</u>			
1. Shvitz Properties, Inc.	1127 N. Bradford Street	G/R \$58.00	\$ 387.00

Funds are available in account 9910-908044-9588-900000-704040.

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.

Department of Housing and Community Development - Condemnation

2. The Savings Bank of Baltimore	2901 Norfolk Ave.	G/R \$85.00	\$ 708.33
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Funds are available in account 9910-903183-9588-900000-704040, Park Heights Project.