

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 at 9:00 A.M., Room 215 City Hall.

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 - JUNE 15, 2016

Department of Real Estate - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve an expenditure of funds to authorize the Department of Health to continue to pay the monthly rental by Expenditure Authorization, for the property located at 2401 Liberty Heights Avenue. The period of the rental is May 1, 2016 through August 31, 2016.

AMOUNT OF MONEY AND SOURCE:

Monthly Rent

\$3,386.57 - 4000-423216-3080-271400-603013 (May and June 2016)
4000-423217-3080-271400-603013 (July and August 2016)

BACKGROUND/EXPLANATION:

The lease agreement between the Mondawmin Business Trust by the Village of Cross Keys LLC, Trustee, Landlord, and the Mayor and City Council of Baltimore/Department of Health, Women, Infant and Children Program (WIC), Tenant, for the property located at 2401 Liberty Heights Avenue expired April 30, 2016. The Landlord and Tenant have been negotiating a new lease agreement for the Tenant's WIC Program to remain at the site.

The Department of Health will continue to pay the rental on a month-to-month basis until a lease agreement has been approved and executed by the Board of Estimates.

APPROVED FOR FUNDS BY FINANCE

AGENDA

BOARD OF ESTIMATES

06/15/2016

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:

B.S. Environmental, Inc.	\$ 2,394,000.00
Columbia Enterprises, Inc.	\$ 5,976,000.00
Graciano Corporation	\$390,555,000.00
James W. Ancel, Inc.	\$ 56,250,000.00
Masonry Resurfacing and Construction Company, Inc.	\$ 3,186,000.00
Phoenix Contracting Services, Inc.	\$ 1,500,000.00
Sparks Quality Fence Co.	\$ 1,044,000.00

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:

iCivil, Inc.	Engineer
Kumi Construction Management Corporation	Engineer
McKIM & CREED	Engineer
Mincin Patel Milano, Inc.	Engineer
Navarro & Wright Consulting Engineers, Inc.	Engineer Land Survey

TRANSFERS OF FUNDS

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The Board is requested to approve
the Transfers of Funds
listed on the following page:

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In accordance with Charter provisions
reports have been requested from the
Planning Commission, the Director
of Finance having reported
favorably thereon.

AGENDA

BOARD OF ESTIMATES

06/15/2016

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of General Services</u>		
1. \$100,000.00	9916-911063-9194	9916-905153-9197
1 st Parks & Public Facilities Loan	Engine 36 Electrical Upgrades - Reserve	Engine 57 Renovations - Active

This transfer will fund the following improvements to the Engine 57 Firehouse: replacement of the aged and dilapidated kitchen, which is beyond its useful life, restoration of the deteriorated structural slab, and installation of a manual electrical transfer switch to allow service by a portable generator in the event of a power outage.

Department of Recreation and Parks

2. \$680,000.00	9938-907049-9475	9938-908049-9474
State (Program Open Space)	Cahill Community Center (Reserve)	Cahill Community Center (Active)

This transfer will provide funds to cover the costs associated with design services under On-Call Contract No. 1234, Task #5 to GWWO, Inc.

3. \$250,000.00	9938-907779-9475	9938-913063-9474
Rec & Parks 27 th Series	Pool & Bathhouse Renovation (Reserve)	FY16 Community Parks and Playgrounds (Active)

This transfer will provide funds to cover the cost associated with design services under On-Call Contract No. 1232, Task #2 to Gannett Fleming, Inc.

AGENDA

BOARD OF ESTIMATES

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OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Housing and Community Development - Options</u>			
1. The MWK Trust	4402 Daytona Ave.	G/R \$90.00	\$ 825.00

Funds are available in account 9910-908636-9588-900000-704040.

2. Marie Grampp	1116 McDonogh St.	G/R \$90.00	\$ 220.00
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Funds are available in account 9910-906416-9588-900000-704040, EBDI Phase II Project.

3. Barry M. Wasserman and Vera Wasserman	1525 N. Washington St.	G/R \$64.00	\$ 825.00
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Funds are available in account 9910-907079-9588-900000-704040.

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

DHCD - Condemnation/Redemption

The Board is requested to approve acquisition of the ground rent interest by condemnation, or in the alternative may, SUBJECT to the prior approval of the Board, make application to the Maryland Department of Assessments and Taxation to redeem or extinguish the ground rent interest for these properties.

4. John G. Luntz	2102 Etting St.	G/R \$42.00	\$ 280.00
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BOARD OF ESTIMATES

06/15/2016

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD - cont'd</u>			
5. Frank Joseph Darby and Robert J. Darby	2120 Etting St.	G/R \$36.00	\$ 240.00
6. J. Louis Raap and Alta M. Raap	2124 Etting St.	G/R \$36.00	\$ 240.00
7. J. Louis Raap and Alta M. Raap	2126 Etting St.	G/R \$36.00	\$ 240.00
8. Herbert Kaufman, Inc.	550 Wilson St.	G/R \$42.00	\$ 280.00

Funds are available in account 9910-907079-9588-900000-704040.

Law Department - Settlement Payment

9. SZ Investments, LLC	1840 Division St.	L/H	\$15,750.00
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On September 3, 2014, the Board approved acquisition of the leasehold interest in the property 1840 Division Street. The Board previously approved the fair market value in the amount of \$44,250.00, based upon an independent appraisal report. An Inquisition was obtained formally closing the case. However, the owner petitioned the court to reopen the case based upon a technical issue regarding how the service was made. The Circuit Court for Baltimore City granted the motion to reopen the case. The owner initially demanded \$100,000.00 to resolve the case and then obtained a report valuing the property at \$68,500.00. The City's appraiser was requested to update the valuation of the property. The City's updated appraisal valued the property at \$49,250.00. The parties negotiated and agreed to settle the case for a fair market value of \$60,000.00. Therefore, the Board is requested to approve an additional \$15,750.00.

Funds are available in account 9910-905507-9588-900000-704040, FY 14 Whole Block Demolition.

EXTRA WORK ORDERS

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

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

AGENDA

BOARD OF ESTIMATES

06/15/2016

EXTRA WORK ORDERS

Contract Awd. Amt.	Prev. Apprvd. Extra Work	Contractor	Time % Ext. Compl.
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Department of Public Works/Office of Eng. & Construc.

1. EWO #090, \$72,759.52 - S.C. 852R, Denitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$115,688,000.00 \$2,197,870.53 Balfour Beatty - -
Infrastructure,
Inc.

The contract drawings did not include provisions to install telephone wiring between the existing Administration Building and the new DNF structure. The contractor submitted a cost proposal which included dewatering of existing manholes and conduits, surge protection units, a NEMA 1 cabinet, and wiring necessary to complete the circuit. The cost proposal was reviewed and accepted by the design consultant, Rummel, Klepper & Kahl, LLP.

The contract time expired on February 28, 2015. However, the City, while preserving all legal rights is allowing the contractor to proceed and liquidated damages are being assessed, in accordance with the contract documents.

Department of Transportation/DOT Eng. & Construc.

2. EWO #003, \$283,978.62 - TR 11320R, FTA Project No. MD-04-0021-00, Greyhound Intermodal Terminal, 2110 Haines Street

\$6,694,743.95 \$0.00 Commercial In- - 65
teriors, Inc.

This authorization is requested on the behalf of the contractor as a result of three incidents that occurred during construction; 1) delayed receipt of a temporary right-of-way entry into Recreation and Parks property, 2) upgrade to the concrete paving requested by Greyhound, Inc.

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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>

to improve durability and extend the life cycle, and 3) the cost to pre-drill and grout all pile locations due to unfavorable and unforeseen soil conditions.

The work under this change order has been completed because it was on the critical path of the construction schedule and to wait for Board approval would cost the City time and money.

The Engineer's Certificate of Completion of Work has not been issued.

AGENDA

BOARD OF ESTIMATES

06/15/2016

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 a lawsuit filed by Karwarn Grant arising out of a motor vehicle accident at or near the intersection of Belair Road and Erdman Avenue on August 20, 2012 against Paris Dukes.

AMOUNT OF MONEY AND SOURCE:

\$85,000.00 - 2036-000000-1752-175200-603070

BACKGROUND/EXPLANATION:

On August 20, 2012, Mr. Dukes, a City employee, was operating a trash truck. On the above date and location, he began backing the truck up to get to a missed trash can. As the truck backed up, it struck a sedan driven by Mr. Grant. Mr. Grant contended that the crash caused him to strike his knee against the dashboard, causing a meniscus tear in his knee. He underwent two surgeries, months of treatment and physical therapy, and incurred lost wages.

As a result of the incident, the Plaintiff initially demanded a settlement of \$200,000.00. In light of the legal issues, the injuries suffered by the Plaintiff, and to avoid the risks accompanying trial, the City proposes to settle this matter for a total sum of \$85,000.00 in return for a complete dismissal of the litigation against the City and its employee by the Plaintiff.

Based on a review by the Settlement Committee of the Law Department of the legal and factual issues specific to this particular claim, a recommendation to the Board of Estimates is made to approve the settlement of this claim.

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