

**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](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 - OCTOBER 19, 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:

Case Foundation Company	\$ 84,609,000.00
Economic International Construction Company, Inc.	\$ 1,500,000.00
Hempt Bros., Inc.	\$104,301,000.00
Mar-Allen Concrete Products, Inc.	\$ 1,500,000.00
Mid-Atlantic General Contractors, Inc.	\$ 8,000,000.00
Reliable Contracting Company, Inc.	\$211,725,000.00
William T. King, Inc.	\$ 1,500,000.00

#### 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:

A S Architects, Inc.	Architect
Simpson Gumpertz & Heger, Inc.	Architect Engineer

TRANSFERS OF FUNDS

\* \* \* \* \*

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

3 - 5

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

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BOARD OF ESTIMATES

10/19/2016

TRANSFERS OF FUNDS

	<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Enoch Pratt Free Library</u>			
1.	<b>\$200,000.00</b>	9936-906060-9457	9936-915050-9457
	5 <sup>th</sup> Public Bldg.	Waverly Library	Govans Library
	Loan	Renovation	

The Govans Neighborhood Library built in 1921 was in need of roof replacement in order to provide a safe environment. This transfer will allow for the awarding of funding supporting change orders for additional work needed after the contract for roof replacement was awarded. The Waverly Library Renovation Project is nearing completion and the funds indicated for transfer are surplus to the project.

Department of General Services

2.	<b>\$50,000.00</b>	9916-901840-9194	9916-910741-9197
	General Funds	Race Street Env.	Courthouse East
		Remediation -	Basement Beam
		Reserve	Restoration -
			Active

This transfer will provide funds to the Department to restore the existing structural beam in the basement of Courthouse East and all associated in-house costs. This structural beam currently supports part of the southern exterior wall of the building and the restoration will prevent cracks from forming in the wall. Without repairs to this beam, cracks would develop in the exterior south wall of Courthouse East. These cracks would damage windows and cause exterior stone panels to break off.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

**TRANSFERS OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development</u>		
3. <b>\$ 500,000.00</b>	9910-930004-9587	9910-904254-9588
1 <sup>st</sup> Comm. & Eco. Dev. Bonds	Urgent Demolition (Reserve)	Urgent Demolition
This transfer will provide funds to support the Citywide Emergency Demolition program in fiscal year 2017.		
4. <b>\$2,000,000.00</b>	9910-914983-9587	9910-906256-9588
1 <sup>st</sup> Comm. & Eco. Dev. Bonds	Demo Blighted Structures (Reserve)	Demo Blighted Structures
This transfer will provide funds to support the Citywide Planned Demolition program in fiscal year 2017.		
5. <b>\$5,375,000.00</b>	9910-922012-9587	
1 <sup>st</sup> Comm. & Eco. Dev. Bonds	Whole Block Reserve 1 <sup>st</sup> Comm. & Eco. Dev. Bonds	
2,000,000.00	-----	9910-906126-9588 Whole Block Land Resources FY 17 - 1 <sup>st</sup> Comm. & Eco. Dev. Bonds
3,000,000.00	-----	9910-909128-9588 Whole Block Demolition FY 17 - 1 <sup>st</sup> Comm. & Eco. Dev. Bonds

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BOARD OF ESTIMATES

10/19/2016

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of Housing and Community Development - cont'd</u>		
289,500.00	-----	9910-908134-9588 Whole Block - Planning - 1 <sup>st</sup> Comm. & Eco. Dev. Bonds
<u>85,500.00</u>	-----	9910-906136-9588 Whole Block - Planning Operation - 1 <sup>st</sup> Comm. & Eco. Dev. Bonds
<b>\$5,375,000.00</b>		

This transfer will provide funds to the Citywide Whole Block program's projects as stated in the FY 2017 Ordinance of Estimates. The projects will include acquisition, relocation, demolition, and greening as appropriate to achieve whole-block outcomes. Properties are strategically selected to eliminate blight, support development opportunities, and/or protect public safety.

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BOARD OF ESTIMATES

10/19/2016

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. Steven M. Sass	1029 N. Castle St.	G/R	\$ 715.00
Funds are available in account 9910-906416-9588-900000-704040, EBDI Phase II Project.			
2. The Oblate Sisters of Providence of the City of Baltimore	504-506 E. Chase St.	F/S	\$ 4,350.00
3. The Oblate Sisters of Providence of the City of Baltimore	508 E. Chase St.	F/S	\$ 1,500.00
Funds are available in account 9910-910715-9588-900000-704040, Johnston Square Project.			

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

DHCD - Condemnation

4. D&F Realty, Inc.	9 N. Carrollton Ave.	F/S	\$30,000.00
Funds are available in account 9910-914135-9588-900000-704040, Poppleton Project.			

The fair market value was substantiated in appraisals made by independent appraisers contracted by the City. This will permit the City to have title to, and if necessary immediate possession of, the subject property interest in conformity with the applicable law.

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

\* \* \* \* \*

The Board is requested to approve

all of the

Extra Work Orders

as listed on the following pages:

8 - 10

The EWOs have been reviewed and approved

by the Department of

Audits, CORC, and MWBOO

unless otherwise indicated.

In connection with the Transfers of Funds,  
pursuant to Charter provisions, reports have

been requested from the Planning

Commission, the Director of Finance

having reported favorably thereon.



AGENDA

BOARD OF ESTIMATES

10/19/2016

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

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

Department of Transportation

1. EWO #003, \$270,199.52, TR 15011, Resurfacing Highways  
Northeast Sector I

\$2,608,485.50	\$207,175.69	P. Flanigan & Sons, Inc.	180	100
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This authorization provides for a 180 daynon-compensable time extension. The Board approved two previous time extensions for a total of 210 days, which included a completion date of September 13, 2016. This third request for a time extension will result in a new completion date of March 12, 2017. The additional time is needed because the work on Commercial Avenue could not proceed due to pending relocation of an existing storm drain inlet.

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$305,484.69 MVR	9950-904037-9509 Federal Street Reconstruction	9950-906221-9514-2 Contingencies - Resur- facing Highways at Various Location, NE Sector I

This transfer will fund costs associated with Change Order No. 3, Project TR15011, Resurfacing Highways, Northeast Sector I, with P. Flanigan& Sons, Inc.

3. EWO #004, \$0.00 - TR 14018, Material Testing 2014  
Various Projects Citywide

\$ 108,620.00	\$215,853.00	Sabra Wang & Associates, Inc.	30	95
			days	

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BOARD OF ESTIMATES

10/19/2016

EXTRA WORK ORDERS AND TRANSFERS OF FUNDS

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

Department of Transportation - cont'd

This authorization provides for a 30-day non-compensable time extension. The Board approved a previous time extension for 60 days, which included a completion date of September 28, 2016. This second request for a time extension will result in a completion date of October 28, 2016. The additional time is needed to continue the material testing under construction until TR 16007 Material Testing 2017 for Various Road Projects is awarded. The work under this contract has not been completed. An Engineer's Certificate of Completion of Work has not been issued on this contract.

- 4. EWO #010, \$0.88 - TR 20350, Replacement of Frederick Avenue Bridge over Gwynns Falls & CSX Railroad
- |                 |                |                       |   |   |
|-----------------|----------------|-----------------------|---|---|
| \$13,997,381.20 | \$1,041,744.67 | Joseph B. Fay Company | - | - |
|-----------------|----------------|-----------------------|---|---|

This authorization is requested on behalf of the DOT and the contractor due to unforeseen conditions during the design phase that were apparent during construction along with an administrative issue resulting in additional costs as follows: 1) Wage Rate revision: This was directed by FHWA representatives in which the contractor had to apply the current rates for the time period. 2) E&S Controls: Due to storm water runoff, a temporary stone outlet structure was replaced and a temporary gabion was installed at the bottom of the slope at the NE quadrant of the bridge. 3) Inlet I-3: The contractor uncovered an existing concrete encased duct bank while preparing to install the 15" reinforced pipe between inlet I-3 and the new manhole MH-2. 4) Railroad Track Removal: Railroad tracks were encountered during excavation of the proposed utility relocations, roadway base and surface course work. 5) Manhole E-3 Conflict: A 10" waterline was encountered which created a conflict with the proposed placement of the E-3 manhole.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

**EXTRA WORK ORDERS**

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

Department of Transportation - cont'd

6) Caisson Splicing: The existing footer was higher than anticipated at the center pier and abutment A resulting in the need to splice the length of the caisson rebar, and 7) Utility Obstruction - West Approach: An unidentified 10" CIP utility was encountered during the excavation for a 36" RCP storm drain. These items of work were initiated by both the City and the contractor as the need was obvious due to unknown conditions that could not have been foreseen during the design phase but only apparent once per plan work began in these areas. This change order request is being submitted after the completion of work due to the time taken to overview the entire project and to review the cost proposals. The wage rate data and costs could not be fully completed and finalized until all crew hours were known. All cost proposals were reviewed internally by the TEC division and the engineer of record and they found the costs to be reasonable and acceptable. The wage revision costs were based on rates determined by General Decision on 7/27/2012.

An Engineer's Certificate of Completion of Work has not been issued on this contract.

5. **TRANSFER OF FUNDS**

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$385,000.00	9950-944002-9507	9950-902412-9506-2
Federal	Constr. Reserve	Contingencies -
	Reserve for	Frederick Avenue
	Closeouts	Bridge over Gwynns
		Falls

This transfer will cover the deficit and fund costs associated with Change Order No. 10, Project TR 20350, Replacement of Frederick Avenue Bridge over Gwynns Falls & CSX Railroad with Joseph B. Fay Co. in the amount of \$0.88.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Health Department - Agreements and Ratification of the Amendment

The Board is requested to approve and authorize execution of the Agreements and to ratify Amendment.

AGREEMENTS

1. **THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM CORPORATION (UMMS)** **\$ 40,000.00**

Account: 1001-000000-3041-274500-603051

The UMMS's Department of Community Health Improvement will work with the Department to reduce risk factors associated with cardiovascular disease among African-American men in the City. Hypertensive men will be referred for treatment and engaged in an education program focusing on four key elements of a healthy diet to include the Dietary Approach to Stop Hypertension diet, healthy weight management, daily physical activity, and stress management. The period of the agreement is July 1, 2016 through June 30, 2017.

The agreement is late due to a delay at the administrative review process.

2. **THE JOHNS HOPKINS UNIVERSITY (JHU)** **\$105,500.00**

Account: 4000-480617-3080-279200-603051

JHU's School of Medicine Harriet Lane Teen Clinic will work on the U Choose Evidence-Based Pregnancy Prevention project to implement the Seventeen Days curriculum. The Seventeen Days curriculum educates young women about contraception and STD's. The target population are girls ages 14 to 19. The period of the agreement is July 1, 2016 through June 30, 2017.

The agreement is late due to the program plan and budget being submitted late by the vendor.

**MWBOO GRANTED A WAIVER.**

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Health Department - cont'd

RATIFICATION TO THE AMENDMENT

3. **MEALS ON WHEELS OF CENTRAL MARYLAND, INC.** **\$25,000.00**

Account: 4000-434316-3255-761200-604014

On February 10, 2016, the Board approved the original agreement for \$1,100,976.50. This amendment will increase the funds by \$25,000.00 making the total award amount \$1,125,976.50.

Meals on Wheels of Central Maryland, Inc. provided nutritionally balanced meals to the projected number of homebound and/or frail elderly residents of the City. It provided unique professional services in the Maryland area, which are available from no other vendor. The period of the amendment was October 1, 2015 through September 30, 2016.

**MWBOO GRANTED A WAIVER.**

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

(The Agreements and Amendment have been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Health Department - Grant Award

**ACTION REQUESTED OF B/E:**

The Board is requested to approve acceptance of the Grant Award from the American Public Health Association (APHA). The period of the Grant Award is October 1, 2016 through September 30, 2018.

**AMOUNT OF MONEY AND SOURCE:**

\$10,000.00 - 6000-615317-3001-268400-406001

**BACKGROUND/EXPLANATION:**

The grant from APHA will provide funding to support the Be Well B'More Wellness Campaign. The goal of this initiative is as follows: 1) to unify residents of Baltimore in a celebration of the City's outdoor spaces and opportunities for outdoor recreation, 2) to promote increased physical activity across the City through organized events, with a specified focus on underserved populations, and 3) to create a platform for public health policy changes and investments in the built environment through new cross sector collaborations between City agencies and organizations including the Department of Transportation, the Department of Planning, the Department of Recreation and Parks, the Mayor's Office, local universities, and medical systems in the City.

The Healthiest Cities and Counties Challenge will work in collaboration with other successful wellness and equity initiatives at the Department.

**APPROVED FOR FUNDS BY FINANCE**

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

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

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Planning - Report on Previously  
Approved Transfers of Funds

At previous meetings, the Board of Estimates approved Transfers of Funds subject to receipt of favorable reports from the Planning Commission, the Director of Finance having reported favorably thereon, as required by the provisions of the City Charter. Today, the Board is requested to **NOTE 13** favorable reports by the Planning Commission on October 8, 2015 on Transfers of Funds approved by the Board of Estimates at its meetings on September 21, 28, and October 5, 2016.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office of Health, Human Services, - Agreement  
Education and Youth

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**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Agreement with The Family League of Baltimore City, Inc. The period of the agreement is July 1, 2016 through June 30, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$990,271.00 - 1001-000000-3850-630500-607001

**BACKGROUND/EXPLANATION:**

The Family League of Baltimore City, Inc. is the City's Local Management Board. The Family League of Baltimore City, Inc. is a quasi-governmental non-profit organization that works with a range of partners to develop and implement initiatives that improve the well-being of Baltimore's children, youth and families. The Family League of Baltimore City, Inc. touches the lives of tens of thousands of Baltimore families each year.

This agreement will support prenatal home visiting programs for pregnant women and women with young children at various locations in the City. The agreement will also support the implementation of a prenatal health literacy program designed to educate women about pregnancy, build health literacy skills, increase self-efficacy, and provide social support. The organizations sub-grantees are affiliated with the B'More for Healthy Babies Initiative of the Health Department and will implement the Healthy Families America program, an evidence-based home visiting model. The intended outcomes are as follows: 1) a reduction in poor birth outcomes of low-birth weight and premature birth and 2) a reduction in the number of infant deaths due to unsafe sleep practices.



**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office of Health, Human, Services, - cont'd  
Education and Youth

The agreement is late due to time needed to negotiate and finalize sub-contractor budgets.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office of Human Services - Agreements and Amendment  
to Agreement

The Board is requested to approve and authorize execution of the various agreements and the amendment to agreement. The period of the agreement is July 1, 2016 through June 30, 2017, unless otherwise indicated.

AGREEMENTS

1. **THE BALTIMORE STATION, INC.** **\$ 144,000.00**

Account: 5000-529117-3572-766700-603051

Under the terms of this Emergency and Transitional Housing and Services Agreement, The Baltimore Station, Inc. will use the funds to provide shelter and support services to 180 homeless men at its South Baltimore Station program, located at 140 W. West Street in Baltimore City.

2. **THE BALTIMORE STATION, INC.** **\$1,050,000.00**

Account: 1001-000000-3572-781800-603051

Under the terms of the agreement, The Baltimore Station, Inc. will use the funds to provide 100 to 125 emergency shelter beds per night in its overflow shelter, as well as shuttle services to and from the main City shelter to its overflow facilities and other service provider sites. The organization will also provide additional transport and shelter during City designated "Code Blue" days.

3. **PROJECT PLASE, INC.** **\$ 172,448.00**

Account: 5000-502817-3572-764600-603051

Under the terms of the agreement, Project PLASE, Inc. will use the funds to provide emergency shelter bed nights for 10 homeless individuals in Baltimore City. In addition, the

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office of Human Services - cont'd

organization will use the funds to cover personnel costs, shelter operating expenses, and client costs such as transportation and food on a per night basis.

4. **HEALTHCARE ACCESS MARYLAND, INC.** **\$ 124,300.00**

Account: 4000-407117-5940-788800-603051

Under the terms of this Emergency Solution Grants Program Agreement, HealthCare Access Maryland, Inc. will use the funds to conduct street outreach to 100 homeless persons living on the streets. The period of the agreement is July 1, 2016 through June 30, 2018.

5. **BALTIMORE OUTREACH SERVICES, INC.** **\$ 155,000.00**

Account: 5000-529117-3572-766300-603051

Under the terms of this Emergency and Transitional Housing and Services Agreement, Baltimore Outreach Services, Inc. will use the funds to provide shelter and support services to 250 clients under its Homeless Women and Children program.

The agreements are late because of delays at the administrative level.

6. **HEALTHCARE FOR THE HOMELESS, INC.** **\$1,044,827.50**

Account: 4000-407017-3573-789000-603051

Under the terms of this Continuum of Care Program Agreement, HealthCare for the Homeless, Inc. will provide services to 55 formerly homeless households. The organization will use the funds to provide rental assistance,

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office of Human Services - cont'd

utility payments, and case management services to clients. The period of the agreement is October 1, 2016 through September 30, 2018.

**MWBOO GRANTED A WAIVER.**

- 7. **ST. VINCENT DE PAUL OF BALTIMORE, INC** **\$ 35,700.00**

Account: 5000-529117-3573-767100-603051

Under the terms of this Emergency and Transitional Housing and Services Agreement, St. Vincent de Paul of Baltimore, Inc. will use the funds to provide shelter and support services to individuals in its Beans and Bread program. The organization will provide case management to 100 homeless individuals and assist 40 individuals to find housing.

The agreement is late because of delays at the administrative level.

AMENDMENT NO. 1 TO AGREEMENT

- 8. **DAYSRING PROGRAMS, INC.** **\$ 47,367.00**

Account: 4000-486316-6051-515600-603051

On July 13, 2016 the Board approved the one-month advance of funds in the amount of \$394,200.00 to the organization. On August 10, 2016, the Board approved acceptance of the remaining funds from the grant in the amount of \$4,336,200.00.

This Amendment No. 1 will increase the contract by \$47,367.00 which will make the total amount of the agreement \$4,777,767.00. The additional funds are a result

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office of Human Services - cont'd

of a Federal supplemental award for cost-of-living adjustment increases for the Head Start program. The program will maintain full enrollment of 584 Head Start eligible children and provide services for six hours per day, five days per week, for a total of 170 days of the year. All other terms and conditions of the Agreement remain unchanged.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION**

(The Agreements and Amendment to Agreement have been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Transportation - Memorandum of Understanding,  
Second Amendment to Developer's  
Agreement and an Expenditure  
Authorization

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Memorandum of Understanding (MOU) between CBAC Borrower, LLC (CBAC), Veolia Energy Maryland Steam Corporation (Veolia) and the Mayor and City Council of Baltimore (the City) related to obligations of CBAC and Veolia as to future obligations of the relocated steam pipe which is located on CBAC property and attached to the Casino Garage. The Board is also requested to approve and authorize execution of the Second Amendment to Developer's Agreement Nos. 1293, 1293-A, and 1293-B, and approve an expenditure of funds, by Expenditure Authorization, to reimburse the CBAC. The MOU is effective upon Board approval for 20 years.

**AMOUNT OF MONEY AND SOURCE:**

\$96,995.00 - 9910-911301-9601

**BACKGROUND/EXPLANATION:**

As part of the original Developer's Agreement between the City and the CBAC for construction of the Casino Garage, an element of the project work included the relocation of a City-owned steam transmission line out of the Warner Street roadbed to be rerouted along the sides of the Casino Garage property underground and to be elevated along the back garage. After

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Transportation - cont'd

installation of the steam line, CBAC and Veolia have agreed to enter into the MOU to set forth each of the two parties obligations relating to future maintenance obligations and access to the elevated portion of the steam line through the garage. It has been determined that it is necessary to install a condensate discharge line connecting two City manholes in the City right-of-way. CBAC has hired Veolia who did the initial installation of the steam pipe to complete the installation. The City will then reimburse the CBAC for the cost of the installation through funds made available by a capital account by the Baltimore Development Corporation, which per the contract between the CBAC and Veolia is anticipated to be \$96,995.00.

**MBE/WBE PARTICIPATION:**

The CBAC has already agreed to comply with the MBE requirements as described in Title 14, Subtitle 3 of the State Finance and Procurement Article which was contained in the Land Disposition Agreement for the purchase of the garage site.

**APPROVED FOR FUNDS BY FINANCE**

(The Memorandum of Understanding and the Second Amendment to the Developer's Agreement have been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Baltimore Development Corporation - Transfer of Funds

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<b>\$96,995.00</b>	9910-994001-9600	9910-911301-9601
22 <sup>nd</sup> Econ.	Constr. Reserve	Warner Street
Dev. Fund	Unallocated Reserve	Steamline

This transfer will provide funds associated with the future maintenance of the relocated steam pipe which is located on CBAC Borrower, LLC and Veolia Energy Maryland Steam Corporation property and attached to the Casino Garage.

(In accordance with Charter provisions, a report has been requested from the Planning Commission, the Director of Finance having reported favorably thereon.)



**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Transportation - Amendment to Lease Agreement and  
Amendment to the Amended and  
Restated Franchise Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of: 1) an Amendment to Lease Agreement with Veolia Maryland Steam Corporation (Veolia Steam) and, 2) an Amendment to the Amended and Restated Franchise Agreement with Veolia Energy Baltimore Corporation (Veolia Energy).

**AMOUNT OF MONEY AND SOURCE:**

\$500,000.00 - 2026-000000-1873-790600-402519

**BACKGROUND/EXPLANATION:**

The Amendment to the Amended and Restated Franchise Agreement provides for Veolia Steam to contribute \$500,000.00 towards the cost incurred by the City in relocating the steam pipe previously located in Warner Street between the Horseshoe Casino and the Casino Garage across from the Casino.

As part of the construction of the Horseshoe Casino and the Casino Garage, it was necessary for safety and other reasons to relocate the City-owned steam transmission line out of the Warner Street roadbed to be rerouted along the sides of the Casino Garage property underground and to be elevated along the back of the garage. The cost of relocating the steam line was \$4,300,000.00 of which the CBAC Borrower, LLC (the owner of the Casino Garage) voluntarily agreed to pay \$1,000,000.00 and the City paid the rest. Because the cost exceeded initial estimates, and Veolia Steam under its long-term lease for the steam pipe will receive the benefit of the new and improved pipe as it runs along the Casino Garage, Veolia Steam has agreed to contribute a total of \$500,000.00 by increasing its current rent from \$25,000.00 per year to \$50,000.00 per year from March 31, 2015 through the end of the lease which is February 28, 2035.

Veolia Steam has agreed to prepay the additional \$25,000.00 per year in rent. The total prepayment which equals \$500,000.00 will

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Transportation - cont'd

be paid in two installments. The first installment in the amount of \$333,334.00 will be due 30 days after the approval of the Lease Agreement by the Board of Estimates. The second installment in the amount of \$166,666.00 will be due March 1, 2017.

In order to assist Veolia Steam with the payment of the \$500,000.00, the City has agreed to permit Veolia Energy to reduce the amount it is required to maintain in the Discretionary Fund provided for in the Amended and Restated Franchise Agreement from \$300,000.00 to \$133,333.00 for calendar years 2016, 2017, and 2018. Beginning in calendar year 2019, the Discretionary Fund will return to the previous level of \$300,000.00. The Discretionary Fund is a fund maintained by the franchise but jointly controlled with the City to provide for repair of steam and non-steam deficiencies (regardless of fault), investigation of problems, road resurfacing, and repair of water leaks/pipes as may be related to or for the improvements of the operation of the steam distribution system.

(The Amendment to Lease Agreement and the Amended and Restated Franchise Agreement have been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Transportation - Lease Agreement for Alley Gating

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Lease Agreement for Alley Gating in Block 6313-A with McElderry Park Community Association. The period of the Lease Agreement for Alley Gating is effective upon Board approval for five years with an automatic renewal of up to four additional 5-year terms.

**AMOUNT OF MONEY AND SOURCE:**

McElderry Park Community Park Association will be solely responsible for all costs and fees for this project.

**BACKGROUND/EXPLANATION:**

McElderry Park Community Association wishes to gate certain alleys in Block 6313-A, in order to safeguard its property. A public hearing was held after the required notice was posted. After conclusion of the hearing, the application was approved.

There were no objections to the project from any agency or utility. The Police and Fire Departments affirmatively supported the project.

**MBE/WBE PARTICIPATION:**

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

(The Lease Agreement for Alley Gating has been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Transportation - Refund of Excess Proceeds  
from an Auction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve payment, by Expenditure Authorization, of the refund of excess proceeds from a City vehicle auction to the registered owner, Mr. Jason Speight.

**AMOUNT OF MONEY AND SOURCE:**

\$5,818.00 - 1001-000000-1950-505215-401774

**BACKGROUND/EXPLANATION:**

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

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

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Transportation - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 8 to Rummel, Klepper & Kahl, LLP under Project No. 1217, On-Call Construction Project Management Services. The period of the task assignment is approximately one year.

**AMOUNT OF MONEY AND SOURCE:**

\$ 77,688.00 - 9950-908174-9527-900020-705032  
77,688.00 - 9950-916051-9527-900010-705032  
51,792.00 - 9960-908500-9557-900000-705032  
51,792.00 - 9910-907979-9588-900020-705032  
**\$258,960.00**

**BACKGROUND/EXPLANATION:**

This authorization will provide for a Construction Manager for the Department of Transportation TEC Division.

**MBE/WBE PARTICIPATION:**

The Consultant will comply with Article 5, Subtitle 28 of the Baltimore City Code and MBE/WBE goals established in the original agreement.

**MBE: 29%**

**WBE: 10%**

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

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Transportation - Form Right-of-Entry Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Form Right-of-Entry Agreement with property owners who have agreed to provide a power connection from their private meter to a bike share station. The period of the Form Right of Entry Agreement is effective beginning upon the date the last party signs the Agreement and ending upon the completion of the work.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

The Department of Transportation (DOT) is installing bike share stations and connecting them to power sources for the launch of the Bike Share Program. Many of the power connections will be installed in the right-of-way adjacent to private property, and as such, the private property owner is permitting the DOT to enter their property for the purpose of installing an electrical duct from the private electrical facility to the bike share station.

In order to enter private properties, it will be necessary for the City to enter into an agreement with all of the affected property owners. The Form Right-of-Entry Agreement which is submitted provides indemnification by the City to the owner, if the City causes damage to the property.

The submitted list provides the 25 addresses of property owners that are anticipated to sign the Right-of-Entry form. Upon approval by the Board of Estimates of the form, DOT will have each private property owner sign the Right-of-Entry form which grants approval for the City to enter the premises and conduct the work related to construction of an electrical duct to power the bike share station.

For its records, the Board will be sent a copy of the Right-of-Entry form that has been signed by each property owner.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Transportation - cont'd

**ATTACHMENT A**

**LIST OF ADDRESSES ANTICIPATED  
TO SIGN THE RIGHT OF ENTRY FORM**

1	701 Cathedral St.	Baltimore, MD 21201
2	915 Cathedral St.	Baltimore, MD 21201
3	106 E. Baltimore St.	Baltimore, MD 21202
4	211 N. Eutaw St.	Baltimore, MD 21201
5	729 E. Baltimore St.	Baltimore, MD 21202
6	100 Light St.	Baltimore, MD 21201
7	26 S. Arlington Ave.	Baltimore, MD 21223
8	1065 S. Charles St.	Baltimore, MD 21230
9	2400 Boston St.	Baltimore, MD 21224
10	110 W. Fayette St.	Baltimore, MD 21201
11	250 W. Pratt St.	Baltimore, MD 21201
12	901 S. Bond St.	Baltimore, MD 21231
13	700 Washington Blvd.	Baltimore, MD 21230
14	501 E. Pratt St.	Baltimore, MD 21202
15	1000 Wills St.	Baltimore, MD 21231
16	520 Park Ave.	Baltimore, MD 21201
17	22 S. Greene St.	Baltimore, MD 21201
18	829 W. Baltimore St.	Baltimore, MD 21201
19	111 W. Baltimore St.	Baltimore, MD 21201
20	675 S. President St.	Baltimore, MD 21202
21	1603 Whetstone Way	Baltimore, MD 21230
22	1501 W. Mt. Royal Ave.	Baltimore, MD 21217
23	301 W. Camden St.	Baltimore, MD 21201
24	1251 Light St.	Baltimore, MD 21230
25	1001 N. Charles St.	Baltimore, MD 21201

**APPROVED FOR FUNDS BY FINANCE**

(The Form Right-of-Entry Agreement has been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of General Services - Task Assignment

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 5 to Gipe Associates, Inc. under Project 1220, MECU HVAC Systemic Renovation Design. The period of the task assignment is approximately 21 months.

**AMOUNT OF MONEY AND SOURCE:**

\$296,035.18 - 1001-000000-1982-192500-603080

**BACKGROUND/EXPLANATION:**

Gipe Associates, Inc. will provide design, bid analysis, and post award services for the MECU Building HVAC Systemic Renovations.

**MBE/WBE PARTICIPATION:**

The Consultant will comply with Article 5, Subtitle 28 of the Baltimore City Code and MBE and WBE goals established in the agreement.

**MBE:** SP Architects, Inc.                    \$62,600.28                    21.16%

**WBE:** Carroll Engineering                    \$14,187.67                    4.86%

**APPROVED FOR FUNDS BY FINANCE**

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



**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of General Services - First Amendment to the Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the First Amendment to the Agreement with Gipe Associates, Inc. under Project 1220, On-Call Engineering Services. The amendment will extend the period of the agreement through April 14, 2019.

**AMOUNT OF MONEY AND SOURCE:**

N/A

**BACKGROUND/EXPLANATION:**

On April 15, 2015, the Board approved the original agreement for two years with an upset limit of \$1,000,000.00. The Board approved a task on August 10, 2016 to design and oversee the renovations to the City Hall elevators. This amendment will allow Gipe Associates, Inc. to complete this project.

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

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

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



AGENDA

BOARD OF ESTIMATES

10/19/2016

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- |  |             |         |
|--|-------------|---------|
| 4. HIGHTAIL, INC.<br>Contract No. 08000 - Annual Licensing and Software Support for Hightail for Enterprise - State's Attorney's Office - Req. No. P531250 | \$16,500.00 | Renewal |
|--|-------------|---------|

On May 18, 2015, the City Purchasing Agent approved the initial award in the amount of \$16,500.00. The award contained three 1-year renewal options. On December 16, 2015, the Board approved the first renewal in the amount of \$16,500.00. This second renewal in the amount of \$16,500.00 is for the period December 31, 2016 through December 30, 2017, with one 1-year renewal option remaining.

- |   |             |         |
|---|-------------|---------|
| 5. GRAPHIC COMPUTER SOLUTIONS, INC. t/a JUDICIAL DIALOG SYSTEMS<br>Contract No. 08000 - Software Maintenance and Support for Judicial Dialog - State's Attorney's Office - P.O. No. P530008 | \$22,000.00 | Renewal |
|---|-------------|---------|

On February 2, 2015, the City Purchasing Agent approved the initial award in the amount of \$22,000.00. The award contained four 1-year renewal options. On November 25, 2015, the Board approved the first renewal in the amount of \$22,000.00. This second renewal in the amount of \$22,000.00 is for the period January 1, 2017 through December 31, 2017, with two 1-year renewal options remaining.

- |  |         |         |
|--|---------|---------|
| 6. ANNASHAE CORPORATION<br>Solicitation No. B50003782 - X-Ray Technician Services - Health Department - P.O. No. P529019 | \$ 0.00 | Renewal |
|--|---------|---------|

On October 29, 2015, the Board approved the initial award in the amount of \$27,735.00. The award contained three 1-year renewal options. On November 25, 2015, the Board approved the first renewal in the amount of \$27,735.00. This second renewal in the amount of \$0.00 is for the period November 1, 2016 through October 31, 2017, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

AGENDA

BOARD OF ESTIMATES

10/19/2016

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- |   |              |         |
|---|--------------|---------|
| 7. MOSAIC GLOBAL SALES,<br>LLC  | \$300,000.00 | Renewal |
| Contract No. B50003722 - Hydrofluorosilicic Acid for Water Treatment Plants - Department of Public Works, Water and Wastewater - P.O. No. P530639 |              |         |

On October 15, 2014, the Board approved the initial award in the amount of \$662,000.00. The award contained four 1-year renewal options. Subsequent actions have been approved. This second renewal in the amount of \$300,000.00 is for the period November 15, 2016 through November 14, 2017, with two 1-year renewal options remaining. The above amount is the City's estimated requirement.

**MWBOO GRANTED A WAIVER.**

- |  |              |         |
|--|--------------|---------|
| 8. BIOPOOL US INC. d/b/a<br>TRINITY BIOTECH DISTRIBUTION,<br>INC.                      | \$ 40,045.00 | Renewal |
| Contract No. B50003556 - Uni-Gold HIV Test Kits - Health Department - P.O. No. P529128 |              |         |

On November 5, 2014, the Board approved the initial award in the amount of \$40,045.00. The award contained three 1-year renewal options. On December 23, 2015, the Board approved the first renewal in the amount of \$40,045.00. This second renewal in the amount of \$40,045.00 is for the period November 12, 2016 through November 11, 2017, with one 1-year renewal option remaining. The above amount is the City's estimated requirement.

- |  |              |         |
|--|--------------|---------|
| 9. WALTERS RELOCATIONS,<br>INC.  | \$ 20,000.00 | Renewal |
| Contract No. B50003097 - Moving Services for the Lead Abatement Program - Department of Housing and Community Development - P.O. No. P525157 |              |         |

AGENDA

BOARD OF ESTIMATES

10/19/2016

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR AMOUNT OF AWARD AWARD BASIS

Bureau of Purchases

On October 9, 2013, the Board approved the initial award in the amount of \$75,000.00. The award contained three 1-year renewal options. Two renewals options have been exercised. This final renewal in the amount of \$20,000.00 is for the period November 1, 2016 through October 31, 2017. The above amount is the City's estimated requirement.

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

	<u>Commitment</u>	<u>Performed</u>
<b>MBE:</b> J & J Moving and Hauling, Inc.	10%	\$1,224.00 9.5%

**WBE:** N/A

**MWBOO FOUND VENDOR IN COMPLIANCE.**

10. RAND WORLDWIDE SUBSIDIARY, INC. d/b/a IMAGINIT TECHNOLOGIES \$ 56,250.00 Renewal  
 Contract No. 08000 - Archibus Maintenance and Support Agreement - Department of General Services - P.O. No. P527708

On June 4, 2014, the Board approved the initial award in the amount of \$29,400.00. The award contained five 1-year renewal options. Subsequent actions have been approved. This second renewal in the amount of \$56,250.00 will provide the required maintenance and support for the Archibus system, which coordinates building maintenance for various City facilities. The period of the renewal is November 1, 2016 through October 31, 2017, with three 1-year renewal options remaining.

11. GRANICUS, INC. \$56,345.38 Renewal  
 Contract No. 08000 - Legistar Matrix Disaster Recovery System, Support and Maintenance - Office of the City Council President - P.O. No. P527503

AGENDA

BOARD OF ESTIMATES

10/19/2016

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

Since 1999, the Office of the City Council President has utilized Legistar as its legislation workflow application. On November 21, 2014, an additional Boards and Commissions module for the Office of the Mayor was deployed. The proposed term is 14 months to have the contract on a calendar year term invoiced quarterly for services. There is no increase in unit pricing. Therefore, pricing is deemed fair and reasonable.

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.

12. CREATIVE SOFTWARE SOLUTIONS, LLC	\$129,634.98 <u>249,634.98</u>	Increase and Extension
	<b><u>\$379,269.96</u></b>	

Solicitation No. 06000 - Management Services for the Taxi Card Program - Health Department - P.O. No. P524894

On October 16, 2013, the Board approved the initial award in the amount of \$499,270.00. The award contained two renewal options. Subsequent actions have been approved and both renewals have been exercised. On June 15, 2016, the Board approved an extension and increase to allow time to bring the tasks in house. After an analysis, the Health Department decided it would continue to contract out the tasks. While waiting for contract specifications from the Health Department, it was determined that the requested amount was not sufficient to cover the extension period and additional time would be needed to bid, evaluate and award a new contract. This increase in the amount of \$129,634.98 and extension in the amount of \$249,634.98 will make the total award amount \$2,057,079.96. The period of the extension is January 1, 2017 through June 30, 2017.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

**INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

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

<b>MBE:</b> Sue-Ann's Office Supply, Inc.	0.85%	\$ 833.58	0.4%
J & P Childs Transportation	2.15%	*See note below	
Taylor Made Transportation Services, Inc.*	0	3,685.00	1.9%
A-S Tours, Inc.*	0	1,985.00	1.0%
	<b>3.00%</b>	<b>\$ 6,503.58</b>	<b>3.3%</b>
 <b>WBE:</b> Curry Printing & Copy Center	 1.1%	 \$ 7,175.14	 3.6%
Jodi M. Stappler	0.2%	1,000.00	0.5%
	<b>1.3%</b>	<b>\$8,175.14</b>	<b>4.1%</b>

\*These companies replaced J & P Childs Transportation, which is no longer certified with Baltimore City.

**MWBOO FOUND VENDOR IN COMPLIANCE.**

13. KPMG LLP Ratification  
 LLP and Extension  
\$304,260.00  
 Contract No. B50001847 - Audit Financial Statements for the  
 City of Baltimore - Finance Department - P.O. No. P531949

On April 27, 2011, the Board approved the initial award in the amount of \$779,745.00. Subsequent actions have been approved. A ratification is necessary to allow for the additional work necessary for completion of the Fiscal Year 2014 Financial Audit Statements. This extension is necessary to allow the contract to remain active through October 21, 2017. The ratification and extension in the amount of \$304,260.00 will make the total award amount \$2,354,405.00. The period of the ratification is April 27, 2016 through October 19, 2016. The period of the extension is October 20, 2016 through October 31, 2017.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

**INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS**

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

**MWBOO SET GOALS OF 10% MBE AND 6% WBE.**

**MWBOO GRANTED A WAIVER OF THE GOALS APPLICABLE TO THIS RATIFICATION AND EXTENSION.**

14. THE MIDDLETON &  
MEADS COMPANY \$500,000.00 Extension  
 Contract No. B50002000 - Spring and Suspension Repairs -  
 Department of General Services - P.O. No. P518464

On September 28, 2011, the Board approved the initial award in the amount of \$2,500,000.00. The award contained two renewal options. Subsequent actions have been approved and both renewals have been exercised. A solicitation, B50004788 has been advertised for bids, for a new contract with bids due on November 23, 2016. An extension is necessary to allow time for the solicitation to be competitively bid and awarded. The period of the extension is November 1, 2016 through January 31, 2017. The above amount is the City's estimated requirement.

**MWBOO SET GOALS OF 2% MBE AND 1% WBE.**

	<u>Commitment</u>	<u>Performed</u>	
<b>MBE:</b> Millennium Auto Parts	2%	\$ 841.00	0.05%
<b>WBE:</b> Chesapeake Wiper and Supply, Inc.	0.25%	\$4,489.89	0.25%*
Robnet, Inc.	0.50%	741.00	0.04%
Maryland Chemical Co., Inc.	<u>0.25%</u>	<u>2,599.00</u>	<u>0.14%</u>
	<b>1.00%</b>	<b>\$7,829.89</b>	<b>0.43%</b>

\*Vendor spent \$10,426.00 on supplies; however credit is given for only \$4,489.89 which is the maximum value allowed for



AGENDA

BOARD OF ESTIMATES

10/19/2016

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

expenditures from non-manufacturing suppliers. Vendor has exercised good faith efforts in meeting the goals, due to the nature and scope of this contract.

**MWBOO FOUND VENDOR IN COMPLIANCE.**

- |  |              |                           |
|--|--------------|---------------------------|
| 15. COLOSSUS, INCORPORATED d/b/a<br>INTERACT PUBLIC SAFETY<br>SYSTEMS                                    | \$181,165.71 | Sole Source/<br>Agreement |
| Contract No. 08000 - Pocket Cop Maintenance Contract -<br>Baltimore Police Department - Req. No. R733789 |              |                           |

The Board is requested to approve and authorize execution of an Agreement with Colossus Incorporated d/b/a InterAct Public Safety Systems. The period of the agreement is September 1, 2016 through August 31, 2017, with five 1-year renewal options.

Colossus, Incorporated d/b/a InterAct Public Safety Systems is the sole source provider of the PocketCop and the related MobileCop licenses. The Baltimore Police Department is currently using these software applications. The above amount is the City's estimated requirement.

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 1 (e) (i) of the City Charter, the procurement of the equipment and/or service is recommended.

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

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office of Employment - Notice of Grant Award  
Development (MOED)

The Board is requested to approve acceptance of the Notice of Grant Awards (NGA).

**1. STATE OF MARYLAND DEPARTMENT OF LABOR, \$3,078,342.00  
LICENSING AND REGULATION (DLLR)**

Account: 4000-807517-6312-456000-404001	307,890.00
4000-806417-6313-456000-404001	2,540,355.00
4000-806717-6312-456000-404001	230,097.00

The period of the award is July 1, 2016 through June 30, 2018.

The NGA is late due to the initial grant not being presented in a timely manner; therefore, additional time was necessary to reach a comprehensive understanding between the parties.

**2. STATE OF MARYLAND DEPARTMENT OF LABOR, \$3,336,000.00  
LICENSING AND REGULATION (DLLR)**

Account: 4000-807517-6312-456000-404001	2,109,999.00
4000-806717-6313-456000-404001	1,226,001.00

The period of the NGA is October 1, 2016 through June 30, 2018.

The NGA from DLLR is for the fiscal year 2017, Workforce Innovation Opportunity Act Grant. The grant funds will allow MOED to partner with core partners to design and deliver services to adults, youth and dislocated workers.

**APPROVED FOR FUNDS BY FINANCE**

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

(The terms and conditions of the Notice of Grant Awards have been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office of Employment Development - Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Agreement with B.U.I.L.D., Inc. (Baltimoreans United in Leadership Development). The period of the Agreement is July 1, 2016 through April 30, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$128,376.38 - 4000-807416-6312-4790005-603051

**BACKGROUND/EXPLANATION:**

B.U.I.L.D., Inc. will conduct intensive, neighborhood outreach to eligible youth and young adult residents of the City who are in need of training, employment and/or support services. B.U.I.L.D., Inc. will recruit and enroll at least 126 residents into work readiness training and provide job placement services.

The funds will be drawn from a United States Department of Labor demonstration grant received through the State of Maryland Department of Labor, Licensing and Regulation.

The Agreement is late because of additional time necessary to reach a comprehensive understanding between the parties.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Fire Department - FY 2017 Marine Fire Suppression Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the FY 2017 Marine Fire Suppression Agreement with the Maryland Department of Transportation (MDOT).

**AMOUNT OF MONEY AND SOURCE:**

\$1,399,940.00 - 1001-000000-2120-502000-401590

**BACKGROUND/EXPLANATION:**

The MDOT will reimburse the City for providing waterborne fire protection and related emergency services within the Port of Baltimore during FY 2017.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

(The FY 2017 Marine Fire Suppression Agreement has been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Police Department - Provider Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of a Provider Agreement with Strong City Baltimore, Inc. The period of the Provider Agreement is October 6, 2016 through October 5, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$54,800.00 - 1001-000000-2041-776700-603018

**BACKGROUND/EXPLANATION:**

Under the terms of the Provider Agreement, Strong City Baltimore, Inc. will recruit, employ, and provide the services of a Community Corps Fellow (Fellow) to work on a full-time basis with the Department's Office of Compliance, Accountability, and External Affairs. The Fellow will provide project management, research, and will assist with the development of best practices in the Department.

**MBE/WBE PARTICIPATION:**

N/A

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Public Works/Office - Task Assignment  
of Engineering and Construction (DPW)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 017 to Hazen & Sawyer PC, under Project No. 1406, (SC 899, SC 898, SC 857, and WC 1254R) On-Call Project and Construction Management Assistance Services.

**AMOUNT OF MONEY AND SOURCE:**

(\$ 54.16) - 9956-903645-9551-900020-705032 (SC 899 Task 2)  
( 46,253.38) - 9956-903645-9551-900020-705032 (SC 899 Task 13)  
( 561.11) - 9956-907646-9551-900020-705032 (SC 898 Task 3)  
( 45,830.66) - 9960-912133-9557-900020-706063 (WC 1254R Task 7)  
( 22,814.00) - 9956-903572-9551-900020-705032 (SC 857 Task 4)  
**(\$115,513.31)**

**BACKGROUND/EXPLANATION:**

The Office of Engineering and Construction is in need of assistance from Hazen & Sawyer PC, to provide a credit on various projects, including Task 2 and 13-SC 899, Improvements to Sanitary Sewers in the Western Area in the Jones Falls Sewershed, Task 3-SC 898, Improvements to Sanitary Sewer in the Stony Run Area of Jones Falls Sewershed, Task 7-WC 1254R, Water Infrastructure Rehabilitation, Various Locations, and Task 4-SC 857, Chlorination/Dechlorination Facilities Process Conversion at the Patapsco Wastewater Treatment Plant.

**MWBOO GRANTED APPROVAL.**

**APPROVED FOR FUNDS BY FINANCE**

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

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office on Criminal Justice - Ratifications to Amendments

The Board is requested to ratify the Amendments to the Memoranda of Understanding (MOU) and the Amendment to Agreement and authorize payment for services rendered.

AMENDMENT TO MEMORANDA OF UNDERSTANDING

1. **THE BALTIMORE CITY HEALTH DEPARTMENT** **\$0.00**  
**(BCHD)**

Account: 4000-472813-2252-690700-600000

On December 16, 2015, the Board approved the original MOU with the BCHD for the Safe Streets East Baltimore Program for the "McElderry Park Revitalization Coalition Project," in the amount of \$50,000.00. The period of the MOU was July 15, 2015 through July 14, 2016.

The no-cost amendment to the MOU extends the period of the MOU through November 30, 2016. All other terms and conditions of the MOU remain unchanged.

2. **UNIVERSITY OF BALTIMORE** **\$0.00**

Account: 4000-472813-2252-690700-600000

On December 23, 2015, the Board approved the original MOU with the University of Baltimore, acting by and through the Baltimore Neighborhood Indicators-Alliance Jacob France Institute for the "McElderry Park Revitalization Coalition Project," in the amount of \$50,951.00. The period of the MOU was August 1, 2015 through July 14, 2016.

The no-cost amendment to the MOU extends the period of the MOU through November 30, 2016. All other terms and conditions of the MOU remain unchanged.

The amendments to the MOU are late because of delays in the administrative process.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office on Criminal Justice - cont'd

AMENDMENT TO AGREEMENT

3. **HOUSE OF RUTH MARYLAND, INC.** **\$0.00**

Account: 4000-476515-2252-690500-600000

On January 21, 2015, the Board approved the original agreement with the House of Ruth Maryland, Inc. for the City's Visitation Center Continuation and Civil Legal Services Expansion Project, in the amount of \$156,043.00. The period of the agreement was October 14, 2014 through September 30, 2016.

The no-cost amendment to agreement extends the period of the agreement through February 28, 2017. All other terms and conditions of the agreement remain unchanged.

The amendment to 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.**

(The Amendments to the Memoranda of Understanding and the Amendment to Agreement have been approved by the Law Department as to form and legal sufficiency.)



**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Public Works/Office - Task Assignment  
of Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 003 to Louis Berger Water Services, Inc. under Project 1503, SC 882, On-Call Project and Construction Management Assistance Services. The duration of this task is approximately 18 months.

**AMOUNT OF MONEY AND SOURCE:**

\$569,849.89 - 9956-905565-9551-900020-706063

**BACKGROUND/EXPLANATION:**

The Consultant will provide construction management assistance and on-site inspection services on SC 882, Enhanced Nutrient Removal at Back River Wastewater Treatment Plant Project 2, Activated Sludge Plant No. 4 for the Department of Public Works/Office of Engineering and Construction.

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

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Public Works/Office - Task Assignment  
of Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 005 to Whitman, Requardt & Associates, LLP under Project 1178W, SC 845R, On-Call Civil/Structural Engineering Services. The duration of this task is approximately one year.

**AMOUNT OF MONEY AND SOURCE:**

\$171,688.52 - 9956-905527-9551-900010-702032

**BACKGROUND/EXPLANATION:**

The Consultant will provide project controls and inspection services on SC 845R, Nitrification Filters and Related Work for the ENR Facilities at the Patapsco Wastewater Treatment Plant.

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

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Public Works/Office - Amendment No. 1 to Agreement of Engineering and Construction

**ACTION REQUESTED OF B/E:**

The Board is requested to approve and authorize execution of the Amendment No. 1 to Agreement with Rummel, Klepper & Kahl, LLP under Project No. 1180.2, Small Water Main Replacement and Rehabilitation Design at Various Locations: FY 2013. The current agreement expires on April 21, 2017. The Amendment No. 1 to Agreement extends the period of the agreement through July 20, 2017.

**AMOUNT OF MONEY AND SOURCE:**

\$0.00 - 9960-905721-9557-900020-702064

**BACKGROUND/EXPLANATION:**

On April 22, 2015, the Board approved a two-year agreement with Rummel, Klepper & Kahl, LLP for Small Water Main Replacement and Rehabilitation Design at Various Locations.

After the Board approved the design project, the design Notice to Proceed was not issued by the City due to funding constraints and while the assigned design areas were being evaluated by the Office of Asset Management to further evaluate the existing water mains. Under the proposed Amendment No. 1, the Consultant will continue to design and prepare the contract documents including plans, specifications, cost estimates, permit applications, community outreach meetings, right-of-ways, etc.

In order to complete the design work and make up for lost time due to the City's temporary suspension of work tasks, the Office of Engineering and Construction is recommending the extension of the agreement for three months through July 20, 2017.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

DPW/Office of Construction Management - cont'd

**MBE/WBE PARTICIPATION:**

The Consultant will continue to comply with all terms and conditions of the MBE/WBE programs in accordance with Baltimore City Code, Article 5, Subtitle 28.

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

(The Amendment No. 1 to Agreement has been approved by the Law Department as to form and legal sufficiency.)

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office of Minority & Women - Ratification of the  
Owned Business Development (MWBD) Amendment to Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to ratify the Amendment to Agreement with N. Scott Phillips Legal and Business Consulting Services, LLC, Developer. The amendment will extend the agreement through November 30, 2016.

**AMOUNT OF MONEY AND SOURCE:**

\$26,912.00 - 4000-439616-1250-775600-603018

**BACKGROUND/EXPLANATION:**

In September of 2013, MWBD was awarded a \$900,000.00 three-year grant by the U.S. Department of Commerce Minority Business Development Agency (MBDA) to operate a MBDA Business Center in Baltimore. On May 13, 2015, the Board approved an agreement for \$147,415.00. The agreement ended August 31, 2016. The U.S. Department of Commerce approved a three-month extension for closeout activities related to the grant for the MBDA Center.

This ratification of the Amendment to Agreement will increase the agreement by \$26,912.00 making the total grant amount \$174,327.00 and will extend the period through November 30, 2016.

The Amendment to Agreement is late because of a delays in the administrative review process.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Mayor's Office of Minority & Women - Ratification of the  
Owned Business Development (MWBD) Amendment to Agreement

**ACTION REQUESTED OF B/E:**

The Board is requested to ratify the Amendment to Agreement with Anthony W. Robinson, Developer. The amendment will extend the agreement through November 30, 2016.

**AMOUNT OF MONEY AND SOURCE:**

\$21,092.00 - 4000-439616-1250-775600-603018

**BACKGROUND/EXPLANATION:**

In September of 2013, MWBD was awarded a \$900,000.00 three-year grant by the U.S. Department of Commerce Minority Business Development Agency (MBDA) to operate a MBDA Business Center in Baltimore. On May 13, 2015, the Board approved an agreement for \$94,327.00. The agreement ended August 31, 2016. The U.S. Department of Commerce approved a three-month extension for closeout activities related to the grant for the MBDA Center.

This ratification of the Amendment to Agreement will increase the agreement by \$21,092.00 making the total grant amount \$115,419.00 and will extend the period through November 30, 2016.

The Amendment to Agreement is late because of a delays in the administrative review process.

**APPROVED FOR FUNDS BY FINANCE**

**AUDITS REVIEWED AND HAD NO OBJECTION.**

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

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

\* \* \* \* \*

The Board is requested to  
approve award of  
the formally advertised contract  
listed on the following page:

55

to the low bidder meeting specifications,  
or reject the bid on those as indicated  
for the reasons stated.

AGENDA

BOARD OF ESTIMATES

10/19/2016

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases

- |    |  |   |              |
|----|--|---|--------------|
| 1. | B50004671, Repair<br>and Maintenance<br>Services for<br>Electrical<br>Motors Above<br>300 HP | T.E.A.M.<br>Service<br>Corporation<br>of New York | \$645,000.00 |
|----|--|---|--------------|

(DPW, DGS, DOT and others)

- |             |                                   |             |
|-------------|-----------------------------------|-------------|
| <b>MBE:</b> | Personal Electric, LLC            | <b>4%</b>   |
| <b>WBE:</b> | Robnet, Inc.                      | 0.5%        |
|             | The Fitch Dustdown Company, Inc.  | 0.5%        |
|             | The Fireline Corporation          | 0.5%        |
|             | Oelmann Electric Supply Co., Inc. | <u>0.5%</u> |
|             |                                   | <b>2%</b>   |

**MWBOO FOUND VENDOR IN COMPLIANCE**



**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Audits - Refunds of Overpayments Abandoned  
Property Report

**ACTION REQUESTED OF B/E:**

The Board is requested to accept the report and approve the recommendations of the Department of Audits on the refunds of overpayments for the abandoned property report.

**BACKGROUND/EXPLANATION:**

The Department of Audits has conducted a review of claims for potential overpayments that remained either unclaimed or unresolved for three or more years. The Department of Finance, Bureau of Revenue Collections sent 20 claim forms to the potential claimants listed on the City's Abandoned Property Report for fiscal year 2013, dated July 6, 2016. The claim forms contained instructions to complete and return those forms to the Board of Estimates. Under procedures established by the Board of Estimates, four claim forms requesting refunds totaling \$2,192.33 was received by the Board of Estimates and forwarded to the Department of Audits for review and recommendation.

The Department determined that \$2,059.74, included in the schedule, represents valid refunds to three claimants resulting from duplicate payments. The Department recommends that these refunds be approved for payment. The Department further recommended that the \$2,059.74 be removed from the listing of the abandoned property to be submitted to the State by the Department of Finance, Bureau of Revenue Collections. The Department also determined that one potential claim in the amount of \$132.59, resulted from a clerical error and should not have been included in the Abandoned Property Report. The Department further recommends that the \$132.59 associated with this claim be retained by the City and be removed from the listing of abandoned property to be submitted to the State.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Finance - Revised Administrative Manual Policies  
AM 103-2, 105-1, 106-1, 117-1, and 118-1

**ACTION REQUESTED OF B/E:**

The Board of Estimates is requested to approve the below-listed Revised Administrative Manual Policies. The changes are effective upon Board approval.

- AM 103-2 Flags at Half Staff
- AM 105-1 Public Service Problems
- AM 106-1 Safety Program
- AM 117-1 Security Services: City Owned/Operated Facilities
- AM 118-1 Electronic Communications Policy

**AMOUNT AND SOURCE OF FUNDS:**

There are no costs associated with these actions.

**BACKGROUND/EXPLANATION:**

The Administrative Manual (AM) communicates official City policies and procedures that affect the City's operations and its employees. By distilling provisions of the City Charter, Board of Estimates policies and rules, Memoranda of Understanding, as well as the decisions and directives of the City Administration, the published policies provide uniform and consistent operating rules. The Administration has conducted a comprehensive review of the Administrative Manual to identify individual policies in need of revision. The revisions reflect updates to outdated or obsolete procedures and will provide greater clarity to City operations, functions, and requirements.

The revisions are being submitted in groups addressing similar subject matter. This collection of AM revisions pertains to general administrative issues as well as the City's Electronic Communications Policy. All policies in this set are in the 100 series and the proposed changes in each are listed below.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Finance - cont'd

AM-103-2 (Flags at Half-Staff)

The purpose of this policy is to outline when it is appropriate to fly flags at half-staff. The revisions to this policy are as follows:

- Establishing a new provision requiring the State and City Flags to be flown at half-staff whenever the U.S. Flag is so flown;
- Specifying that the President of the United States is responsible for determining when the U.S. Flag is flown at half-staff; and
- Tasking the Department of General Services to notify the necessary offices when it is proper to display the U.S. Flag at half-staff.

AM-105-1 (Public Service Problems)

The purpose of this policy is to specify the responsibilities of City employees to report emergency situations involving public services that they may observe. The revisions to this policy are as follows:

- Updating the provisions to reflect advances in telephone and communications technology since the last revision to this policy and
- Specifying the following lists of City employees be updated and submitted to the Department of Finance's Risk Management Office:
  - 0 All persons assigned to city automobiles and trucks, and
  - 0 All persons who use City cars or personal vehicles on a regular basis to conduct City business.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Finance - cont'd

AM-106-1 (Safety Program)

The purpose of this policy is to outline the responsibilities of the Office of Risk Management, Agency Heads, Agency Safety Personnel, and City employees in dealing with the City's Safety Program. The revisions to this policy are as follows:

- Adding an extra requirement for the Office of Risk Management in preparing the Citywide Safety Program (this requirement calls for them to maintain relationships with appropriate City-contracted firms),
- Specifying that Agency Safety Personnel must maintain their required and/or suggested credentials, and
- Adding a "RELATED POLICIES AND PROCEDURES" section to outline further reference material.

AM-117-1 (Security Services: City Owned/Operated Facilities)

The purpose of this policy is to outline the steps needed to be taken for a City agency to request security services at their facilities. The revisions to this policy are as follows:

- Adding a "RELATED PROCEDURES" section to outline further reference material.

AM-118-1 (Electronic Communications Policy)

The purpose of this policy is to specify the allowable uses for internet access by City employees on City-owned servers. The revisions to this policy are as follows:

- Adding a "PURPOSE" section, which outlines what the policy's function,
- Expanding the list of electronic information considered to be the property of the City,

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Finance - cont'd

- Establishing a procedure for City employees to report inappropriate, offensive, or sexually explicit communications,
- Adding a section on email etiquette,
- Specifying the circumstances under which complaints must be forwarded to the Office of the Inspector General, and
- Removing the section on "NOTIFICATION AND RESPONSIBILITIES."

**MBE/WBE PARTICIPATION:**

N/A

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

**CITY COUNCIL BILL:**

16-0724 - An Ordinance concerning Franchise - Comcast of Baltimore City, LLC to construct, operate, and maintain a cable communication system in and across certain streets and public ways, subject to certain terms, conditions, and reservations; and providing for a special effective date.

**RECOMMENDED FRANCHISE FEE: 5% of Annual Gross Revenue**

THE DEPARTMENT OF LAW IS FAVORABLE WITH THE FOLLOWING COMMENTS:

The current Comcast franchise agreement, approved in 2004, is set to expire December 31, 2016. Council Bill 16-0724 is intended to replace the agreement that now regulates the rights and obligations of the parties. Under the Federal Cable Communications Policy Act of 1984 (Cable Act), 47 U.S.C.A. §§ 521-59, the City possesses limited grounds for declining to renew an existing cable franchise. Pursuant to the Cable Act, the Mayor and City Council must act to (1) renew the franchise or (2) issue a preliminary assessment that the franchise should not be renewed. 47 U.S.C.A. § 546(c)(1). If a preliminary assessment is issued, it triggers an administrative hearing. The resulting hearing board must assess whether -

- (a) Comcast has substantially complied with the material terms of the existing franchise and with applicable law;
- (b) The quality of the operator's service has been reasonable in light of community needs, where "operator's service" includes signal quality, response to consumer complaints, and billing practices, but without regard to the mix or quality of cable services or other services provided over the system;
- (c) Comcast has the financial, legal, and technical ability to provide the services, facilities, and equipment as set forth in the operator's proposal; and

CITY COUNCIL BILL: 16-0724 - cont'd

- (d) Comcast's proposal is reasonable to meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

Id.

The Federal Communication Commission prohibits a local franchise provider, such as the City, from refusing to renew a franchise merely because a cable company refuses to provide broadband services to the extent demanded by the City. See Federal Communication Commission, First Report & Order (para. 121), March 5, 2007; Second Report & Order, (para. 14), November 6, 2007. If the City intends to deny the renewal, the decision must be based on adverse findings about one or more of the four factors above. 47 U.S.C.A. § 546(d). Although certain exceptions apply, if a denial is based on an alleged violation of either paragraphs (a) or (b), the City, prior to denial, must have provided Comcast notice and an opportunity to cure. Id.

Turning to local requirements, Article VIII of the Baltimore City Charter requires that a bill granting a franchise be referred to the Board of Estimates after First Reading. City Charter, Art. VIII, § 2. Within the limits set by the federal law for cable franchises, the BOE is empowered to change both the proposed compensation to be paid the City and the conditions under which the franchise is granted. Id. Furthermore, the Board of Estimates must approve by vote or resolution the compensation and terms of the franchise and these are to be attached to the bill before the bill can be enacted. Id.

The Board of Estimates, as well as the Mayor and City Council should note, however, that the franchise fee charged under Council Bill 16-0724 is the maximum allowed under federal law - 5% of gross revenues. 47 U.S.C.A. § 542.

Assuming the above procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

**CITY COUNCIL BILL: 16-0724 - cont'd**

THE MAYOR'S OFFICE OF CABLE AND COMMUNICATIONS IS FAVORABLE WITH THE FOLLOWING COMMENTS:

Bill 16-0724 would benefit the City of Baltimore and its citizens in the following ways:

- Deliver approximately \$114 million in revenue to the City of Baltimore over 10 years:
  - Conduit fee revenue estimated at \$30 million
  - Franchise fee revenue. The City would receive 5% of Comcast gross cable revenue in Baltimore City estimated at \$70 million
  - PEG fee revenues estimated at \$14 million.
- Provide for detailed consumer protection standards and a detailed Customer Bill of Rights
- Allocate up to 6 standard definition channels for Public, Education and Government (PEG) access channels
- Allocate 3 High Definition channels for PEG, with 2 channels in the first year of the deal
- Provide for video on demand programming
- Detailed reporting and quarterly compliance meetings around employment development and MBE/WBE initiatives with the City.

**THE DEPARTMENT OF TRANSPORTATION DEFERRED TO THE MAYOR'S OFFICE OF CABLE AND COMMUNICATIONS.**

**ALL OTHER REPORTS RECEIVED WERE FAVORABLE.**



**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

**CITY COUNCIL BILLS** - cont'd

16-0743 - An Ordinance concerning Sale of Property - A Portion of the Former Bed of Creek Alley For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as a portion of the former bed of Creek Alley, extending from W. West Street southeasterly 56 feet to the southernmost extremity thereof, and no longer needed for public use; and providing for a special effective date.

The Department of Public Works has no objection to the passage of the City Council Bill 16-0743 provided the companion legislation granting closure of the right-of-way is approved and that recommendation for any public utilities remaining in this area is protected under a full width perpetual easement.

**ALL OTHER REPORTS RECEIVED WERE FAVORABLE.**

16-0746 - An Ordinance concerning Sale of Property - A Portion of South Eden Street and a Portion of Aliceanna Street for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain parcels of land known as a portion of South Eden Street, extending from Lancaster Street northerly 308 feet, more or less, to Aliceanna Street, and a portion of Aliceanna Street, extending from South Central Avenue easterly 170 feet, more or less, to South Eden Street and no longer needed for public use; and providing for a special effective date.

The Department of Real Estate has no objection to the passage of this legislation subject to language for the easements and utilities at the subject parcels.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

**CITY COUNCIL BILLS** - cont'd

The Department of Public Works has no objection to the passage of City Council Bill 16-0746 provided the companion legislation granting closure of the right-of-way is approved and that accommodation for any public utilities remaining in this area is protected under a full width perpetual easement.

**ALL OTHER REPORTS RECEIVED WERE FAVORABLE.**

16-0748 - An Ordinance concerning Sale of Property - Former Bid of a Portion of Dulaney Valley Road for the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former bed of a portion of Dulaney Road, and no longer needed for public use; and providing for a special effective date.

**ALL REPORTS RECEIVED WERE FAVORABLE.**

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

**TRAVEL REQUESTS**

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Public Works</u>			
1. Maria DeChellis	CIS Conference AMI/Billing Glendale, AZ Jan. 18 - 20, 2017 (Reg. Fee \$0.00)	Non-City Fund	\$0.00

Ms. DeChellis will be a speaker at the CIS Conference. Therefore, the Electric Utility Consultants, Inc. will pay the cost of the travel. City funds will not be expended.

Department of Planning

2. Thomas J. Stosur	Bilbao Urban Leadership and Innovation Dialogues Bilbao, Spain Oct. 20 - 29, 2016 (Reg. Fee \$0.00)	Non-City Fund	\$0.00
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Pursuant to AM 240-3, the Board of Estimates must take action on a Travel Request if the trip will require travel outside the continental United States regardless of the source of funds, cost of trip, or length of absence.

Mr. Stosur received a scholarship of \$1,000.00 towards his transportation cost of \$1,175.36. The German Marshall Fund of the United States will cover the cost of the hotel. Mr. Stosur will pay all other costs related to the conference. Therefore, he will not be seeking reimbursement from the City and no City funds will be expended.

AGENDA

BOARD OF ESTIMATES

10/19/2016

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Baltimore Police Department</u>			
3. Rodney Hill	Legal Aspects of Discipline and Internal Investigation Las Vegas, NV Oct. 23 - 26, 2016 (Reg. Fee \$895.00)	Asset Forfeiture Funds	\$1,943.96

The registration costs of \$895.00 and the transportation cost of \$454.96 were prepaid using a City-issued credit card assigned to Mr. Tribhuvan Thacker. Therefore, the disbursement to Mr. Hill is \$594.00.

Health Department

4. Denise Parker	Healthy Teen Network Annual Conference Las Vegas, NV Nov. 13 - 20, 2016 (Reg. Fee \$495.00)	Family Planning Special Needs	\$1,704.36
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The airfare in the amount of \$339.96 was prepaid on a City-issued procurement card assigned to Mr. Ryan Hemminger. The registration fee in the amount of \$495.00 was paid on City Purchase Order No. P536041. Ms. Parker will cover the expenses for November 18 - 20, 2016. The amount to be disbursed to Ms. Parker is \$869.40.

AGENDA

BOARD OF ESTIMATES

10/19/2016

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Department of Recreation and Parks</u>			
5. Adam Boarman	American Society of Landscape Architects 2016 Annual Meeting & Expo New Orleans, LA October 20 - 24, 2016 (Reg. Fee \$1,230.00)	General Funds	\$3,012.02

The subsistence rate for this location is \$217.00 per night. The cost of the hotel is \$234.00 per night plus room taxes of \$34.51 per night, and an occupancy tax of \$1.00 per night.

The Department is requesting additional subsistence of \$17.00 per day for the hotel and \$40.00 per day for meals and incidentals.

6. William Andersen	American Society of Landscape Architects 2016 Annual Meeting & Expo New Orleans, LA October 20 - 24, 2016 (Reg. Fee \$1,025.00)	General Funds	\$2,491.59
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The subsistence rate for this location is \$217.00 per night. The cost of the hotel for October 20, 2016 is \$146.00, October 21 - 22, 2016 is \$218.00 per night, and October 23, 2016 is \$195.00 per night plus room taxes of \$31.60 per night.

The Department is requesting additional subsistence of \$1.00 per day for the hotel for October 21 - 22, 2016. Also, additional subsistence of \$9.00 for October 21, 2016, \$40.00 for October 22, 2016, and \$18.00 for October 23, 2016 is requested for meals and incidentals.

**AGENDA**

**BOARD OF ESTIMATES**

**10/19/2016**

Department of Public Works/Office - Task Assignment  
of Engineering and Construction (DPW)

**ACTION REQUESTED OF B/E:**

The Board is requested to approve the assignment of Task No. 001 to Straughan Environmental, Inc., under Project No. 1237S, On-Call Stormwater Management Study and Engineering Design Services.

**AMOUNT OF MONEY AND SOURCE:**

\$ 201,300.14	-	9958-911416-9525-900020-703032	(ER 4057)
201,300.14	-	9958-908437-9525-900020-703032	(ER 4059)
201,300.14	-	9958-911436-9525-900020-703032	(ER 4061)
201,300.14	-	9958-907434-9525-900020-709032	(ER 4082)
201,300.16	-	9958-910433-9525-900020-709032	(ER 4083)
<b>\$1,006,500.72</b>			

**BACKGROUND/EXPLANATION:**

On December 27, 2013, The Maryland Department of the Environment (MDE) reissued a National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer (MS4) Permit to the City of Baltimore. The City prepared and submitted The Baltimore City MS4 and Total Maximum Daily Load (TMDL) Watershed Implementation Plan (WIP) as required by the MS4 Permit. Straughan Environmental, Inc. will evaluate specific sites within Baltimore City for the potential to implement Best Management Practices to meet or exceed total 25.1 acres of impervious area treatment goal and prepare biddable documents for each of the following projects: ER 4057, ER 4059, ER 4061, ER 4082, and ER 4083, Environmental Site Design Project. The projects are listed in the WIP, they have deadlines and there are stipulated penalties associated with these projects.

**MWBOO GRANTED APPROVAL.**

**APPROVED FOR FUNDS BY FINANCE**

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

AGENDA

BOARD OF ESTIMATES

10/19/2016

Department of Public Works/Office - cont'd  
of Engineering and Construction (DPW)

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$1,120,000.00	9958-927011-9522	
SW Utility	Constr. Reserve	
	Gwynns Falls Drainage	
	Improvement	
130,000.00	9958-924008-9522	
SW Utility	Constr. Reserve	
<u>\$1,250,000.00</u>	Stormwater Mitigation	
	Projects	
\$ 250,000.00	-----	9958-911416-9525-3
		Design
250,000.00	-----	9958-908437-9525-3
		Design
250,000.00	-----	9958-911436-9525-3
		Design
250,000.00	-----	9958-907434-9525-3
		Design
250,000.00	-----	9958-910433-9525-3
		Design

The transfer will cover costs of Project No. 1237S, Stormwater Study for Project 1237S, ER 4057, ER 4059, ER 4061, ER 4082, and ER 4083.

(In accordance with Charter provisions, a report has been requested from the Planning Commission, the Director of Finance having reported favorably thereon.)

AGENDA

BOARD OF ESTIMATES

10/19/2016

PROPOSALS AND SPECIFICATIONS

1. Department of Public Works - WC 1211, Asburton Reservoir  
Zone 2 Tanks  
**BIDS TO BE RECV'D: 12/21/2016**  
**BIDS TO BE OPENED: 12/21/2016**
  
2. Department of Public Works - WC 1353, AMI/R Urgent Need  
Metering Infrastructure  
Repair & Replacement, Various  
Locations (Up to 2" Water  
Service)  
**BIDS TO BE RECV'D: 11/02/2016**  
**BIDS TO BE OPENED: 11/02/2016**
  
3. Department of Public Works - SC 892R, AMI/R Urgent Need  
Metering Infrastructure  
Repair & Replacement, Various  
Locations (Up to 2" Water  
Service)  
**BIDS TO BE RECV'D: 11/02/2016**  
**BIDS TO BE OPENED: 11/02/2016**
  
4. Department of Transportation - TR 13015, Fells Point Broadway  
Square Renovations  
**BIDS TO BE RECV'D: 11/23/2016**  
**BIDS TO BE OPENED: 11/23/2016**

12:00 NOON

ANNOUNCEMENTS OF BIDS RECEIVED

AND

OPENING OF BIDS, AS SCHEDULED