

NOTICES

PROTESTS

ALL PROTESTS MUST BE RECEIVED NO LATER THAN 12:00 NOON ON TUESDAY, PRECEDING THE BOARD OF ESTIMATES' MEETING. IN ORDER FOR A PROTEST TO BE CONSIDERED, THE PROTESTANT MUST BE PRESENT AT THE BOARD OF ESTIMATES' MEETING.

ALL PROTESTS MUST BE IN WRITING AND STATE:

1. whom you represent,
2. what the issues are, and
3. how the protestant will be harmed by the proposed Board of Estimates' action.

Please submit all protests to Board of Estimates, Attn: Clerk, Room 204 City Hall, 100 N. Holliday Street, Baltimore, Maryland 21202.

BOARD OF ESTIMATES' AGENDA - AUGUST 21, 2013

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:

Big Boss Construction, LLC	\$ 144,000.00
Fast and Neat Painting Company	\$ 252,000.00
Gill-Simpson, Inc.	\$ 91,350,000.00
Horton & Barber Construction Services, LLC	\$ 1,080,000.00
Lee's Electrical Contracting, Inc.	\$ 1,500,000.00
M.C. Dean, Inc.	\$ 436,635,000.00
PC Construction Company	\$ 643,365,000.00
Skanska USA Civil Northeast, Inc.	\$4,072,572,000.00
US Modular Group East, Inc.	\$ 2,934,000.00
Wohlsen Construction Company	\$ 203,337,000.00

AGENDA

BOARD OF ESTIMATES

08/21/2013

BOARDS AND COMMISSIONS - cont'd

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:

AD Engineering, Inc.	Engineer
Celadon Technologies, LLC	Engineer
Foundation Test Group	Engineer
IMS Engineers	Engineer
Michael Baker Jr., Inc.	Architect Engineer Landscape Architect Land Survey
National Consulting Engineers	Engineer
Poole Design, LLC	Landscape Architect
RJM Engineering, Inc.	Engineer
URS	Architect Engineer Landscape Architect Land Survey

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BOARD OF ESTIMATES

08/21/2013

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 35** favorable reports on Transfers of Funds approved by the Board of Estimates at its meetings on July 17, 24, and July 31, 2013.

TRANSFERS OF FUNDS

* * * * *

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

5 - 8

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

08/21/2013

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>Department of General Services</u>		
1. \$ 160,000.00 5 th Public Bldg. Loan	9916-904845-9194 Capital Constr. & Maint. - Res.	9916-902813-9197 Northwest Community Action Ctr. - Active

The concrete and stone retaining walls at the Community Center located at 3939 Reisterstown Road are in poor condition and need to be rehabilitated in order to provide a safe environment for the public and City employees.

2. \$ 125,000.00 3 rd Public Bldg. Loan	9916-904845-9194 Capital Constr. & Maint. - Res.	9916-906936-9197 Warrant Task Force Roof - Active
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The existing roof at the WATF facility has been leaking and repaired quite a few times. It is now beyond any normal repairs and needs replacement.

Department of Housing and Community Development (DHCD)

3. \$ 465,312.00 MCC Revenue	9910-915021-9588 Uplands Program Income Account	9910-901933-9587 Uplands Redevelopment
18,110.00 <u>Other Fund Rev.</u>	9910-905733-9588 Uplands Other Revolving Master	9910-907994-9587 Special Capital Projects - Reserve
\$ 483,422.00		

This transfer of appropriations is necessary to reduce appropriation balances for the Uplands Program Income Account and for the Uplands Other Revolving Master Account to reflect the correct amounts required by the projects. Appropriations are being moved back to the respective reserve accounts from which they originally came.

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BOARD OF ESTIMATES

08/21/2013

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>DHCD - cont'd</u>		
4. \$ 380,143.32	9910-995001-9587	9910-906011-9588
28 th CDB	Unallocated Res. HCD	Emp. Home Buying Assistance
7,531.93	9910-907436-9588	" "
27 th CDB	Patterson Park Homeownership I	
22,218.07	9910-907436-9588	" "
26 th CDB	Patterson Park Homeownership I	
5,139.66	9910-907406-9588	" "
25 th CDB	Patterson Park Intervention	
13,550.72	9910-907406-9588	" "
27 th CDB	Patterson Park Intervention	
18,034.12	9910-907406-9588	" "
24 th CDB	Patterson Park Intervention	
50,000.00	9910-905614-9588	" "
26 th CDB	Poverty Solutions	
71,000.00	9910-903949-9587	" "
<u>21st EDB</u>	Somerset Court Demolition-Res.	
\$ 567,617.82		

This transfer will provide appropriations to support loans made through the Employees Home Buying Assistance Program.

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BOARD OF ESTIMATES

08/21/2013

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>DHCD - cont'd</u>		
5. \$ 255,046.00	9910-922012-9587	9910-915631-9588
Gen. Funds	Whole Block Demo.	Whole Block Op.
Revenue	Reserve	Cost - Demo
424,212.00	9910-922012-9587	9910-910632-9588
Gen. Funds	Whole Block Demo.	Whole Block Op Cost
Revenue	Reserve	Acquisition/ Relocation
2,450,410.00	9910-922012-9587	9910-910633-9588
Gen. Funds	Whole Block Demo.	Whole Block Demo
Revenue	Reserve	
810,000.00	9910-922012-9587	9910-910633-9588
31 st CDB	Whole Block Demo.	Whole Block Demo
	Reserve	
1,755,606.00	9910-922012-9587	9910-910634-9588
Gen. Funds	Whole Block Demo.	Whole Block
<u>Revenue</u>	Reserve	Acquisition/ Relocation
\$5,695,274.00		

This transfer will provide appropriations approved in the FY2014 Ordinance of Estimates supporting the Whole Block Demolition Program.

Baltimore Development Corporation (BDC)

6. \$ 100,000.00	9910-904115-9600	9910-905829-9603
22 nd EDF	Westside	Westside Façade
	Initiative -	Initiative
	Constr. Res.	

This transfer will provide funds to the Downtown Partnership of Baltimore per the Grant Agreement between the City, Downtown Partnership, and the BDC approved in

AGENDA

BOARD OF ESTIMATES

08/21/2013

TRANSFERS OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
<u>BDC</u> - cont'd		
<p>July 2010, as amended to administer a Façade Improvement Grant Program. The funding will be used to support the continuance of the existing program which makes façade grants to businesses with matching requirements. The program targets commercial and mixed-use properties in traditional retail commercial corridors within the boundaries of the Westside Initiative.</p>		
7. \$ 39,000.00	9910-910024-9600	9910-902879-9601
24 th EDF	Public Markets Constr. Res.	Commercial Revitalization

The transfer will provide funds to the Baltimore Public Markets who contracted with Brown, Craig and Turner to provide full service landscape architecture and building engineering services for renovation work.

The scope of work included demolition of the façade on Monument Street and replacing it with a more modern brick front that conforms to the surrounding architectural designs. Other improvements include painting the interior of the market, new energy efficient lighting throughout, total renovations to four merchant stalls and complete renovations to the customer seating area.

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BOARD OF ESTIMATES

08/21/2013

Mayor's Office of - Amendatory Agreement No. 1
Human Services

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the amendatory agreement no. 1 with the Johns Hopkins University/ Johns Hopkins Center for Injury Research Policy (JHCIRP). This amendment extends the period of the agreement through October 31, 2013.

AMOUNT OF MONEY AND SOURCE:

\$0.00 - 4000-486313-6051-452200-603020

BACKGROUND/EXPLANATION:

On April 10, 2013, the Board approved the agreement with the JHCIRP to work in partnership with the Baltimore City Head Start Program to develop plans for enhancing injury prevention activities in Head Start Centers throughout the City.

This no-cost amendatory agreement no. 1 will extend the period of the agreement through October 31, 2013. The contractor was unable to provide services during the time allotted and has requested an additional four months to complete the project.

APPROVED FOR FUNDS BY FINANCE

AUDITS NOTED THE TIME EXTENSION.

(The amendatory agreement no. 1 has been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

08/21/2013

Mayor's Office of - Notice of Award
Human Services

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize acceptance of the notice of award (NOA) for the Head Start Program from the U.S. Department of Health and Human Services (DHHS), Administration for Children and Families. The period of the grant is July 1, 2013 through June 30, 2014.

AMOUNT OF MONEY AND SOURCE:

\$28,795,455.00 - 4000-486314-6051-180700-404001

BACKGROUND/EXPLANATION:

Under the terms of this NOA, the funds will be used to support Head Start and Early Head Start services to 3,391 preschool age children and 176 infants, toddlers, and pregnant women in Baltimore City.

The NOA is late because it was recently received from the DHHS.

APPROVED FOR FUNDS BY FINANCE

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

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Police Department - Professional Services Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a professional services agreement with Mr. Frank C. Meyer. The period of the agreement is effective upon Board approval for one year.

AMOUNT OF MONEY AND SOURCE:

\$36,000.00 - 6000-611213-2013-197500-603026

BACKGROUND/EXPLANATION:

Mr. Meyer provided exemplary training to the Department from 2012 through 2013. This renewal agreement includes the administration of legal training program at the Baltimore Police Department's Education and Training Section with a primary teaching focus on in-service and recruit training. The training curriculum will be coordinated with the Director of Education and Training and the Office of the State's Attorney for Baltimore City. The training will focus on criminal procedure, criminal law, and Constitutional Law (Fourth and Fifth Amendments). The training commitment may include periodic projects at the discretion of the Director of Education and Training. It is anticipated that the training commitment will be 16 hours per week over a 45-week schedule. Mr. Meyer will be responsible for providing all instructors and subject matter experts to provide training modules.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Police Department - Grant Award and a Grant Adjustment Notice

The Board is requested to approve acceptance of a grant award and a grant adjustment notice.

GRANT AWARD

1. **GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION (GOCCP)** **\$34,500.00**

Account: 5000-598114-2252-688000-600000

The GOCCP has awarded a grant entitled "SART Vertical Advocacy." The Mayor's Office on Criminal Justice "SART Vertical Advocacy" project assists in developing and implementing strategies specifically intended to provide assistance to sexual assault victims. The funds will be used for a Victim Advocate position that will provide crisis response, support, and advocacy to victims of sexual assault. The period of the grant is October 1, 2013 through June 30, 2014.

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

GRANT ADJUSTMENT NOTICE (GAN)

2. **MARYLAND EMERGENCY MANAGEMENT AGENCY (MEMA)** **\$ 0.00**

On February 23, 2011, the Board authorized acceptance of a Memorandum of Agreement for the 2010 Urban Area Security Initiative (UASI). The FY10 UASI is intended to help strengthen the nation and Maryland against risks associated with potential terrorist attacks, and focuses on developing integrated systems for prevention, protection, response, and recovery. The GAN is a no-cost extension which extends

AGENDA

BOARD OF ESTIMATES

08/21/2013

Police Dept. - cont'd

the award period through July 31, 2013. All other terms and conditions of the grant will remain unchanged.

AUDITS NOTED THE NO-COST TIME EXTENSION.

APPROVED FOR FUNDS BY FINANCE

(The grant award and grant adjustment notice have been approved by the Law Department as to form and legal sufficiency.)

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BOARD OF ESTIMATES

08/21/2013

Law Department - Claim Settlement Agreement and Release

The Board is requested to approve the claim settlement agreement and release for the following claim. The settlement has been reviewed and approved by the Settlement Committee of the Law Department.

1. Lola Freeze v. Mayor & City Council of Baltimore, et al. \$80,000.00

Account: 2044-000000-1450-532446-603070

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

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BOARD OF ESTIMATES

08/21/2013

Department of Housing and - Community Development Block Grant
Community Development (CDBG) Agreements

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

1. **COMMUNITY MEDIATION PROGRAM, INC.** **\$ 26,420.00**

Account: 2089-208914-5930-425926-603051

The organization will work to reduce interpersonal and community violence by utilizing non-violent conflict resolution strategies in providing free conflict resolution and mediation services to low and moderate-income persons in Baltimore City. The period of the agreement is July 1, 2013 through June 30, 2014.

2. **LIVING CLASSROOMS FOUNDATION, INC.** **\$380,480.00**

Account: 2089-208914-5930-424964-603051

The organization will train Project SERVE members to clean and occasionally board a minimum of 4,000 vacant properties within predetermined eligible code enforcement areas of the City under the direction and control of the Department of Public Works (DPW), Bureau of Solid Waste. The DPW will provide all Service Requests to the organization and oversee each completed Service Request for satisfactory compliance with City procedures and codes. The period of the agreement is July 1, 2013 through June 30, 2014.

MWBOO GRANTED A WAIVER.

On June 26, 2013, the Board approved the Resolution authorizing the Commissioner of the Department of Housing and Community Development (DHCD), on behalf of the Mayor and City Council, to file a Federal FY 2013 Annual Action Plan for the following formula programs:

AGENDA

BOARD OF ESTIMATES

08/21/2013

DHCD - cont'd

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

The DHCD began negotiating and processing the CDBG agreements effective July 1, 2013 and beyond, as outlined in the Plan, pending approval of the Resolution. Consequently, the agreements were delayed due to final negotiations and processing.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

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

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BOARD OF ESTIMATES

08/21/2013

Department of Housing and - Land Disposition Agreement
Community Development

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with Ms. Rebecca Eisen, developer, for the sale of the City-owned properties located at 1807 and 1809 Barclay Street.

AMOUNT OF MONEY AND SOURCE:

\$3,000.00 - 1807 Barclay Street
3,000.00 - 1809 Barclay Street
\$6,000.00 - Purchase Price

BACKGROUND/EXPLANATION:

Ms. Eisen will purchase the vacant row houses known as 1807 and 1809 Barclay Street from the City for rehabilitation and consolidation as her primary residence. The properties are located within the Greenmount West Community. The purchase price and improvements to the site will be funded through an M&T Bank loan.

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

The waiver valuation process was used to determine the price for each property at \$5,000.00. The properties are being sold to Ms. Eisen for less than that waiver valuation price because of the following reasons:

1. the renovations will be a specific benefit to the immediate community,
2. the renovations will eliminate blight from the block and thus eliminate blight from the neighborhood,
3. this sale and rehabilitation will return the vacant buildings to the tax rolls of Baltimore City, and

DHCD - cont'd

4. the properties are being sold for less than the value determined by the waiver valuation process because the condition of the buildings will require extensive and immediate remediation.

MBE/WBE PARTICIPATION:

The developer will purchase the properties for less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation, therefore, MBE/WBE is not applicable.

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Department of Housing and
Community Development

- Land Disposition Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a land disposition agreement with A New Door Developing, LLC, developer, for the City-owned properties known as 1211, 1213 and 1215 Myrtle Avenue.

AMOUNT OF MONEY AND SOURCE:

\$ 2,500.00 - 1211 Myrtle Avenue
5,000.00 - 1213 Myrtle Avenue
5,000.00 - 1215 Myrtle Avenue
\$12,500.00 - Purchase Price

BACKGROUND/EXPLANATION:

The project will be privately funded. The three properties being conveyed are three story row-houses that are vacant, boarded and require extensive rehab work. The developer plans to install new kitchens, bathrooms, central heating/air conditioning units, new flooring, painting, and other finishing details to each of the properties. There are plans as well to install new doors and vinyl windows where applicable, make necessary roof repairs to two of the properties and install a new roof at 1211 Myrtle Avenue. Once the work is completed, the dwellings will be sold to prospective homeowners.

The aforementioned properties have been journalized and approved for sale on August 29, 2011.

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

The properties were priced pursuant to the appraisal policy of Baltimore City. The waiver valuation process was used in lieu of an appraisal and determined the value of each property at \$10,000.00. Due to the fact that the properties are blighted and require major repairs, they are being sold below the price determined by the waiver valuation process. The properties at

AGENDA

BOARD OF ESTIMATES

08/21/2013

DHCD - cont'd

1213 and 1215 Myrtle are being sold for \$5,000.00 and because of the collapse of the roof and the condition of 1211 Myrtle Avenue, it is being sold for \$2,500.00. The following factors are present:

1. stabilizing the immediate community,
2. elimination of blight,
3. economic development, real estate and other taxes, and
4. the opportunity to hasten the rehabilitation of the properties.

MBE/WBE PARTICIPATION:

The developer will purchase each property for a price that is less than \$50,000.00 and will receive no City funds or incentives for the purchase or rehabilitation; therefore, MBE/WBE is not applicable.

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Baltimore Development - Amendment No. 1 to Land Disposition
Corporation (BDC) Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 1 to the land disposition agreement (LDA) with CBAC Borrower LLC.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

The amendment no. 1 to LDA is for the garage facility to allow for certain permitted transfers within the ownership structure of the entity which will own the garage, once completed, relating to the equity financing for the garage. The transfers contemplated by the amendment no. 1 to LDA are permitted under the terms of the associated Ground Lease Agreement and the amendment no. 1 to LDA harmonizes the provisions of the LDA and Ground Lease Agreement.

The City and CBAC Gaming, LLC entered into a LDA for construction of a garage and a Ground Lease (Ground Lease) for construction and operation of the Casino on October 31, 2012. The LDA was recorded in the Land Records of Baltimore City Liber 15462, Folio 030 and the Ground Lease Agreement was recorded in the Land Records of Baltimore City in Liber 15462, Folio 167. The rights of CBAC Gaming, LLC as developer were assigned to CBAC Borrower, LLC to facilitate the financing pursuant to the Memorandum of Omnibus Assignment and Assumption Agreement dated July 1, 2013 and recorded in the Land Records of Baltimore City in Liber FMC 15462, Folio 167.

Both the LDA and the Ground Lease allow for certain permitted dispositions of interests in the Caesar ownership entity which are necessary in order to obtain both the equity and borrowed funds necessary to build the garage and the Casino. One of the enumerated permitted transfers which were allowed under the Ground Lease was not mirrored in the LDA and needs to be included. This amendment no. 1 mirrors the exact terms set forth

AGENDA

BOARD OF ESTIMATES

08/21/2013

BDC - cont'd

in the Ground Lease by adding a subsection 5.3(a) (ix) to the LDA to permit the transfer of interests in CR Baltimore Holdings, LLC to shareholders of Caesars Entertainment Corporation or DG Mothership, LLC provided that the day to day management of CBAC Borrower, LLC is controlled by one or more subsidiaries or affiliates of Caesars Entertainment Corporation or DG Mothership, LLC.

MBE/WBE PARTICIPATION:

The developer has agreed to comply with the MBE requirements as described in Title 14, Subtitle 3 of the State Finance and Procurement Article in the Ground Lease and LDA.

(The amendment no. 1 to LDA has been approved by the Law Department for form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

08/21/2013

Baltimore Development - Modification to Loan Agreement Corporation (BDC)

ACTION REQUESTED OF B/E:

The Board is requested to approve a modification to a loan agreement with Morgan Stanley & Co., LLC (Morgan Stanley). The Board is further requested to authorize the Commissioner of the Department of Housing and Community Development or the Director of Finance to execute any and all documents to effectuate this transaction subject to review and approval for form and legal sufficiency by the Department of Law.

AMOUNT OF MONEY AND SOURCE:

\$ 750,000.00 - 23rd EDBF
250,000.00 - 24th EDBF
\$1,000,000.00 - 9910-902860-9601

The loan will be at a rate of 2.0% with unsecured collateral.

BACKGROUND/EXPLANATION:

On November 26, 2003, Morgan Stanley and the City of Baltimore entered into a loan agreement for a series of loans that were partially convertible to grants as certain employment levels were achieved. Each loan required a commitment to achieve a level of employment by a certain date, and if that level were both achieved and thereafter maintained for no less than three years, 50% of the loan would be converted to a grant. These first three loans were:

- Phase I Loan of \$450,000.00 required reaching 150 employees by June 30, 2005. The goal was met and exceeded by June 30, 2005, and the 3-year retention period was also satisfied.

- Phase II Loan of \$450,000.00 required reaching 300 employees by November 30, 2010. The goal was met and exceeded by November 30, 2006, and the 3-year retention period was also satisfied.

- Phase III Loan of \$850,000.00 required reaching 600 employees by November 30, 2014. The goal was met and exceeded by November 30, 2011, and the 3-year retention period began on that date.

AGENDA

BOARD OF ESTIMATES

08/21/2013

BDC - cont'd

In light of the rapid growth of the office, the City and Morgan Stanley entered into an amendment to the loan agreement on November 5, 2007 to provide for three additional phase loans tied to 900 additional hirings for a total of 1,500 employees:

- Phase IV Loan of \$500,000.00 required committing by December 31, 2008 and reaching 900 employees by December 31, 2012.

- Phase V Loan of \$500,000.00 required committing by December 31, 2011 and reaching 1,200 employees by December 31, 2015.

- Phase VI Loan of \$500,000.00 required committing by December 31, 2014 and reaching 1,500 employees by December 31, 2018.

Morgan Stanley continues to explore options to achieve the long-term growth target of 1,500 jobs, but requests modifications to the level and timing of Phases IV, V and VI. The following is a summary of the modified terms agreed upon by the Maryland Department of Business and Economic Development and Morgan Stanley. Morgan Stanley is requesting the same modifications be made to the loan agreement with the City of Baltimore. The long-term impact of this Project remains intact even with these modifications.

1. Delay until December 31, 2013 (a 13 month extension) the date by which employment must reach 900 employees for Phase IV, and begin the three year retention period at that time.
2. Reduce the Phase V number of jobs to be created from 300 to 100 (total employment would be 1,000 qualified employees) as well as reduce the loan from \$500,000.00 to \$167,000.00, to be proportional with the reduction in the creation of jobs and modify the date for requesting/committing to the loan to December 31, 2013.

AGENDA

BOARD OF ESTIMATES

08/21/2013

BDC - cont'd

- 3. Increase the Phase VI number of jobs to be created from 300 to 500 (total employment would be 1500 qualified employees) as well as increase the loan from \$500,000.00 to \$833,000.00, to be proportional with the increase in the creation of jobs with no change in achievement dates and modify the date for requesting/committing to the loan to December 31, 2014.

The end result is a rescheduling of hiring and re-proportioned funding with no change to loan amount, number of jobs or commitment on the part of Morgan Stanley.

MBE/WBE PARTICIPATION:

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

TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$ 750,000.00	9910-906995-9600	9910-902860-9601
23 rd EDF	Constr. Res.	Ind. & Coml.
	Ind. & Coml.	Financing
	Financing	
250,000.00	9910-906995-9600	9910-902860-9601
<u>24th EDF</u>	Constr. Res	Ind. & Coml.
	Ind. & Coml.	Financing
	Financing	
\$1,000,000.00		

This transfer will provide funds for the restructure of Phases 4, 5, and 6 of a remaining \$1,000,000.00 conditional loan to Morgan Stanley.

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Dept. of Housing and Community Development (DHCD) - Options</u>			
1. Rose Phylis Silberman	1717 Barclay St.	G/R \$70.00	\$ 641.00
Funds are available in account 9910-902487-9588-900000-704040, Greenmount West Project.			
2. Cav Commercial, LLC	947 N. Collington Avenue	G/R \$60.00	\$ 550.00
(includes administrative settlement of \$150.00)			
3. Dolores Medin	2042 E. Eager St.	G/R \$36.00	\$ 240.00
4. Fairway Woods, LLC	1238 N. Gay St.	G/R \$36.00	\$ 240.00
5. Fairway Woods, LLC	1240 N. Gay St.	G/R \$36.00	\$ 240.00

Funds are available in account 9910-906416-9588-900000-704040, East Baltimore Development Initiative (EBDI), Phase II Project. These projects are part of the Middle East Renewal Plan.

6. Gramby Invest- ments, LLC	4702 Delaware Ave.	G/R \$96.00	\$ 880.00
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Funds are available in account 9910-903187-9588-900000-704040, Park Heights Project.

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BOARD OF ESTIMATES

08/21/2013

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>DHCD</u> - cont'd			
7. Deborah R. Mondell, Rona Barrash & Marvin Demb	819 Harlem Ave.	G/R \$75.00	\$ 500.00
Funds are available in account 9910-908044-9588-900000-704040, Perkins Alley Project.			
8. Turf, LLC	413 McAllister St.	G/R \$ 30.00	\$ 275.00
9. John L. Purdie, (deceased), & Eloise M. Purdie, his wife	413 McAllister St.	L/H	\$ 8,500.00
Funds are available in account 9910-908044-9588-900000-704040, AG Demolition Project.			
10. Tridack, LLC	3040 W. North Ave.	G/R \$120.00	\$ 1,000.00
Funds are available in account 9910-908044-9588-900000-704040, 3000 Block W. North Avenue Project.			

In the event that the option agreement/s fail 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.

AGENDA

BOARD OF ESTIMATES

08/21/2013

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>
<u>Department of Real Estate - Option</u>			
11. Marta H. Campbell	ES Meadow Lane Rear 4305-4409 Wickford Rd. (Block 4965 E, Lot 5)	F/S	\$22,200.00

This acquisition is necessary for construction of a continuous 3-mile path that runs along Stony Run Stream, in accordance with the Greater Roland Park Master Plan of 2011.

Funds are available in account 9938-928004-9474-900010-704040.

DHCD - Rescission and Re-approval of Condemnation

12. Daniel J. Tracy & Karin Tracy	908 N. Bradford St.	F/S	\$15,000.00
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On May 22, 2013, the Board approved the purchase by condemnation, of the fee simple interest in 908 N. Bradford Street for \$9,100.00. The purchase price at that time was based on an exterior inspection of the property. Upon the owner's request an interior inspection was later conducted changing the property's value. Therefore, the Board is requested to rescind the original purchase by condemnation in the amount of \$9,100.00 and grant approval to purchase by condemnation the fee simple interest in 908 N. Bradford Street at the higher purchase price of \$15,000.00.

Funds are available in account 9910-908044-9588-900000-704040, Milton-Montford Project.

AGENDA

BOARD OF ESTIMATES

08/21/2013

OPTIONS/CONDEMNATION/QUICK-TAKES:

<u>Prior</u>				
<u>Owner(s)</u>	<u>Property</u>	<u>Interest</u>	<u>Amount</u>	
<u>Law Department - Settlements</u>				
13. Cross Atlantic Realty, LLC	1034 N. Castle St.	F/S	\$10,750.00	

On June 29, 2011, the Board approved the acquisition by condemnation, of the fee simple interest in the real property located at 1034 N. Castle Street. The Board previously approved \$5,250.00 to acquire the property interest. The owner of the property interest initially demanded \$33,500.00; but, agreed to settle the condemnation case for \$16,000.00. Therefore, the Board is requested to approve an additional \$10,750.00 (i.e., the total settlement of \$16,000.00 minus \$5,250.00).

Funds are available in account 9910-906416-9588-900000-704040, EBDI Project, Phase II.

14. BE3 Business Trust	4669 Park Heights Ave.	F/S	\$ 2,500.00	
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On June 6, 2012, the Board approved the acquisition by condemnation, of the fee simple interest in the real property located at 4669 Park Heights Avenue in the amount of \$4,000.00. The owner of the property interest valued the property at \$10,000.00. The parties have agreed to settle the action in the amount of \$6,500.00. Therefore, the Board is requested to approve an additional \$2,500.00.

Funds are available in account 9910-903187-9588-900000-704040, Park Heights Demo-Woodland/Virginia Ave. Corridor.

AGENDA

BOARD OF ESTIMATES

08/21/2013

Fire Department - Ratification of Services
and Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to ratify services and approve payment to Mine Safety Appliance Company (MSA). The date of the invoice is June 6, 2012.

AMOUNT OF MONEY AND SOURCE:

\$19,500.00 - 4000-471312-2023-212602-605007

BACKGROUND/EXPLANATION:

The City originally purchased the equipment from the MSA in 2008 under P502067 through the Homeland Security grant by the Baltimore Police Department. The equipment is used for detecting hazardous materials and communicates through radio equipment.

The radios in the equipment needed an upgrade and due to the level of security needed during last year's Sailabration Event, the Office of Emergency Management (OEM) made last minute emergency arrangements to have the needed equipment upgrade completed.

The expenditure was through a Homeland Security grant, in the amount of \$19,500.00, for the services rendered by the MSA. Due to a change in personnel at the OEM, this upgrade was not purchased and paid in a timely fashion at no fault of the vendor. Therefore, the Department is requesting ratification of purchase and approval of this expense.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

AGENDA

BOARD OF ESTIMATES

08/21/2013

Mayor's Office of Minority and Women-Owned Business Development - Governmental/Charitable Solicitation Application

ACTION REQUESTED OF B/E:

The Board is requested to endorse a governmental/charitable solicitation application for submission to the Baltimore City Ethics Board to benefit the Baltimore City Foundation, Inc. (BCF) for the Top 100 MBE Awards Program. The period of solicitation effort is effective upon Board approval through calendar year ending December 31, 2013.

AMOUNT OF MONEY AND SOURCE:

No general funds are involved in this transaction.

The collected funds will be deposited and expenditures paid through the BCF's 190-00 Mayor's Office of Minority and Women-Owned Business Development account.

BACKGROUND/EXPLANATION:

The Top 100 MBE Awards Program was created to recognize those enterprising women and minority entrepreneurs that fuel the region's economy through their innovation, sacrifices, and dedication. These business owners are living their dreams and making significant contributions to their clients, professions, industries, and communities. The Top 100 MBE Awards Program will be held on Thursday, October 17, 2013 at the War Memorial Building.

The Baltimore City Ethics Board requires that the submitted application be reviewed and approved by the Board of Estimates. This is the first time for this request in compliance with this directive.

Baltimore City Code Article 8, Section 6-26, prohibits solicitation or facilitating the solicitation of a gift. An exception was enacted in 2005 to permit certain solicitations that are for the benefit of an official governmental program or activity, or a City-endorsed charitable function or activity. Ethics Regulation 96.26B sets out the standards for approval, which includes the requirement that the program, function, or activity to be benefited and the proposed solicitation campaign must be endorsed by the Board of Estimates or its designee.

AGENDA

BOARD OF ESTIMATES

08/21/2013

Mayor's Office of Minority and - cont'd
Women-Owned Business Development

The Campaign must be conducted in accordance with the standards, terms and conditions set forth in Board Regulation 06.26 and the submitted application.

Periodic Reports (once every 2 months) and a Final Report (within 30 days after all solicitations and anticipated donations have been made) must be filed with the Baltimore City Board of Ethics Form 627.

This approval is limited to the calendar year ending December 31, 2013. After that date, a new application will be required for any additional solicitation efforts.

AGENDA

BOARD OF ESTIMATES

08/21/2013

Department of General Services - Ratification of Services
and Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to ratify the services and approve payment to Total Contracting, Inc. for services rendered at the Baltimore Convention Center, under Contract No. PB 08817. The services were rendered April 17 and 23, 2012.

AMOUNT OF MONEY AND SOURCE:

\$50,585.85 - Suites 440 and 424
31,151.74 - Suites 186, 424, and 440
\$81,737.59 - 9953-908015-9534

BACKGROUND/EXPLANATION:

Total Contracting, Inc. installed motorized shades and upgrades of finishes to the VIP Suites at the Baltimore Convention Center under Contract No. PB 08817.

The window treatments in the East and West VIP Suites were not included in the contract documents. Motorized shades consisting of motors, low and high voltage wiring with transformers and wall switches were added to two VIP Suites.

VIP Suites 186, 424, and 440 were upgraded with additional floor tile, new stainless steel sinks and faucets, additional counters, mirrors, and doors. In addition, the closets and showers were relocated to different areas of the rooms. Since the finishes in the VIP Suites were required for use by the clients of the Convention Center, the Department directed Total Contracting to perform the additional work.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

AGENDA

BOARD OF ESTIMATES

08/21/2013

Department of General Services - Ratification of Services
and Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to ratify the services and approve payment to AS Architects, Inc. for services rendered, under Project No. 997AS. The services were rendered October 4, 2011 through February 8, 2012.

AMOUNT OF MONEY AND SOURCE:

\$ 5,782.99
8,780.42
\$14,563.41 - 9916-902410-9197-000000-703032

BACKGROUND/EXPLANATION:

The On-Call Agreement with AS Architects, Inc. under Project No. 997AS expired on January 10, 2009. The agreement contained the provision that projects started before the contract expired, could continue until the project is completed.

A project, Elevator Upgrades for Courthouse East, which started before the contract expired, had to be rebid because all bidders were found non-compliant with City requirements. The rebidding required AS Architects, Inc. to provide Bid Phase services a second time. Also, the Construction Phase took much longer than initially anticipated. AS Architects, Inc. was requested to attend 12 progress meetings instead of the three meetings indicated in the original task.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

AGENDA

BOARD OF ESTIMATES

08/21/2013

Department of General Services - Minor Privilege Permit Applications

The Board is requested to approve the following applications for a Minor Privilege Permit. The applications are in order as to the Minor Privilege Regulations of the Board and the Building Regulations of Baltimore City.

<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
1. 1371 Andre Street	S & J Enterprise, LLC	Handicap Ramp 22' x 7'
Annual Charge: \$	70.30	
2. 1108 Light Street	Max Properties, Inc.	One flat sign 13' x 3'
Annual Charge: \$	54.60	
3. 6308 Eastern Avenue	Paul Gessner	Retain cornice sign 17' x 2', flat sign 12' x 2'
Annual Charge: \$	105.50	
4. 511 S. Central Avenue	511 South Central Avenue, LLC	Service connec- tion four 5" ducts @ 60'
Annual Charge: \$	4,200.00	
5. 1001 S. Lakewood Avenue	1001 S. Lakewood Ave., LLC	Handicap ramp 90 sq. ft.
Annual Charge: \$	70.30	

AGENDA

BOARD OF ESTIMATES

08/21/2013

DGS - cont'd

	<u>LOCATION</u>	<u>APPLICANT</u>	<u>PRIVILEGE/SIZE</u>
6.	1701 N. Charles Street, W. Lanvale Street side of building	Station North Development Partners, LLC	Outdoor seating 42'6" x 5'8"
	Annual Charge: \$2,577.50		
7.	2438 N. Charles Street	2436 North Charles Street, LLC	One single face electric sign 22.75 sq. ft.
	Annual Charge: \$ 70.30		

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Department of General Services - Developer's Agreement No. 1295

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of developer's agreement no. 1295 with Carter's Temple Church of God in Christ, developer.

AMOUNT OF MONEY AND SOURCE:

\$24,760.00

BACKGROUND/EXPLANATION:

The developer would like to improve its building at 11-13 South Poppleton Street for upgraded fire-suppression and domestic water services. This developer's agreement will allow for the upgraded improvements.

An Irrevocable Standby Letter of Credit in the amount of \$24,760.00 has been issued to Carter's Temple Church of God in Christ, which assumes 100% of the financial responsibility.

MBE/WBE PARTICIPATION:

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

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Department of General Services - Ratification of Services
& Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to ratify services provided and approve an expenditure of funds to pay Stratos Elevator, Inc. for services rendered October 05, through October 26, 2012.

AMOUNT OF MONEY AND SOURCE:

\$48,997.81 - 9916-902410-9197-000000-702064

BACKGROUND/EXPLANATION:

Stratos Elevator, Inc. was awarded contract PB 09829R, Elevator Upgrade and Modernization at Courthouse East on April 06, 2011 in the amount of \$1,818,000.00.

While Stratos Elevator, Inc. was working on the elevators, extra work was requested by the Circuit Court Administrative Judge and was approved by the Chief Design & Construction Division. Under the original contract scope of work, all the existing and historic hall position indicators for elevators one through four, with the exception of those on the first floor, would have been abandoned and left inoperative. Those on the first floor were to have been replaced with lighted electronic indicators "emulating" the original dial indicators. It was determined that doing so would be short-sighted especially since modern electronic technology is now available that could modify the original indicators and interface them with the new state-of-the-art electronic elevator control system, making them function fully as they did when first installed decades ago while maintaining their original historic appearance.

Although the work was performed during the construction period, the written documentation was not completed until after that time. This approval will allow payment to Stratos Elevator, Inc. for refurbishing the 24 existing historic hall position indicators for elevators one through four of Courthouse East from the first through sixth floors.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

EXTRA WORK ORDERS AND TRANSFER OF FUNDS

* * * * *

The Board is requested to approve

all of the

Extra Work Orders

as listed on the following pages:

40 - 41

The EWOs have been reviewed and approved

by the Department of

Audits, CORC, and MWBOO

unless otherwise indicated.

AGENDA

BOARD OF ESTIMATES

08/21/2013

EXTRA WORK ORDERS

<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>

Bureau of Water and Wastewater

1. EWO #065, \$ 0.00 - SC 852R, Denitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$115,688,000.00	\$ 2,544,079.19	Fru-Con Construction, LLC	150	85
			CCD	

This extra work order will extend the project expiration date to December 15, 2013.

2. EWO #066, \$29,442.24 - SC 852R, Denitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$115,688,000.00	\$ 2,544,079.19	Fru-Con Construction, LLC	0	91
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3. EWO #068, (\$1,041,761.50) - SC 852R, Denitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$115,688,000.00	\$ 2,565,087.11	Fru-Con Construction, LLC	0	90
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Construction Management requests transference of sanitary sewer and storm water structures and piping, and facilities start up activities to the ongoing denitrification project. Movement of these activities will serve to protect the structural integrity of the utilities during ongoing construction and streamline the denitrification start up process.

4. EWO #001, \$0.00 - SC 845R, Nitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$129,750,000.00	-	Fru-Con Construction, LLC	24	14
			CCD	

AGENDA

BOARD OF ESTIMATES

08/21/2013

EXTRA WORK ORDERS

<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>

Bureau of Water and Wastewater

5. EWO #002, \$1,041,761.50 - SC 845R, Nitrification Filters & Related Work for the Enhanced Nutrient Removal Facilities at Patapsco Wastewater Treatment Plant

\$129,750,000.00	\$	0.00	Fru-Con Construction,	0	14
			LLC		

Construction Management requests transference of sanitary sewer and storm water structures and piping, and facilities start up activities from the preceding denitrification project. Movement of these activities will serve to protect the structural integrity of the utilities during ongoing construction and streamline the denitrification start up process.

AGENDA

BOARD OF ESTIMATES

08/21/2013

Space Utilization Committee - Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a lease agreement with Ruri Yi, lessee, for the rental of property located at 1427 Light Street, known as School 33, Studio #203 (2nd Floor). The period of the agreement is August 1, 2013 through July 31, 2014 with an option to renew automatically for one additional 1-year term.

AMOUNT OF MONEY AND SOURCE:

<u>Annual Rent</u>	<u>Monthly Rent</u>
\$3,900.00	\$325.00

BACKGROUND/EXPLANATION:

The lessee will use the leased premises as an artist's studio. The lease may be terminated by lessor during the original term and renewal terms by giving 60-day notice to lessee.

The lessor is responsible for heat, electricity, and water. The lessee is responsible for content, insurance, janitorial services, trash receptacles, and security.

The Space Utilization Committee approved this lease at its meeting on August 13, 2013.

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Space Utilization Committee - Second Amendment to Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a second amendment to a lease agreement with Nextel Communications of the Mid-Atlantic, Inc., lessee. The agreement is for the rental of a portion of the tower and storage space located at 2120 Eastern Avenue.

AMOUNT OF MONEY AND SOURCE:

<u>Additional Annual Rent</u>	<u>Annual Rent</u>
\$1,800.00	\$32,580.90

The rent will increase annually during the placement of the additional equipment on the tower.

BACKGROUND/EXPLANATION:

The original lease agreement was entered into on December 1, 1999 for a portion of the tower and property located at 2120 Eastern Avenue. The first amendment to the lease was entered into on October 28, 2009. The rental premises are used for cellular telephone communications.

The amendment to the lease is to allow for installation of remote radio heads and associated equipment at an existing site. The lessee will be permitted to add up to three remote radio heads, along with mounting hardware and coaxial cables (collectively, the "Remote Radio Head Equipment"). During the period of time the remote radio head equipment is installed on the tower lessee will pay lessor additional yearly rent of \$1,800.00. The current annual rent is \$30,780.90 and with the increased rent the total annual rent due will be \$32,580.90. All other provisions of the original lease and the first amendment will remain the same.

The Space Utilization Committee approved this lease at its meeting on August 13, 2013.

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Space Utilization Committee - License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a license agreement with and the Maryland Stadium Authority, licensor. The period of the license agreement is August 1, 2013 through July 31, 2018 with an option to renew for three 5-year terms.

AMOUNT OF MONEY AND SOURCE:

\$1.00

BACKGROUND/EXPLANATION:

The license agreement is for the use of the portion of the stadium complex for an antenna facility to facilitate network communication activities of the City. The Mayor's Office of Information Technology (MOIT) presently has some equipment at the Stadium Complex. The license agreement allows the licensor and the City to formally establish parameters of the City's use of the property. The City will have access to the subject property as regulated by the license agreement. The main purpose of the antenna facilities at the property is for facilitating broadband communication with the Baltimore Animal Rescue and Care Shelter at 301 Stockholm Street and wireless transmission from public safety camera.

The Space Utilization Committee approved this license agreement at its meeting on August 13, 2013.

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Space Utilization Committee - Second Amendment to Lease Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a second amendment to a lease agreement with Nextel Communications of the Mid-Atlantic, Inc., lessee. The agreement is for the rental of a portion of the tower and storage space located at 2801 St. Lo Drive.

AMOUNT OF MONEY AND SOURCE:

<u>Additional Annual Rent</u>	<u>Annual Rent</u>
\$1,800.00	\$35,169.12

The rent will increase annually during the placement of the additional equipment on the tower.

BACKGROUND/EXPLANATION:

The original lease agreement was entered into on August 4, 1999 for a portion of the tower and property located at 2801 St. Lo Drive. The first amendment to the lease was entered into on October 7, 2009. The rental premises are used for cellular telephone communication.

The amendment to the lease is to allow for installation of remote radio heads and associated equipment at an existing site. The lessee will be permitted to add up to three remote radio heads, along with mounting hardware and coaxial cables (collectively, the "Remote Radio Head Equipment"). During the period of time the remote radio head equipment is installed on the tower lessee will pay lessor additional yearly rent of \$1,800.00. The current annual rent is \$33,369.12 and with the increased rent the total annual rent due will be \$35,169.12. All other provisions of the original lease and the first amendment will remain the same.

AGENDA

BOARD OF ESTIMATES

08/21/2013

Space Utilization Committee - cont'd

The Space Utilization Committee approved this lease at its meeting on August 13, 2013.

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Space Utilization Committee - Second Amendment to Communications License Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a second amendment to the communications license agreement with Cellco Partnership, d/b/a Verizon Wireless, licensee. The agreement is for the rental of a portion of the tower and storage space located at 501 N. Athol Avenue.

AMOUNT OF MONEY AND SOURCE:

<u>Additional Annual Rent</u>	<u>Annual Rent</u>
\$3,600.00	\$36,088.00

The rent will commence upon the placement of the Remote Radio Head equipment on the tower.

BACKGROUND/EXPLANATION:

A license agreement with Cellco Partnership was approved by the Board on December 8, 2010. The first amendment to the Communications License Agreement was entered into on July 20, 2011. The rental property is used for cellular telephone communication.

The amendment to the license agreement will allow for additional equipment and remote radio heads at an existing site. The licensee will be permitted to add additional equipment. During the period of time the remote radio head equipment is installed on the tower the lessee will pay lessor additional yearly rent of \$3,600.00. The current annual rent is \$32,488.00 and with the increased rent the total annual rent due will be \$36,088.00. All other provisions of the original lease and the first amendment will remain the same.

The Space Utilization Committee approved this lease at its meeting on August 13, 2013.

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Space Utilization Committee/
Department of Recreation and Parks

- Amended and Restated
Lease Agreement and
Community Benefits
Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the amended and restated lease agreement with Civic Works, Inc., tenant. The amended and restated lease agreement extends the period of the lease to 75 years from the effective date of the lease. The Board is further requested to approve and authorize execution of a Community Benefits agreement with Civic Works, Inc. The period of the agreement is effective upon Board approval through the date the lease expires.

AMOUNT OF MONEY AND SOURCE:

No City funds are involved in this transition.

BACKGROUND/EXPLANATION:

The amended and restated lease agreement and the Community Benefits agreement with Civic Works, Inc. is for the property known as the Clifton Mansion (the Mansion), located at 2710 St. Lo Drive (the property).

On April 18, 2012, the Board approved the original lease agreement with Civic Works, Inc. for a term of fifty years. The lease agreement requires Civic Works, Inc. to undertake the comprehensive renovation of the Mansion at an estimated project cost of \$4,000,000.00. Civic Works, Inc. will finance the renovations through a combination of New Market and Historic Tax credit financing. As a condition of such financing, Civic Works, Inc. needs to be the owner of the improvements constituting the Mansion, which the lease agreement provided for.

Settlement on the tenant's tax credit financing has been scheduled for the end of August and Civic Works, Inc. was advised by Tax Investor's Counsel that the terms of the lease agreement needed to be revised to allow the transaction to

AGENDA

BOARD OF ESTIMATES

08/21/2013

Space Utilization Committee/Recreation and Parks - cont'd

qualify for the tax credit financing, as the initial term was not of sufficient duration and the City retained too many indicia of ownership of the improvements under the terms of the original lease agreement. The amended and restated lease agreement will extend the initial term of the lease to 75 years from the commencement date of the lease and includes language to indicate clearly that the City is conveying the improvements to the Civic Works, Inc.

The interest the City retained for the construction of public restrooms in the improvements is now a sublease. The City's review of plans after the initial renovation of the improvements has been deleted as well as the requirement for the City to approve additional tenants and all charges for rent or activities on the premises.

The purchase price due the City, should Civic Works, Inc. remove the improvements, has been revised to reflect a current fair market appraised value of \$1,500,000.00 which will accrue interest at 7% per year if the improvements are removed, at which time the entire amount of principal and accrued interest will be due and payable. The uses permitted under the lease have been expanded to accommodate the tax credit financing and a new slightly expanded legal description for the leased premises has been added. The obligation of Civic Works, Inc. to perform certain services within the City's parks has been deleted and such obligations are now set forth in the Community Benefits agreement. All the other terms of the lease agreement remain unchanged.

Under the terms of the Community Benefits agreement, the tenant will continue to assign participants in the tenant's programs and operations to assist in the upkeep and improvements of one or more of the City's park properties at no charge to the City.

MBE/WBE PARTICIPATION:

The amended and restated lease agreement provides that the tenant will comply with the City's MBE/WBE requirements.

(The amended and restated lease agreement and the community benefits agreement have been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

08/21/2013

Department of Finance - Renewal of FY2014 Flood Coverage
Office of Risk Management

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the renewal of flood coverage for 2609 Leahy Street. This policy is written through Harleysville Mutual and renews August 27, 2013.

AMOUNT OF MONEY AND SOURCE:

\$6,308.00 - 2043-000000-1450-162900-063014

BACKGROUND/EXPLANATION:

On September 13, 2003, heavy rain from Hurricane Isabel caused flooding and inundated the Fire Boat Station at 2609 Leahy Street with 3' of flood water. A claim was made with the Federal Emergency Management Agency (FEMA). Public assistance reimbursement was obtained. Distribution of FEMA Public Assistance is contingent upon securing and maintaining flood coverage.

APPROVED FOR FUNDS BY FINANCE

AGENDA

BOARD OF ESTIMATES

08/21/2013

Department of Finance - Renewal of FY 2014 Cancellation
Office of Risk Management Coverage

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of the renewal of event cancellation coverage for the 2014 Baltimore Grand Prix. This policy is written through Lloyds of London.

AMOUNT OF MONEY AND SOURCE:

\$16,560.00 - 2043-000000-1450-162900-063014

BACKGROUND/EXPLANATION:

This policy is to indemnify the City for its Ascertained Net Loss should the Insured Event(s) be necessarily canceled, abandoned, postponed, interrupted, curtailed, or relocated which occurs during the policy period and is beyond the control of both the City and Participant.

APPROVED FOR FUNDS BY FINANCE

AGENDA

BOARD OF ESTIMATES

08/21/2013

Mayor's Office of - Renewal of Intergovernmental Agreement
Neighborhoods

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a renewal of an intergovernmental agreement with the Maryland State Department of Human Resources' Family Investment Administration, Maryland Office of Refugee and Asylees (DHR/MORA). The period of the renewal of the intergovernmental agreement is October 1, 2013 through September 30, 2014, with one renewal option remaining.

AMOUNT OF MONEY AND SOURCE:

\$390,860.00 - 5000-535914-1250-152800-603026

BACKGROUND/EXPLANATION:

In June 2012, the City started the Request for Proposal (RFP) process for the Targeted Assistance Grant (TAG) through the Bureau of Purchasing. As a result of the bid, Lutheran Social Services of the National Capital Area was selected as the contractor. On August 22, 2012, the Board approved the award for one year with two 1-year renewal options. This renewal is the first renewal option pending receipt of funds from the Office of Refugee Resettlement.

The funds for this agreement originate from the Federal Office of Refugee Resettlement (ORR) for the TAG program, and are designated for vocational training and employment services for hard to place refugees/asylees in the Baltimore Metropolitan Area. The Office administers the funds allocated for the Baltimore Metropolitan Area on behalf of the Maryland Department of Human Resources.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION.

(The intergovernmental 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 contracts
listed on the following pages:
54 - 56
to the low bidder meeting specifications,
or reject bids on those as indicated
for the reasons stated.

In connection with the Transfer of Funds,
pursuant to Charter provisions, a report has
been requested from the Planning
Commission, the Director of Finance
having reported favorably thereon.

AGENDA

BOARD OF ESTIMATES

08/21/2013

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Department of Transportation

1. TR 13007, Citywide Curb Repairs	Machado Construction Co.	\$277,376.50
MBE: M&F Contracting Company	\$47,500.00	17.12%
WBE: S&L Trucking, LLC	\$22,500.00	8.11%

MWBOO FOUND VENDOR IN COMPLIANCE

2. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$318,982.98	9950-902465-9509	
MVR	Construction Reserve	
	Curb Repair	
\$277,376.50	-----	9950-906668-9508-6
		Structure & Improvements
27,737.65	-----	9950-906668-9508-5
		Inspection
13,868.83	-----	9950-906668-9508-2
<u>\$318,982.98</u>		Contingencies
		Citywide Curb Repair

This Transfer will fund the cost associated with the award of Project TR 13007, Citywide Curb Repair to Machado Construction Co., Inc.

Bureau of Water & Wastewater

3. WC 1240, Meter Setting Installations at Various Locations, West Baltimore	J. Fletcher Creamer & Son, Inc.	\$4,817,470.00
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AGENDA

BOARD OF ESTIMATES

08/21/2013

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Water & Wastewater - cont'd

MBE:	M. Luis Construction Company, Inc.	\$543,000.00	11.27%
	JJ Adams Fuel Oil Company, LLC	100,000.00	2.08%
	Fallsway Construction Company, LLC	195,000.00	4.05%
	Machado Construction Company, Inc.	30,000.00	0.62%
		<u>\$868,000.00</u>	<u>18.02%</u>
WBE:	R & R Contracting Utilities, Inc.	\$330,000.00	6.85%
	Keys Materials & Utilities, Inc.	8,000.00	0.17%
		<u>\$338,000.00</u>	<u>7.02%</u>

MWBOO FOUND VENDOR IN COMPLIANCE

4. TRANSFER OF FUNDS

<u>AMOUNT</u>	<u>FROM ACCOUNT/S</u>	<u>TO ACCOUNT/S</u>
\$6,359,060.00	9960-9558-906133	
Water Revenue	Construction Reserve	
Bonds	Meter Replacement	
\$ 481,747.00	-----	9960-905658-9557-2
		Extra Work
481,747.00	-----	9960-905658-9557-3
		Engineering
289,048.00	-----	9960-905658-9557-5
		Inspection
4,817,470.00	-----	9960-905658-9557-6
		Construction
<u>289,048.00</u>	-----	9960-905658-9557-9
\$6,359,060.00		Administration

The funds are required to cover the cost of the award for WC 1240, Meter Settling Installation and Water Main Replacement at Various Locations - West Baltimore.

AGENDA

BOARD OF ESTIMATES

08/21/2013

RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS

Bureau of Purchases

5. B50003067, Chlorine Cylinder Truck	Beltway International, LLC	\$112,523.00
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(Dept. of General Services,
Fleet Mgmt.)

MWBOO GRANTED A WAIVER.

AGENDA

BOARD OF ESTIMATES

08/21/2013

Bureau of Water and Wastewater - Single Bond for Drain
Layers #1092025

ACTION REQUESTED OF B/E:

The Board is requested to approve acceptance of the Single Bond for Drain Layers #1092025 for the firm, T.E. Jeff, Inc. The period of the bond will continue until either the firm or the surety gives notice of its termination.

AMOUNT OF MONEY AND SOURCE:

\$10,000.00 - Bond

BACKGROUND/EXPLANATION:

The firm, T.E. Jeff, Inc., occasionally obtains permits from the City to excavate in streets, alleys, lanes, footways, thoroughfares, highways, and City of Baltimore rights-of-way for which it is obligated to give bonds. T.E. Jeff, Inc. desires to provide one bond to cover all permits that may be issued to it instead of being obligated to give a separate bond or money in each case.

(The single bond for drain layers has been approved by the Law Department as to form and legal sufficiency.)

AGENDA

BOARD OF ESTIMATES

08/21/2013

TRAVEL REQUESTS

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Police Department</u>			
1. Keith T. Jones	Conducting Police Involved Shooting Investigation Training Orlando, FL Aug. 25 - 28, 2013 (Reg. Fee \$230.00)	Gen. Funds	\$ 981.80
2. Alonzo Moreland	Internal Affairs Investigative Training Glynco, GA Aug. 25 - 30, 2013 (Reg. Fee \$1,235.00)	Gen. Funds	\$1,722.60

TRAVEL REIMBURSEMENT

<u>Name</u>	<u>To Attend</u>	<u>Fund Source</u>	<u>Amount</u>
<u>Office of City Council President</u>			
3. Rochelle Spector	2013 NACo County Solutions & Market Place Ft. Worth, TX July 19 - 22, 2013 (Reg. Fee \$515.00)	Elected Officials Expense	\$ 120.27

Ms. Spector submitted a travel request and received an advance in the amount of \$1,793.80. Ms. Spector is requesting \$70.27 to cover the cost of transporting publication materials from the training back to the City and \$50.00 for ground transportation for which she did not receive an advance.

Transport of Materials	\$ 70.27
Ground Transportation	<u>50.00</u>
	\$120.27

Department of Transportation - Memorandum of Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of a memorandum of agreement (MOA) with the Maryland Transportation Authority (MdTA). The period of the memorandum of agreement (MOA) is effective upon Board of Estimates' and MdTA's approval through September 30, 2016.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On August 8, 2012, the Board approved a memorandum of agreement with the MdTA which set forth a general understanding and agreement with respect to the joint development of support for the Baltimore Grand Prix and traffic operation plans.

This MOA outlines a joint traffic operations plan within the MdTA's right-of-way. Under authority granted by Title 4 section 4-205 of the Transportation Article of the Annotated Code of Maryland, the MdTA has certain powers relating to the supervision, financing, construction, operation, maintenance and repair of transportation facilities projects.

The authority has determined that the Grand Prix Project will impact normal traffic operation of the MdTA's Interstate 395 property to the extent that special traffic controls and/or other safety considerations are required. Under the terms of this MOA, the City is required to submit an annual maintenance of traffic plan to the Authority for approval.

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

AGENDA

BOARD OF ESTIMATES

08/21/2013

Parking Authority of Baltimore City - Expenditure of Funds

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize an expenditure of funds for repairs to the Fire Safety System Standpipe repair at the Redwood Garage.

AMOUNT OF MONEY AND SOURCE:

\$13,485.00 - 2075-000000-5800-408500-603016

BACKGROUND/EXPLANATION:

The repairs will be made by Fire and Life Safety of America, Inc. (FLSA). The fire safety system at the Redwood Garage located at 11 S. Eutaw Street is more than 15 years old. This system is tied into the fire safety system that also services the Redwood Towers Apartments which are above the garage. The two standpipes located in the garage have severe corrosion, which has caused water leaks. These water leaks result in a significant loss of water pressure, and thus the system cannot function as designed. Upon inspection last fall, it was deemed that these standpipes could fail catastrophically during a fire and present a life safety issue.

Currently, FLSA has the annual safety inspection and testing agreement with Redwood Towers Apartments. Although FLSA was the second lowest of three bidders who submitted proposals for the repairs, their pricing is competitive. The difference between FLSA's bid and the lowest bid was only \$490.00. In addition, due to the current written agreement between Redwood Towers and FLSA, the Parking Authority does not feel comfortable involving a different vendor for these repairs.

The work will include removing the old standpipes, replacing them with Schedule 10 Black piping and installing new fire hose valves. After pressure testing, the system will be fully operational as required by National Fire Protection Association (NFPA). NFPA compliance is the standard for inspection testing and maintenance of water-based fire protection systems.

APPROVED FOR FUNDS BY FINANCE

AUDITS REVIEWED AND HAD NO OBJECTION

AGENDA

BOARD OF ESTIMATES

08/21/2013

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

- | | | |
|---|-------------|---------------------------|
| 1. PERKINELMER HEALTH SCIENCES, INC. | \$41,552.55 | Sole Source/
Agreement |
| Solicitation No. 08000 - PerkinElmer Service Agreement -
Department of Public Works - Req. No. R630637 | | |

The Board is requested to approve and authorize execution of an agreement with Perkinelmer Health Sciences, Inc. The period of the agreement is effective June 9, 2013 for three years, with an option to renew for three additional one-year periods. A sole source award is recommended.

The agreement is late because of delays in receiving the quote from the vendor and contract negotiations.

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.

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

- | | | |
|--|-------------|----------|
| 2. <u>ROBNET, INC.</u> | \$10,000.00 | Increase |
| Solicitation No. 07000 - Stainless Steel Fasteners - Department of Public Works - Req. No. P515979 | | |

On January 29, 2011, the City Purchasing Agent approved the initial award in the amount of \$4,999.00. The first and second renewals were approved by the City Purchasing Agent on December 9, 2011 and November 19, 2012, respectively. This increase in the amount of \$10,000.00 is needed because of increased usage and will make the total contract amount \$26,999.00. This contract expires on January 28, 2014.

AGENDA

BOARD OF ESTIMATES

08/21/2013

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

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

Bureau of Purchases

- | | | | |
|----|---|--------------|---------|
| 5. | COMMERCIAL LIGHTING SALES, INC. | \$200,000.00 | Renewal |
| | Solicitation No. B50001572 - Traffic Signal Poles - Department of Transportation - P.O. No. P514787 | | |

On September 15, 2010, the Board approved the initial award in the amount of \$324,056.00, with two one-year renewal options. This is the first renewal option in the amount of \$200,000.00. The period of this renewal is September 15, 2013 through September 14, 2014, with one 1-year renewal option remaining.

MWBOO GRANTED A WAIVER.

- | | | | |
|----|---|---------|---------|
| 6. | GARDEN STATE HIGHWAY PRODUCTS, INC. | \$ 0.00 | Renewal |
| | Solicitation No. B50001162 - Extruded Street Name Signs - Department of Transportation - P.O. P510321 | | |

On September 16, 2009, the Board approved the initial award in the amount of \$35,700.00 with four 1-year renewal options. Subsequent actions have been approved. The period of this renewal is October 1, 2013 through September 30, 2014, with no renewal options remaining.

MWBOO GRANTED A WAIVER.

- | | | | |
|----|--|--------------|---------|
| 7. | IDEXX DISTRIBUTION, INC. | \$ 30,000.00 | Renewal |
| | Solicitation No. 08000 - IDEXX Water Microbiology Products - Department of Public Works, Bureau of Water and Wastewater - P.O. No. P517931 | | |

On August 10, 2011, the Board approved the initial award in the amount of \$28,906.00 with two 1-year renewal options. Subsequent actions have been approved. This renewal in the amount of \$30,000.00 is for the period September 9, 2013 through September 8, 2014, with no renewal options remaining.

INFORMAL AWARDS, RENEWALS, INCREASES TO CONTRACTS AND EXTENSIONS

VENDOR	AMOUNT OF AWARD	AWARD BASIS
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Bureau of Purchases

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 goods, equipment, and/or service is recommended.

Department of General Services (DGS)

- | | |
|--|----------------|
| 8. C & T Painting Company, Inc. \$ 28,600.00 | Ratify Low Bid |
| IC558 - Clifton Park Superintendent's House Painting Restoration Project in Clifton Park | |

On September 12, 2012, the lowest of two informal bids was received in the amount of \$28,600.00 for an extensive time-sensitive painting restoration project (i.e. main house, porch storage house, and garage area, etc.). Bids ranged from \$28,600.00 to \$41,000.00. The work was subsequently completed in November 2012. Although the original scope of work was not initially anticipated to meet and/or exceed the \$25,000.00 threshold limit required for Board approval, unforeseen conditions dictated otherwise.

Reorganizations within the Department of General Services coupled with other extenuating circumstances contributed to the delays, as well as an inadvertent oversight of procuring the necessary advanced Board approval for expenditures totaling \$25,000.00 and over. Therefore, the DGS on behalf of the Department of Recreation and Parks, acknowledges its omission and requests the Board's indulgence to ratify this post award contract.

Department of Transportation - Amendment No. 1 to Funding Agreement

ACTION REQUESTED OF B/E:

The Board is requested to approve and authorize execution of amendment no. 1 to funding agreement with The Bryn Mawr School for Girls, Inc. and The Gilman School, Inc. The amendment no. 1 to funding agreement extends the completion date to September 2014. In the event the construction is not commenced by such time, the agreement will terminate.

AMOUNT OF MONEY AND SOURCE:

N/A

BACKGROUND/EXPLANATION:

On May 9, 2012, the Board approved the funding agreement to establish a framework for rehabilitating Northern Parkway between Roland Avenue and Boxhill Lane, and Roland Avenue between Northern Parkway and Coldspring Lane, and sharing the funding responsibility for these repairs. The Department wishes to amend the original agreement to change the completion date for project planning and design from September 2012 to September 2013 and the project completion date from September 2013 to prior to the opening of the September 2014 school term.

This request is being submitted at this time because of unforeseen delays encountered with right-of-way and permit issues, as well as design approvals by State and Federal authorities that delayed the anticipated timeline for the project but have been recently addressed.

MBE/WBE PARTICIPATION:

N/A

(The amendment no. 1 to funding agreement has been approved by the Law Department as to form and legal sufficiency.)

PROPOSAL AND SPECIFICATIONS

1. Dept. of Transportation - TR 14001, Reconstruction of
Footways Citywide
BIDS TO BE RECV'D: 9/18/2013
BIDS TO BE OPENED: 9/18/2013

12:00 NOON

ANNOUNCEMENT OF BIDS RECEIVED

AND

OPENING OF BIDS, AS SCHEDULED