

**BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2023**

*Issued: March 9, 2023
Reissued: March 13, 2023
Work Session: March 14, 2023
Legislative Day No. 6: March 20, 2023*

*The accompanying notes are
compiled from unaudited
information provided by
the Administration and
other sources.*



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

March 20, 2023

NOTES TO THE AGENDA

TABLE OF CONTENTS

	PAGE
LEGISLATIVE SESSION	
Witnesses	ii
<u>BILLS – FINAL READING</u>	
Bill 10-23	1*
Bill 11-23	2
<u>FISCAL MATTERS</u>	
FM-1	3
FM-2	7
FM-3	11
FM-4	14
FM-5	14
FM-6	14
FM-7	20
FM-8	24**
FM-9	28
<u>MISCELLANEOUS BUSINESS</u>	
None	
APPENDIX	
Correspondence (1) (a)	32

* Revised note included in Reissued Package.

** Note included in Reissued Package.

**AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2023, LEGISLATIVE DAY NO. 6
MARCH 20, 2023 6:00 P.M.**

CEB = CURRENT EXPENSE BUDGET
BY REQ. = AT REQUEST OF COUNTY EXECUTIVE

Page

CALL OF BILLS FOR FINAL READING AND VOTE

COUNCIL

- 1 Bill 10-23 – Mr. Jones – Zoning Regulations – Uses Permitted in the R.C. 2 Zone – Catering Halls Converted from Dwellings
- 2 Bill 11-23 – Mr. Marks – Zoning Regulations – Honeygo Overlay District

APPROVAL OF FISCAL MATTERS/CONTRACTS

SETH BLUMEN, ENERGY & SUSTAINABILITY COORDINATOR, EXECUTIVE OFFICE

- 3 1. Contract – Facility Support Inc. d/b/a FSI Engineers –Systemic evaluations –facility systems-Reduce energy consumption/improve facility operation-AO

DAVID LYKENS, DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY

- 7 2. Contract – Coastal Resources, Inc. – Stream/tidal benthic macroinvertebrate monitoring – DEPS

LAWRENCE RICHARDSON, DEPUTY DIRECTOR, F&A, DEPARTMENT HEALTH & HUMAN SERVICES

- 11 3. Contract – Gaudenzia, Inc. – Expand Harm Reduction Outreach Services – HHS

FAITH THOMAS, REAL ESTATE COMPLIANCE

- 14 4. Contract of Sale – John & Grace Schneider – Acquisition of parcel-6727 Windsor Mill Rd., 21207-sidewalk project-REC
- 14 5. Contract of Sale – Vincent Ani – Acquisition of parcel – 6739 Windsor Mill Rd., 21207 – sidewalk project-REC
- 14 6. Contract of Sale – Roy & Alice Burrow – Acquisition of parcel – 6746 Windsor Mill Rd., 21207-sidewalk project-REC

D'ANDREA WALKER, DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION

- 20 7. Contract – Tito Contractors, Inc. – Qualified temporary supervisors/laborers – acceptance/recycling facilities – DPWT
- 24 8. Contract – Team Service Corporation of New York – Labor, parts & services – repair sewage pumps/ equipment-DPWT
- 28 9. Contract – Pure Technologies, U.S., Inc. d/b/a Wachs-water services-emergency services -water main valves – DPWT

MISCELLANEOUS BUSINESS

COUNCIL

- 32 1. Correspondence - (a) (4) - Non-Competitive Awards (February 15, 2023)
- 2. Appointment – Mr. Jones(By Req.) – Baltimore County Animal Hearing Board – Amanda Serafini
- 3. Appointment – Mr. Jones(By Req.) – Baltimore County Police Accountability Board – Renee Streib

Bill 10-23

Council District(s) 4

Mr. Jones

**Zoning Regulations – Uses Permitted in the R.C. 2 Zone –
Catering Halls Converted from Dwellings**

Bill 10-23 adds a new by-right permitted use to the Resource Conservation – Agricultural (R.C.2) Zone. Specifically, the bill would permit by right the conversion of a dwelling to a catering hall on which agriculture education activities also occur, provided the property is at least 20 acres and no more than 50 acres in size with at least 300 feet of frontage on or abutting a State highway and located within the Hanover Pike Corridor Study Area.

With the affirmative vote of five members of the County Council, Bill 10-23 will take effect 14 days from the date of its enactment.

Bill 11-23

Council District(s) 5

Mr. Marks

Zoning Regulations – Honeygo Overlay District

Bill 11-23 amends two aspects of the district regulations for the Honeygo Overlay District. First, the bill amends the open space standard regarding the payment of a fee in lieu. Specifically, the bill would require a residential development in the Honeygo area within subdivisions located west of I-95 to provide open space that is internalized to their project and prohibit such developments from paying a fee in lieu of providing open space. Second, the bill prohibits panhandle lots in the entire Honeygo Overlay District. Under current law, panhandle lots are only permitted in the certain defined areas of the Honeygo district.

With the affirmative vote of five members of the County Council, Bill 11-23 will take effect 14 days from the date of its enactment.

FM-1 (Contract)

Council District(s) 6

Executive Office

**Systemic Evaluations – Facility Systems –
Reduce Energy Consumption/Improve Facility Operation**

The Administration is requesting approval of a contract with Facility Support, Incorporated dba FSi Engineers (FSi) to provide systematic evaluations of facility systems and implementation of cost-effective measures targeted to reduce energy consumption and improve facility operations at the Eastern Family Resource Center and the Jefferson Building. The contract commences upon Council approval, continues for 2 years, and will renew automatically for one additional 1-year period with the option to extend the initial term or the renewal term an additional 120 days. The contract does not specify a maximum compensation for the initial 2-year term or for the entire 3-year and 4-month term, including the renewal and extension periods. Compensation may not exceed the amount appropriated for these services for the entire contract term. The Office advised that estimated compensation totals \$81,535 for the entire approximate 3-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County ⁽¹⁾	\$ 81,535	⁽¹⁾ Capital Projects Fund. ⁽²⁾ Estimated compensation for the entire 3-year and 4-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial 2-year term or the entire term. Compensation may not exceed the amount appropriated for these services for the entire contract term.
State	--	
Federal	--	
Other	--	
Total	\$ 81,535 ⁽²⁾	

Analysis

The Office advised that as a commercial and natural gas customer of Baltimore Gas and Electric (BGE), the County is eligible to receive financial incentives for energy improvements under

several programs; one such program is the BGE Building Tune-up program, also known as the Retrocommissioning (RCx) program. The Office further advised that the program identifies equipment, system, and operational improvements and provides guidance and training on how to operate and maintain facilities optimally.

The proposed contractor will serve as the County's BGE-approved Resource Service Provider (RSP). The role of the RSP is to work collaboratively with the County through the program application process, and upon acceptance into the program, to provide full-service analyses, reporting, and implementation of approved facility improvement measures (e.g., reduction of minimum outside airflow, repair of compressed air leaks). The County has identified the Eastern Family Resource Center and the Jefferson Building (each a separate project) as potential candidates for RCx services.

The Office advised that if the County's applications are accepted, BGE will provide project-by-project incentives that cover up to 75% of the RCx study and implementation costs, with a per project funding cap of \$50,000. In return, participants must make a commitment to match the incentive received, up to \$50,000, for approved RCx measures with a simple payback of 1.5 years or less. Implementation of identified and approved measures must occur no later than 6 months from the date of BGE approval of the final report. BGE also may provide incentives, through other efficiency program offerings, to offset implementation costs for recommended, low-cost measures if the estimated simple payback exceeds 1.5 years. For projects that have estimated simple payback periods of less than 1.5 years, no additional incentives are available. The Office noted that the County has budgeted \$100,000 for work beyond the incentive cap.

Services under the contract include full-site investigation and review of system performance, developing recommended energy conservation measures through lifecycle assessment and energy modeling, planning and leading the design of upgrades, and design and implementation of measurement and verification. Services will be conducted in six phases: application, planning, investigation, implementation, hand-off, and verification. FSi will charge the County \$43,735 for the first three phases (\$43,330) and for mileage/parking (\$405). The contract provides that upon completion of these phases, the County will require a price quote for the three remaining phases. The Office advised that FSi has provided an initial estimate of \$37,800 for these phases and will submit a new price quote based on the outcome of the initial phases. The County reserves the right to accept or reject FSi's quote. The Office advised that if FSi's price quote is accepted, the proposed contract will be modified to include the quoted phases; if it is rejected, the County will solicit quotes from other BGE-approved RSPs.

The contract commences upon Council approval, continues for 2 years, and will renew automatically for one additional 1-year period with the option to extend the initial term or the renewal term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 2-year term or for the entire 3-year and 4-month term, including the renewal and extension periods. Compensation may not exceed the amount appropriated for these services for the entire contract term. As explained, the Office advised that estimated compensation totals \$81,535 for the entire approximate 3-year and 4-month term, including the renewal and extension periods.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process based on qualifications and experience from five proposals received (one of which was withdrawn by the respondent). According to the bid documents, there was a 20% M/WBE participation requirement.

On January 18, 2022, the Council approved an approximate \$4.0 million Energy Savings Performance Contract with CEG Solutions LLC to implement comprehensive energy efficiency and guaranteed savings programs over a 14-year performance period at the Glen Arm Equipment Maintenance Facility and the Drumcastle Government Center. The Office advised that selected energy-saving measures have resulted in \$264,416 in annual cost savings for both facilities combined.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

Executive Summary

Electrical Utility Large Facility Tune Up Program

As a commercial electric and natural gas customer of Baltimore Gas and Electric (BGE), Baltimore County is eligible to receive financial incentives for energy-efficient improvements under several programs. One such program is the BGE Building Tune-up Program (also termed as retrocommissioning), which offers incentives to cover up to 75% of the service cost for the systematic evaluation of facility systems and implementation of cost-effective measures targeted to reduce energy consumption and improve facility operation.

There is no one-size-fits-all approach for retrocommissioning since each building is unique. The process delivers a more in-depth analysis than a simple energy audit or building tune up. It identifies equipment, system and operational improvements and provides guidance and training on how to optimally operate and maintain facilities.

The County sought technical services for this program through BGE-approved service providers authorized to serve as participating contractors. The role of a service provider is to collaboratively work with the County through the application process and upon acceptance into the program, provide the full service analyses, reporting and implementation of approved facility improvement measures.

The County RFP evaluation committee recommended an award to FSi Engineering in the selection process for RFP No. P-10000015 Electrical Utility Large Facility Tune Up Program. This decision is based on the company attaining the top combined technical and price proposal scoring (highest amount of points) in the proposal evaluation process with five County team members from Property Management and the Office of the County Executive providing scoring based on thorough review.

FSi Engineering will provide the following services as part of this contract:

Full site investigation and review of system performance, developing recommended energy conservation measures through life cycle assessment and energy modeling, planning and investigation. Upon completion of the Application, Planning and Investigation Phases, the County shall require a price quote for the Implementation, Hand Off and Verification Phases. The quote shall be submitted in writing to the Purchasing Agent for review. Baltimore County reserves the right to accept or reject FSi Engineer's quote. If accepted, the Supplier Contract shall be modified to include line items for the quoted phases. If rejected, the County shall solicit quotes for the Implementation, Hand Off and Verification Phases through other existing Agreements, or on the open market, whichever is in the best interest of the County.

Prepared by: Executive Office

FM-2 (Contract)

Council District(s) All

Department of Environmental Protection & Sustainability

Stream/Tidal Benthic Macroinvertebrate Monitoring

The Administration is requesting approval of a contract with Coastal Resources, Inc. to provide biological sampling services in order to assess the water quality of County streams and tidal rivers. The contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$520,000 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 520,000	(1) Capital Projects Fund.
State	--	(2) Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial 1-year term.
Federal	--	
Other	--	
Total	\$ 520,000 ⁽²⁾	

Analysis

The County is divided into two major river basins, the Patapsco River/Back River Basin and the Gunpowder Falls/Deer Creek Basin. The Department advised that the 2021 Maryland Department of the Environment (MDE) monitoring guidelines require the County to sample in both river basins each year (previously the basins were sampled in alternate years). The contractor will collect samples of benthic macroinvertebrate (primarily aquatic insects) from approximately 100 stream sites and 25 tidal sites annually. The Department advised that the benthic macroinvertebrates

are widely accepted indicators of water quality across the United States. In addition, to support the County's biological and Total Maximum Daily Load (TMDL) sediment monitoring program, the contractor will provide sampling in the Patapsco (42 sites), Gwynns Falls (30 sites), Jones Falls (30 sites), Lower Gunpowder (30 sites), and Back River (20 sites) watersheds on a 3-year cycle. The Department advised that it reports the data to the MDE each year as one component of the County's efforts to maintain and improve its waterways, and it also uses the data to help prioritize stream restoration projects and aid in watershed planning activities.

Sampling and sample identification rates range from \$100.00 to \$370.07, depending on the individual performing the work (i.e., lab technician, field technician, taxonomist) and whether the samples are from stream or tidal sites. Hourly rates for a project manager are \$173.07 for stream monitoring and \$139.15 for tidal monitoring. The County also will be charged for direct supply costs and biomass determination, slide mounting, and sediment processing fees.

The contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$520,000 for the entire 5-year and 4-month term, including the renewal and extension periods.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process based on low bid from two bids received. According to the bid documents, there was no MBE/WBE participation requirement.

On February 20, 2018, the Council approved a similar 5-year and 4-month contract not to exceed \$335,000 with Versar, Inc. According to the County's financial system, as of March 1, 2023, \$295,100 has been expended/encumbered under this contract.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

EXECUTIVE SUMMARY

The Baltimore County Department of Environmental Protection and Sustainability (DEPS) is requesting the services of a contractor to perform stream and tidal benthic macroinvertebrate monitoring in Baltimore County for a period of 5 years. The Contractor will sample numerous stream sites to support the County's biological and Total Maximum Daily Load (TMDL) sediment monitoring program along with 25 tidal sites annually. The Contractor will also provide laboratory services including sorting and identification of samples. The data collected from this project will be used by the County to assess the health of the County's stream and tidal biological communities. The data will also be used to help prioritize stream restoration projects and aid in watershed planning activities.

Prepared by: Department of Environmental Protection & Sustainability

FM-3 (Contract)

Council District(s) All

Department of Health and Human Services

Expand Harm Reduction Outreach Services

The Administration is requesting approval of a contract with Gaudenzia, Inc. to expand the County’s Harm Reduction Outreach Program services by distributing harm reduction supplies (e.g., naloxone, fentanyl test strips, syringes) and providing education and outreach to a greater population of persons actively using substances and those who are at highest risk of fatal or near fatal overdoses. The contract commences upon Council approval, continues through June 30, 2023, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days. Compensation may not exceed \$73,776 for FY 2023. Compensation for each renewal period may not exceed the amount of grant funds appropriated for these services. The Department advised that estimated compensation totals \$959,088 for the entire approximate 4-year and 7-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Initial Term	Total Compensation
County	--	--
State	--	--
Federal ⁽¹⁾	\$ 73,776	\$ 959,088
Other	--	--
Total	<u>\$ 73,776</u> ⁽²⁾	<u>\$ 959,088</u> ⁽³⁾

⁽¹⁾ US. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration funds passed through the Maryland Department of Health, Center for Harm Reduction Services.

⁽²⁾ Maximum compensation for FY 2023.

⁽³⁾ Estimated compensation for the entire approximate 4-year and 7-month term, including the renewal and extension periods, assuming the same level of appropriation each year. The contract does not specify a maximum compensation for the entire contract term. Compensation for each renewal period may not exceed the amount of grant funds appropriated for these services.

Analysis

The County's Harm Reduction Program is a community-based public health program that provides comprehensive services to reduce the harms of drug use. The proposed contract will expand the services currently provided by County staff in order to reach a broader group of people in need of these services. The contractor will distribute harm reduction supplies (e.g., naloxone, fentanyl test strips, syringes) and provide education and outreach (while also ensuring access and linkages to other community-based and treatment services as needed) to persons actively using substances and those who are at highest risk of fatal or near fatal overdoses. The goal of these services is to improve the continuum of care for persons who are actively using substances and reduce the incidence of opioid overdoses and overdose deaths within this population. Services will be focused on persons who are least likely to access services through traditional outreach methods, including people experiencing homelessness, people who use drugs, and people who lack reliable transportation. The Department advised that the contractor will carry supplies directly to these individuals where they live and gather, such as homeless encampments. The Department estimates the contractor will serve 350 clients per year.

The contract commences upon Council approval, continues through June 30, 2023, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. Compensation may not exceed \$73,776 for FY 2023. Compensation for each renewal period may not exceed the amount of grant funds appropriated for these services. The Department advised that estimated compensation totals \$959,088 for the entire approximate 4-year and 7-month term, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process. The Department advised that Gaudenzia, Inc. was the only respondent. According to bid documents, there was not an M/WBE participation requirement.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

Executive Summary

Harm Reduction Services Expansion – Fiscal Year 2023

The Baltimore County Department of Health, Bureau of Behavioral Health (BBH) is seeking to enter a contract for Harm Reduction Services Expansion with Gaudenzia, Inc. in the amount of \$73,776, with four one-year renewals not to exceed \$959,088.

Background

The Maryland Department of Health Center for Harm Reduction Services (CHRS) was established in 2019 and is housed with the Infectious Disease Prevention and Health Services Bureau in the Prevention and Health Promotion Administration. The Center has established the ACCESS Harm Reduction Grant program to make funding available to support harm reduction services and supplies and naloxone distribution in Baltimore County. The Baltimore County Department of Health (BCDH) has received an ACCESS grant award for FY2023 and intends to use a portion of this funding to engage a vendor to expand harm reduction services; the selected vendor for this project is Gaudenzia, Inc.

Purpose

The Baltimore County Department of Health (BCDH) proposes to engage with Gaudenzia, Inc. to expand its Harm Reduction Outreach to include distribution of harm reduction supplies, naloxone education and outreach to persons actively using substances. Gaudenzia, Inc. will also provide outreach and education to persons who are at highest risk of fatal or near fatal overdoses. The goal of these expanded services is to improve the continuum of care for persons who are actively using substances and reduce the incidence of opioid overdoses and overdose death within this population. Gaudenzia, Inc. will deliver services focused on persons who are least likely to access services through traditional outreach methods. Services include community based harm reduction supplies, education and access to services including treatment. Examples of people served would be people experiencing homelessness, people who use drugs and people who lack access to reliable transportation.

Fiscal

The budget code is 200-CC300000-GR-1134-SC58030. The initial contract term will be upon County Council approval through 6/30/2023 with four additional one-year renewal options.

Prepared by: Department of Health and Human Services

FMs-4, 5, & 6 (3 Contracts)

Council District(s) 2

Office of Law – Real Estate Compliance Division

Acquisitions of Parcels – 6727, 6739, 6746 Windsor Mill Road, 21207 – Sidewalk Project

The Administration is requesting approval of three contracts to acquire land and easement access spanning, in total, approximately 0.20 acre for \$28,450 for the construction of a sidewalk along Windsor Mill Road. FM-4 is a contract with John L. Schneider and Grace E. Schneider, for \$5,210, for land (0.026 acre) and easement access (0.037 acre) located at 6727 Windsor Mill Road. FM-5 is a contract with Vincent Ani, for \$11,083, for land (0.037 acre) and easement access (0.026 acre) located at 6739 Windsor Mill Road. FM-6 is a contract with Alice J. Burrow and Roy C. Burrow, for \$12,157, for land (0.043 acre) and easement access (0.031 acre) located at 6746 Windsor Mill Road. The properties are zoned DR-5.5 (Density Residential – 5.5 lots per acre). The acquired land will be used for highway widening areas, and the easements will be used for temporary construction areas, where the sidewalk will be installed. See Exhibit A, B, and C.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 28,450	⁽¹⁾ Capital Projects Fund. The purchase price includes \$8,867 to compensate for adverse impacts to site improvements (e.g., fencing, landscaping).
State	--	
Federal	--	
Other	--	
Total	\$ 28,450	

Analysis

Descriptions of the three acquisitions are as follows:

6727 Windsor Mill Road (FM-4)

The County's staff appraiser completed an appraisal of the property in December 2022, recommending a value of \$5,210. After review and analysis, the County's review appraiser concurred with the appraisal, recommending the respective amount as just compensation for the acquisition. The Office of Law – Real Estate Compliance Division advised that the property owner accepted the County's offer. The purchase price includes \$342 to compensate for adverse impacts to site improvements (e.g., landscaping).

The total 0.063-acre property to be acquired, including both the land and the easement access area, is part of a larger 0.459-acre parcel that is residentially improved with a detached 2-story dwelling.

6739 Windsor Mill Road (FM-5)

The County's staff appraiser completed an appraisal of the property in December 2022, recommending a value of \$11,083. After review and analysis, the County's review appraiser concurred with the appraisal, recommending the respective amount as just compensation for the acquisition. The Office of Law – Real Estate Compliance Division advised that the property owner accepted the County's offer. The purchase price includes \$4,625 to compensate for adverse impacts to site improvements (e.g., fencing, landscaping).

The total 0.063-acre property to be acquired, including both the land and the easement access area, is part of a larger 0.236-acre parcel that is residentially improved with a detached 2-story dwelling.

6746 Windsor Mill Road (FM-6)

The County's staff appraiser completed an appraisal of the property in October 2022, recommending a value of \$12,157. After review and analysis, the County's review appraiser concurred with the appraisal, recommending the respective amount as just compensation for the acquisition. The Office of Law – Real Estate Compliance Division advised that the property owner accepted the County's offer. The purchase price includes \$3,900 to compensate for adverse impacts to site improvements (e.g., fencing, landscaping).

The 0.074-acre property to be acquired, including both the land and the easement access area, is part of a larger 0.380-acre parcel that is residentially improved with a detached 2-story dwelling.

The Department of Public Works and Transportation (DPWT) advised that construction of a sidewalk along Windsor Mill Road will be completed in three phases: phase one (current phase) will run from Woodlawn Drive to Featherbed Lane; phase two will continue to Windsor Boulevard; and phase three will continue to Rolling Road. The Office of Law – Real Estate Compliance Division advised that, in total, 190 acquisitions are needed for this project, and following approval of these three proposed acquisitions, approximately 27 remaining acquisitions will require Council approval.

On January 17, 2023, the Council approved a contract totaling \$7,666 to acquire land and easement access spanning approximately 0.076 acre at 6742 Windsor Mill Road. DPWT advised that estimated phase one costs for property acquisition total \$1.0 million; other estimated phase one costs (including design and construction costs) total \$5.5 million. DPWT further advised that as of March 1, 2023, the County has expended/encumbered approximately \$0.3 million for design work.

County Charter, Section 715, requires Council approval of real property acquisitions where the purchase price exceeds \$5,000.

Executive Summary

PROGRAM TITLE: Windsor Mill Sidewalk Project

PROJECT NO.: 205-0286-0516

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: John L. Schneider, Trustee
Grace E. Schneider, Trustee

LOCATION: 6727 Windsor Mill Road
Baltimore, MD 21207

CONSIDERATION: \$5,210.00

PURPOSE OF PROJECT: This contract is for the purchase of Highway Widening Area 1,172 sq. ft. and a temporary Construction area of 1,617 sq. ft.

LIMITS OF PROJECT: 6727 Windsor Mill Road

Prepared by: Office of Law – Real Estate Compliance Division

Executive Summary

PROGRAM TITLE: Windsor Mill Sidewalk Project

PROJECT NO.: 205-0286-0516

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Vincent Ani

LOCATION: 6739 Windsor Mill Road
Baltimore, MD 21207

CONSIDERATION: \$11,083.00

PURPOSE OF PROJECT: This contract is for the purchase of Highway Widening Area 1,615 sq. ft. and a temporary Construction area of 1,140 sq. ft.

LIMITS OF PROJECT: 6739 Windsor Mill Road

Prepared by: Office of Law – Real Estate Compliance Division

Executive Summary

PROGRAM TITLE: Windsor Mill Sidewalk Project

PROJECT NO.: 205-0286-0516

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Alice J. Burrow
Roy C. Burrow

LOCATION: 6746 Windsor Mill Road
Baltimore, MD 21207

CONSIDERATION: \$12,157.00

PURPOSE OF PROJECT: This contract is for the purchase of Highway Widening Area 1,875 sq. ft. and a temporary Construction area of 1,388 sq. ft.

LIMITS OF PROJECT: 6746 Windsor Mill Road

Prepared by: Office of Law – Real Estate Compliance Division

FM-7 (Contract)

Council District(s) All

Department of Public Works and Transportation

Qualified Temporary Supervisors/Laborers – Acceptance/Recycling Facilities

The Administration is requesting approval of a contract with Tito Contractors, Inc. to provide general and skilled laborers and supervisors at the County’s Eastern Sanitary Landfill (ESL) in White Marsh, Central Acceptance Facility (CAF) in Cockeysville, and Western Acceptance Facility (WAF) in Halethorpe. The contract commences upon Council approval, continues for 2 years, and will renew automatically for eight additional 1-year periods with the option to extend the initial term or any renewal term an additional 240 days. The contract does not specify a maximum compensation for the initial 2-year term or for the entire 10-year and 8-month term, including the renewal and extension periods. Compensation may not exceed the amount appropriated for these services for the entire contract term. The Department advised that the estimated compensation totals \$26.5 million for the entire 10-year and 8-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County ⁽¹⁾	\$ 26,500,000	⁽¹⁾ General Fund Operating Budget. ⁽²⁾ Estimated compensation for the entire 10-year and 8-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial 2-year term or for the entire term. Compensation may not exceed the amount appropriated for these services for the entire contract term.
State	--	
Federal	--	
Other	--	
Total	\$ 26,500,000 ⁽²⁾	

Analysis

The contractor will provide general and skilled laborers and supervisors at the County’s ESL, CAF, and WAF. A Site Supervisor will perform full-time duties (40 hours per week) at each facility and

serve as the point of contact for each site. General laborers will perform full-time duties (40 hours per week) at the CAF for manual sorting of recycled materials on single-stream processing lines (Materials Recovery Facility), as well as groundskeeping, lawn maintenance, general housekeeping, and general labor chores at the CAF, ESL, and WAF. The contractor also may provide skilled labor on an as-needed basis to complete duties including, but not limited to, general building maintenance (e.g., interior and exterior painting); carpentry; concrete repair; drywall installation; indoor tile work; and metal siding removal/installation. The Department advised that the County will provide the materials and equipment (e.g., brooms, shovels, lawn mowers).

Hourly rates for labor range from \$24.50 to \$32.00, depending on the worker's skill level (general, skilled, or supervisor) and time status (regular or overtime). The Department advised that the contractor's billing rate is to include the pay rate provided to an employee plus the contractor's additional costs, fees, and profit.

The contract commences upon Council approval, continues for 2 years, and will renew automatically for eight additional 1-year periods with the option to extend the initial term or any renewal term an additional 240 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 2-year term or for the entire 10-year and 8-month term, including the renewal and extension periods. Compensation may not exceed the amount appropriated for these services for the entire contract term. The Department advised that the estimated compensation totals \$26.5 million for the entire 10-year and 8-month term, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process based on qualifications and experience from three proposals received. According to the bid documents, there was a 5% MBE participation requirement.

On July 1, 2017, the County assumed operations of the CAF and WAF from Maryland Environmental Service (MES) in order to reduce costs and improve oversight. On August 7, 2017, the Council approved a transfer agreement, which reassigned MES's preexisting contract with Tito Contractors, Inc. to the County to continue to provide general and skilled labor services, including supervisors, at the County's CAF and WAF; the agreement commenced July 1, 2017 with compensation not to exceed \$1,324,208 for the entire 4-year and 3-month term. The Council subsequently approved three amendments to the contract increasing the term, maximum compensation, and scope of the contract. On March 4, 2019, the Council approved the first amendment to the contract to increase the maximum compensation by \$4,425,792 to \$5,750,000 for the entire 4-year and 3-month term, including the renewal periods. (The Department advised that in August 2016, Abacus Corporation began providing temporary services at ESL under a contract approved by the Council on September 4, 2012; the contract ended October 31, 2018, and subsequently Tito Contractors, Inc. began providing temporary staffing at ESL.) On September 20, 2021, the Council approved a second amendment to the contract to add an approximate 6-month renewal term commencing October 1, 2021 and increasing the maximum compensation by \$2,105,555 to \$7,855,555 for the entire amended 4-year and 9-month term, including the renewal periods, in order to provide the County time to bid a new contract for these services. On April 4, 2022, the Council approved a third amendment to the contract (which commenced April 1, 2022 and continues through the earlier of the date the County executes a new agreement or March 31, 2023) to increase the maximum compensation of the contract by \$3,100,000 to \$10,955,555 for the entire amended 5-year and 9-month term, including the renewal periods in order to provide the County time to bid a new contract for these services. According to the County's financial system, as of March 9, 2023, \$9,894,372 has been expended under the contract.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

Executive Summary

Vendor Name – Tito Contractors, Inc.

Scope of Contract – The Contractor shall provide qualified temporary supervisors, skilled laborers and general laborers at the County’s Central Acceptance Facility (CAF), and Material Recycling Facility (MRF) in Cockeyville, in the Western Acceptance Facility (WAF) in Halethorpe and the Eastern Sanitary Facility (ESL) in White Marsh on an as needed basis.

Contract Value – Not to exceed approved appropriation during the entire term including renewals thereof.

Term – Two (2) year from Council Approval (Initial Term), Eight (8) successive One (1) Year Renewal Options

Vendor Selection Method – Best Qualified, Best Value, Competitive Bid, Experience, Low Bid

MBE% - 5%

Other Pertinent Information – N/A

Prepared by: Department of Public Works and Transportation

FM-8 (Contract)

Council District(s) All

Department of Public Works & Transportation

Labor, Parts & Services – Repair Sewage Pumps/Equipment

The Administration is requesting approval of a contract with T.E.A.M. Service Corporation of New York to provide maintenance and repair services for sewage pumps and related equipment utilized in County pumping stations and other facilities. The contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$660,000 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 660,000	⁽¹⁾ Capital Projects Fund (Metropolitan District). ⁽²⁾ Maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods. The contract does not specify a maximum compensation for the initial 1-year term.
State	--	
Federal	--	
Other	--	
Total	\$ 660,000 ⁽²⁾	

Analysis

The contractor will provide all labor, materials, tools, equipment, and supervision for repair and maintenance, including inspection, testing, and troubleshooting, of sewage pumps and related equipment utilized in County pumping stations and other facilities. The contractor will determine the extent of damage and recommend repair or replacement. The County may purchase replacement pumps from the contractor if repairs are not economical. The bid documents provide

that the contractor must be able to provide on-call emergency field service for repairs and consultation 24 hours per day, 7 days per week. The hourly labor rate is \$70 and the mark-up for parts and materials is 20%.

The contract commences upon Council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days on the same terms and conditions, unless the County provides notice of non-renewal. The contract does not specify a maximum compensation for the initial 1-year term. Compensation may not exceed \$660,000 for the entire 5-year and 4-month term, including the renewal and extension periods.

Prior to the commencement of each renewal period, the County may entertain a request for an escalation in unit prices in accordance with the Consumer Price Index – All Urban Consumers – United States Average – All Items (CPI-U), as published by the United States Department of Labor, Bureau of Labor Statistics at the time of the request, or up to a maximum 5% increase on the current pricing, whichever is lower. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract through a competitive procurement process; the Department advised that T.E.A.M. Service Corporation of New York was the only bidder. According to the bid documents, there was a 20% MBE/WBE participation requirement.

On August 7, 2017, the Council approved two similar 5-year and 4-month contracts not to exceed \$1,600,000 combined with DSI, Inc. and T.E.A.M. Service Corporation of New York. According to the County's financial system, the contracts expired November 28, 2022 and \$905,204 was expended: \$304,032 and \$601,172 under the DSI, Inc. and T.E.A.M. Service Corporation of New York contracts, respectively. The Department advised that since the expiration of the prior contracts, \$12,199 has been expended under a \$14,900 purchase order with T.E.A.M. Service Corporation of New York for pump repair services.

On October 4, 2021, the Council approved a 5-year and 4-month contract with estimated compensation totaling \$565,000 with T.E.A.M. Service Corporation of New York to provide electric motor repair services at County-owned and maintained pumping stations. According to the County's financial system, as of March 2, 2023, \$150,817 has been expended/encumbered under this contract.

County Charter, Section 715, requires that “any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year....”

EXECUTIVE SUMMARY

Team Services Corporation

Bid No. B-1125

Council Meeting Date: March 20, 2023

This contract provides labor, parts and services, to repair sewage pumps and related equipment, which are beyond the County's capabilities. The vendor is responsible for determining the extent of damage, recommending repair or replacement and must have the capability to repair sewage pumps and related equipment. The County may purchase replacement pumps from the vendor if repairs are not economical. In the past, some pump repair services were performed with Team Services Corporation and DSI, Inc. under contracts SCON-10000201 (MA3688) (\$25,825 in FY2023) and SCON-10000202 (MA3689) (\$0 in FY2023), respectively. The approval of this contract will enable us to create purchase orders with the vendor for up to five (5) years.

The expense over the five (5) years of this contract cannot exceed \$660,000. Funding will come from Metropolitan District funds. The initial contract is one year with four one year renewal options. The contract affects all users of the sanitary sewer system.

Prepared by: Department of Public Works and Transportation

FM-9 (Contract)

Council District(s) All

Department of Public Works and Transportation

Emergency Services – Water Main Valves

The Administration is requesting approval of contract with Pure Technologies U.S. Inc. d/b/a Wachs Water Services to provide emergency assessment, labor, parts, and services necessary to turn off and repair water main valves owned by Baltimore City that are located in Baltimore County. The contract commences upon Council approval, continues through February 15, 2024, and will renew automatically for two additional 1-year periods with the option to extend the initial term or any renewal term an additional 180 days. Compensation may not exceed \$500,000 for the entire approximate 3-year and 5-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 500,000	⁽¹⁾ Capital Projects Fund (Metropolitan District).
State	--	⁽²⁾ Maximum compensation for the entire approximate 3-year and 5-month term, including the renewal and extension periods.
Federal	--	
Other	--	
Total	\$ 500,000 ⁽²⁾	

Analysis

The Department advised that Wachs Water Services (Wachs), under a contract with Baltimore City, is currently the only vendor authorized to provide emergency labor, parts, and services to turn off and repair water main valves located in Baltimore County that are owned by Baltimore City. The Department further advised that when metropolitan water lines located in the County break or leak, the County must contact Baltimore City, and Baltimore City contacts Wachs to

operate the valves in the area before repairs can be made or water can be stopped. The Department advised that the proposed contract will allow the County to contact Wachs directly in order to expedite the closure and repair of valves in emergency situations.

Services will be performed at hourly rates not to exceed \$65 for technical personnel (e.g., engineers, project representatives) and \$100 for principals (e.g., President, CEO). The Department advised that the cost of this contract initially will be paid by the County but subsequently will be deducted from the amount owed to the City in the annual cost reconciliation process for the metropolitan water and wastewater services.

The contract commences upon Council approval, continues through February 15, 2024, and will renew automatically for two additional 1-year periods with the option to extend the initial term or any renewal term an additional 180 days on the same terms and conditions, unless the County provides notice of non-renewal. Compensation may not exceed \$500,000 for the entire approximate 3-year and 5-month term, including the renewal and extension periods. The County may terminate the agreement by providing 30 days prior written notice.

The Department requested that the proposed contract be designated as a noncompetitive 902(f) award secured in the best interest of the County since the contractor is the only company authorized by Baltimore City to assist in operating water valves in Baltimore County.

County Charter, Section 902(f), states that "when... [competitive] bidding is not appropriate, a contract shall be awarded only by competitive negotiations, unless such negotiations are not feasible. When neither competitive bidding nor competitive negotiations are feasible, contracts may be awarded by noncompetitive negotiations."

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year...."

Executive Summary

This contract provides emergency labor, parts and services, to turn off and repair water main valves owned by Baltimore City which are located within Baltimore County.

Currently, when water lines break or leak, Baltimore County must contact Baltimore City and Baltimore City contacts Wachs Water services to operate the valves in the area before repairs can be made or water can be stopped. Baltimore City will only allow Wachs Water Service to operate the water valves. During this wait time, water on roads can freeze or require road detours. Detours and lack of water are an inconvenience to drivers and residents, and can stop businesses and schools from operating.

In order for Baltimore County to expedite emergency work on the water system located in Baltimore County, the County is requesting approval of a contract direct with the water valve company Wachs. This will reduce the time to resolve emergency water issues, by allowing Baltimore County to call the approved valve vendor.


The vendor is responsible for determining the extent of damage, recommending repair or replacement and must have the capability to repair and turn off water main valves and related equipment which are owned by Baltimore City.

The expense over the three (3) years of this contract cannot exceed \$500,000. Funding will come from Metropolitan District funds. The initial contract is one year with two (2) one-year renewal options. The contract is intended for emergency situations when Baltimore County cannot wait for Baltimore City's response to water main break/leak due to public safety concerns. Costs incurred on this contract will be included in the annual cost reconciliation process between Baltimore City and Baltimore County for the metropolitan water and wastewater services.

Prepared by: Department of Public Works and Transportation

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Administrative Officer **DATE:** 2/15/23
FROM: Kevin D. Reed, Director 
Office of Budget & Finance **COUNCIL MEETING
DATE:** 3/20/23
SUBJECT: Public Recordation of Announcement
of Non-Competitive Awards Charter Sec. 902(f)

Whenever a contract over \$25,000 is awarded by a process other than a formal competitive bid, a copy of the contract must be given to the County Council, and at the next legislative session-day following the award of the contract, the Secretary to the County Council shall formally announce to the Council the nature of the contract and the parties to the contract. The announcement shall be recorded in the minutes of the County Council, and shall be available for inspection by the public. In compliance with this procedure, information is attached concerning the following awards, which are to be forwarded to the County Council:

Award Document

PO 10005505 Courtsmart Digital Systems, Inc.

This Purchase Order provides for the annual support of the Circuit Court's Digital Recording System through CourtSmart Digital Systems, Inc. As detailed in the justification memo signed by Stephanie Medina, the County requires maintenance and technical support of the digital audio and video recording hardware and software utilized by the Circuit Court. The recording system is proprietary, and as a result, the maintenance and support can only be purchased through CourtSmart Digital Systems, Inc. This Purchase Order provides for annual maintenance, for the period of July 1, 2022 through June 30, 2023.

Award Total: \$ 137,095.68
Award Date: 2/13/23

PO 10005022 JWC Environmental, Inc.

The Department of Public Works and Transportation (DPWT) requests approval of PO 10005022 with JWC Environmental, Inc. for the purchase of a replacement Monster Renew Influent Grinder for the Long Quarters Sewage Pumping Station. The grinder is used to shred large debris before it reaches the wet well and sewer pump. If this repair is not completed, it could cause failure and cause sewage backup. The resulting overflows are a health, safety, and environmental hazard to employees and the general public and would require massive cleanup and fines from the State of Maryland.

Award Total: \$ 46,846.10
Award Date: 2/13/23

SCON 10001402 Autodesk, Inc.

This Supplier Contract provides the ability to add a new line to the current Supplier Contract with Innovyze, for infoWorks software to add access to their subscription based Decision Support System (DSS), infoAssests, for predictive asset modeling and analytics. The original Contract was created as a sole source procurement as Innovyze is the only company able to offer and support this software. Baltimore County has determined to implement in part under the Consent Decree and industry

standard Asset management practice supported by a three-legged asset management IT system: a computerized maintenance management system (CMMS), an asset registry database and a DSS. This is a niche product – like Cityworks – runs atop the County's investment in ESRI's GIS. It integrates with Cityworks and another related Innovyze products and is used for modeling sewerage solutions and meets their needs for predicting and prioritizing assets for repair, rehabilitation and replacement.

Estimated Total Award: \$52,500.00
Award Date: 2/13/23

SCON 10001370 Aquatic Informatics, Inc.

This Supplier Contract provides DPWT to renew its annual maintenance and service agreement for 5 years with Aquatic Informatics, Inc., who is the sole proprietor to sell this software and service agreement. The Linko software also includes a feature to download data from our LIMS software system. This data system provides Baltimore County the ability to track commercial industries for compliance with Federal, State and local discharge regulations, by storing permit information (site identification, industry name/address/contract), maintaining pollutant limits, sample results, violations history. This program also provides technical review criteria and chronic significant noncompliance calculations, generates significant noncompliance reports and Chain of Custodies, in order to comply with Title 40 Code of Federal Regulations 403. It also calculates monthly and 4-day averages, non-compliance and significant non-compliance for scheduled events, and generates quarterly and annual reports for Maryland Department of the Environment (MDE). If this Contract is not in place DPWT would have to manually calculate these numbers using pen and paper.

Estimated Total Award 5yr: \$50,000.00
Award Date: 2/15/23

cc: J. Benjamin Jr.,
T. Bostwick
L. Smelkinson