

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

---

*Issued: April 6, 2023  
Reissued: April 11, 2023  
Work Session: April 11, 2023  
Legislative Day No. 9: April 17, 2023*

---

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



OFFICE OF THE COUNTY AUDITOR

**BALTIMORE COUNTY COUNCIL**

**April 17, 2023**

**NOTES TO THE AGENDA**

**TABLE OF CONTENTS**

	<b>PAGE</b>
<b>LEGISLATIVE SESSION</b>	
Witnesses .....	ii
<b><u>BILLS – FINAL READING</u></b>	
Bill 14-23 .....	1*
Bill 15-23 .....	4
<b><u>FISCAL MATTERS</u></b>	
FM-1 .....	5*
FM-2 .....	8
FM-3 .....	11
FM-4 .....	14
FM-5 .....	18
FM-6 .....	22
FM-7 .....	26
FM-8 .....	30
FM-9 .....	30
FM-10 .....	30
FM-11 .....	30
FM-12 .....	35
<b><u>MISCELLANEOUS BUSINESS</u></b>	
MB-2 (Res. 6-23) .....	38
<b>APPENDIX</b>	
Correspondence (1) (a) .....	42

\* Note included in reissued package.

**AGENDA  
BALTIMORE COUNTY COUNCIL  
LEGISLATIVE SESSION 2023, LEGISLATIVE DAY NO. 9  
APRIL 17, 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**

**COLONEL JOSEPH CONGER/MAJOR DEANNA CHEMELLI, POLICE DEPARTMENT**

1 Bill 14-23 – Mr. Jones(By Req.) – CEB – Special Detail Reimbursement

**COUNCIL**

4 Bill 15-23 – Mr. Patoka – Zoning Regs.– Medical Clinic and Medical Office Uses in the Business Local, Restricted (BLR) Zone

**APPROVAL OF FISCAL MATTERS/CONTRACTS**

**FAITH THOMAS, CHIEF, REAL ESTATE COMPLIANCE**

5 1. Contract of Sale – Vincent Ani–Acquisition of parcel–6739 Windsor Mill Road, 21207– Windsor Mill Sidewalk Project

**TERRY HICKEY, DIRECTOR, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

8 2. Purchase Order – Institute for Community Alliances – Support/maintenance – Homeless Management Information System - (HMIS)

**MIKE FRIED, DIRECTOR, OFFICE OF INFORMATION TECHNOLOGY**

11 3. Amendment to Contract – Unicom Government, Inc. – IT commodities/services  
14 4. Amendment #2 to Contract – Insight Public Sector, Inc. – IT commodities/services

**DEBRA SHINDLE, CHIEF, PROPERTY MANAGEMENT**

18 5. Contract – E.J. Herring & Son, Inc. – HVAC maintenance/repair services – computer environments  
22 6. Amendments to Contracts – (3) – On-call plumbing services – PM  
26 7. Contract – Lighting Maintenance, Inc. – Maintenance/equipment/supervision – Exterior lighting

**D’ANDREA WALKER, DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION**

30 8. Contract – Pennoni Associates, Inc. – On-call civil engineering services  
30 9. Contract – Johnson, Mirmiran & Thompson, Inc.-On-call civil engineering/transportation/structural design services  
30 10. Contract – Brudis & Associates, Inc. - On-call civil engineering/transportation/structural design services  
30 11. Contract – KCI Technologies, Inc. - On-call civil engineering/transportation/structural design services  
35 12. Contract – Alta Planning & Design, Inc. – Consulting services – Bicycle and Pedestrian Master Plan

**MISCELLANEOUS BUSINESS**

**COUNCIL**

42 1. Correspondence - (a) (3) - Non-Competitive Awards (March 20, 2023)

**STEVE LAFFERTY, DIRECTOR, DEPARTMENT OF PLANNING**

38 2. Res. 6-23 – Mr. Jones (By Req.) – Approval of Maryland Rural Legacy Plan Applications (3)

**COUNCIL**

3. Appointment – Mr. Jones(By Req.) – Chief – Police Department – Robert O. McCullough

**Fiscal Note**

April 17, 2023

**Bill 14-23 (Supplemental Appropriation)**

**Council District(s) 6**

---

**Mr. Jones (By Req.)**

---

**Police Department**

---

**Special Detail Reimbursement**

---

The Administration is requesting a supplemental appropriation of private funds from Towson University totaling \$118,000 to the Special Detail Reimbursements Gifts and Grants Fund program to increase the amount appropriated to the actual amount of the grant award. The Department advised that the funds will be used to continue to provide additional police foot patrols in the "Towson Row" area. See Exhibit A.

---

**Fiscal Summary**

<b>Funding Source</b>	<b>Supplemental Appropriation</b>	<b>Current Appropriation</b>	<b>Total Appropriation</b>
<b>County</b>	--	--	--
<b>State</b>	--	--	--
<b>Federal</b>	--	--	--
<b>Other <sup>(1)</sup></b>	\$ 118,000	\$ 125,000	\$ 243,000
<b>Total</b>	<u>\$ 118,000</u>	<u>\$ 125,000</u>	<u>\$ 243,000</u>

<sup>(1)</sup> Towson University, Office of Public Safety funds. No County matching funds are required.

---

**Analysis**

The purpose of the Special Detail Reimbursements program is to provide reimbursement for overtime expenses for special detail programs. The Department advised that the proposed \$118,000 supplemental appropriation will be used for overtime costs to ensure the continuance of additional police foot patrols in the "Towson Row" area through the end of Towson University's spring semester.

The FY 2023 Adopted Operating Budget included a \$125,000 appropriation to the Special Detail Reimbursements Gifts and Grants Fund program based on the estimated amount of the grant award at the time the Department submitted its budget request to the Office of Budget and Finance. Accordingly, this bill appropriates the additional \$118,000 to the program, increasing the total appropriation to the actual \$243,000 grant award.

The grant period is January 28, 2023 through June 30, 2023. No County matching funds are required.

With the affirmative vote of five members of the County Council, Bill 14-23 will take effect April 30, 2023.

## **Executive Summary**

An award in the amount of \$118,000.00 has been made to the Baltimore County Police Department FY23 Special Detail Reimbursement. Towson University has been funding the Baltimore County Police Department's efforts to provide additional foot patrols in the area known as "Towson Row."

The year-to-date expenditures under the existing grant total \$121,471.00 through January 20, 2023. Towson University is committed to providing \$118,000.00 in funding to ensure additional patrols will continue for the period of the spring semester, January 28 through May 26, 2023. The total financial commitment for the Special Detail Reimbursement in FY23 will be \$243,000.00.

Prepared by: Police Department

**Mr. Patoka**

---

**Zoning Regulations – Medical Clinic and Medical Office Uses  
in the Business Local Restricted (BLR) Zone**

---

Bill 15-23 adds a new by-right use to the Business Local Restricted (B.L.R.) Zone. Specifically, the bill would permit as a matter of right a medical clinic or medical office with direct vehicular access to an arterial street. However, the medical clinic or medical office must be part of a contiguous area of land zoned B.L.R. that is adjacent to a B.L. Zone and no building on the property may be located within 150 feet of any property line that is Density Residential (D.R.) zoned.

Under the Zoning Regulations, a medical clinic or medical office are separate and distinct from a State Licensed Medical Clinic. In general, the State Licensed Medical Clinic use allows freestanding ambulatory-care facilities, detoxification facilities, and alcohol abuse and drug abuse treatment programs.

By contrast, a medical office is defined as a “place for the treatment of outpatients by one or more medical practitioners.” While a medical clinic is not generally defined, the use has historically included facilities which operate for the purpose of providing surgical services to patients not requiring hospitalization and has excluded detoxification facilities and alcohol abuse and drug abuse treatment programs.

With the affirmative vote of five members of the County Council, Bill 15-23 will take effect 14 days from the date of its enactment.

FM-1 (Contract)

Council District(s) 2

**Office of Law – Real Estate Compliance Division**

**Acquisition of Parcel – 6739 Windsor Mill Road, 21207 – Windsor Mill Sidewalk Project**

The Administration is requesting approval of a contract to acquire land and easement access spanning approximately 0.063 acre for \$13,750 for the construction of a sidewalk along Windsor Mill Road. Vincent Ani currently owns the property, which is located at 6739 Windsor Mill Road in Gwynn Oak. The property is zoned DR-5.5 (Density Residential – 5.5 lots per acre). The acquired land will be used for highway widening areas, and the revertible slope easement is necessary to retain and support the highway and/or adjacent property. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Purchase Price</b>	<b>Notes</b>
<b>County</b> <sup>(1)</sup>	\$ 13,750	<sup>(1)</sup> Capital Projects Fund. The purchase price includes \$4,625 to compensate for adverse impacts to certain site improvements.
<b>State</b>	--	
<b>Federal</b>	--	
<b>Other</b>	--	
<b>Total</b>	\$ 13,750	

**Analysis**

The County’s staff appraiser completed an appraisal of the property effective December 1, 2022, recommending a value of \$13,750. 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 certain site improvements; additionally, the County will reinstall or replace as necessary other impacted site improvements (e.g., fencing, sidewalk).



The total 0.063-acre property to be acquired, including both the land (0.037 acre) and the easement access area (0.026 acre), is part of a larger 0.236-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 this proposed acquisition, approximately 26 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. On March 20, 2023, the Council approved two contracts totaling \$17,367 to acquire land and easement access spanning approximately 0.137 acre, at 6727 Windsor Mill Road (0.063 acre for \$5,210) and 6746 Windsor Mill Road (0.074 acre for \$12,157). The Department of Public Works and Transportation 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. The Department further advised that as of March 31, 2023, the County has expended/encumbered approximately \$300,000 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: Vincent Ani

LOCATION: 6739 Windsor Mill Road  
Baltimore, MD 21207

CONSIDERATION: \$13,750.00

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

LIMITS OF PROJECT: 6739 Windsor Mill Road

Prepared by: Office of Law – Real Estate Compliance Division

**FM-2 (Contract)**

**Council District(s) All**

**Department of Housing and Community Development**

**Support/Maintenance – Homeless Management Information System (HMIS)**

The Administration is requesting approval of a contract with Institute for Community Alliances (ICA) to provide Homeless Management Information System (HMIS) services to support data collection and reporting for federally-funded programs and projects. The contract commences retroactively on April 1, 2023 and continues through March 31, 2025. Compensation may not exceed \$283,200 for the entire 2-year term. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Maximum Compensation</b>	<b>Notes</b>
<b>County</b> <sup>(1)</sup>	\$ 9,000	(1) General Fund Operating Budget.
<b>State</b> <sup>(2)</sup>	40,000	(2) Maryland Department of Housing and Community Development (DHCD) funds.
<b>Federal</b> <sup>(3)</sup>	234,200	(3) U.S. Department of Housing and Urban Development (HUD) funds.
<b>Other</b>	--	(4) Maximum compensation for the entire 2-year term.
<b>Total</b>	\$ 283,200 <sup>(4)</sup>	

**Analysis**

The County’s Department of Housing and Community Development was designated to provide HMIS services for the County Continuum of Care (CoC) to remain in compliance with federal and State pass-through grants originating from HUD. The contractor will provide HMIS services to support data collection and reporting for federally-funded programs and projects; the Department advised that HMIS management is a specialized skillset and that it has been unsuccessful in filling 2 of 3 vacant HMIS positions after the departure of key staff.

At the January 17, 2023 legislative session, the Administration notified the Council via Correspondence that the County had contracted with ICA on an emergency basis, from July 14,

2022 to February 28, 2023 for \$41,499, to provide approximately 48 hours per month (\$108/hour) of HMIS services on a temporary basis. The Department advised that the contract was extended through March 31, 2023 with no increase in compensation.

The Department advised that under the proposed contract, ICA will provide 2 part-time temporary positions for approximately 160 hours per month (\$74/hour), one HMIS Project Manager/Lead System Administrator (0.65 FTE) and one HMIS Data Analyst/Report Specialist Support (0.40 FTE), to provide HMIS services related to data collection, management, and reporting as well as strategic planning support. The Department further advised that the contract will provide the needed level of expertise as well as staff training while the Department continues its recruitment efforts.

The contract commences retroactively on April 1, 2023 and continues through March 31, 2025. Compensation may not exceed \$283,200 for the entire 2-year term. The Department advised that the value of services to be incurred from April 1, 2023 until Council approval totals approximately \$5,900. The County may terminate the agreement by providing 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. The Department advised that the proposed contractor is a leading HMIS service provider that provides support to 35 other CoCs across 14 states nationwide, and that the County has been working with ICA since July 2022 with positive results and favorable feedback from providers.

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...” As previously mentioned, the proposed \$283,200 contract commenced April 1, 2023. Accordingly, this situation may constitute a violation of the aforementioned section of the County Charter since the contract commenced prior to Council approval and exceeds \$25,000 per year.

## **Executive Summary**

The Administration, through DHCD, is requesting approval of a contract with Institute for Community Alliances (ICA). ICA is a leading HMIS service provider known nationally to other Continuums of Care (CoCs) such like Baltimore County DHCD. Maintaining an HMIS system is a HUD requirement and HMIS Management is a specialized skill set that no other staff in DHCD has the training or expertise to assume. We need a vendor to keep our HMIS system running so we can remain compliant with our federal grants from HUD to respond to federal requirements. HMIS is also a requirement for state pass-through funding. ICA provides this same service support to 35 other CoCs nationwide, such as the City of Boston, and the states of North Carolina, South Carolina and Idaho, and we benefit from their expertise and best practice sharing.

We utilized this vendor on an emergency basis when we lost critical HMIS staff in June 2022 and have not been successful in filling all three positions. Without having staff that know how to run data reports and ensure they are accurate and correct, we are at risk of falling into non-compliance with state and federal grants resulting in a loss of valuable program funding for the highly vulnerable homeless population. Shifting from an hourly rate to a long-term monthly bulk fee will nearly quadruple the amount of support hours we receive monthly. The additional support hours will allow us to shift from strictly a reactive position to instead a proactive perspective to plan toward achievement of strategic CoC goals and allow us to maintain the critically important day to day operations of HMIS and the provider help desk. This contract will help our overall CoC data quality and outcomes which will improve our ability as a CoC to make data-driven decisions and funding determinations which aligns with the County's enterprise goals.

The benefit we receive with ICA is their knowledge and best practices working with other CoCs in the country and also have access to additional staff members with more expertise in other areas that they can dedicate to our contract short-term based on our needs. For instance, we are working on ways to make our data more visually appealing and they have staff that they can assign to our work, to help us achieve that goal and not something other contractors considered for this work could provide.

This contract would be for 24 months and have a total not to exceed amount of \$283,200.

Prepared by: Department of Housing and Community Development

**FM-3 (Contract Amendment)**

**Council District(s) All**

**Office of Information Technology**

**IT Commodities/Services**

The Administration is requesting approval of an amendment to a contract with Unicom Government, Inc. to continue to purchase various information technology (IT) commodities (i.e., hardware, software) and related services as needed by the County. The proposed amendment extends the contract by six months, from May 1, 2023 to October 31, 2023, in order to provide time for a new contract to be procured. The maximum compensation of \$5.4 million remains unchanged for the entire amended approximate 7-year and 1½-month term, including the renewal periods. The original contract commenced September 19, 2016. See Exhibit A.

**Fiscal Summary**

This amendment has no fiscal impact since the maximum compensation amount remains unchanged. Compensation may not exceed \$5.4 million for the entire amended approximate 7-year and 1½-month term, including the renewal periods. The source of funding for the contract is OIT’s General Fund Operating Budget, Equipment Financing Package (EFP), and/or Capital Projects Fund (Enhanced Productivity Thru Technology Fund).

**Analysis**

The contractor will continue to provide IT products/equipment and related services/solutions in support of the County’s technology needs. Products/equipment may include personal computers (desktops and laptops), monitors, servers, printers, software, networking equipment, PDAs, projectors, memory, cables, and computer accessories and components. Services/solutions may include systems configuration, testing, hardware and software installation, upgrades and/or maintenance, and system and network integrations. New products may be added throughout the contract term. Specific requirements will be developed on a task-order basis that will include a statement of work acceptable in form and substance to the County at its sole discretion.

On September 19, 2016, the Council approved the original approximate 6-year and 7½-month contract not to exceed \$5.4 million. The contract provides discount pricing off the manufacturer's suggested retail price depending on the manufacturer and product; hourly labor rates range from \$96.26 to \$248.35. The County awarded the contract as a cooperative procurement of a competitively bid Fairfax County, Virginia contract on behalf of the U.S. Communities Government Purchasing Alliance (now OMNIA Partners, Public Sector).

The proposed amendment extends the contract term by six months, from May 1, 2023 to October 31, 2023, to align to an extension made to the cooperative agreement in order to provide time for OMNIA Partners, Public Sector to procure a new contract. This amendment has no fiscal impact since the maximum compensation amount remains unchanged for the entire amended approximate 7-year and 1½-month term. All other terms and conditions remain the same. According to the County's financial system, the County has expended/encumbered \$3,012,297 under this contract as of March 28, 2023.

OIT advised that the County has five other existing agreements for the purchase of similar commodities (primarily IT hardware). FM-4 on this agenda is a second amendment to extend the term of a similar contract with Insight Public Sector, Inc. OIT further advised that it contracts with multiple vendors to allow the County to remain competitive and fiscally responsible by receiving multiple quotes when similar products are offered.

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

**Summary** - This fiscal matter is to amend a County-wide contract with Unicom Government, Inc. to extend the term to match an extension to the cooperative agreement. The contract is for information technology commodities and related services in support of the technology needs of the Baltimore County government and the services provided to the citizens of Baltimore County.

It is a cooperative procurement of a U. S. Communities National Contract # 4400006645. Unicom was awarded the contract pursuant to Request for Proposal Number 2000001701 which was competitively bid by the County of Fairfax, VA as the lead agency on behalf of U.S Communities Government Purchasing Alliance and any amendments or revisions thereto.

U.S. Communities via Cobb County as the lead agency, is re-soliciting for Technology Products, Services, Solutions and Related Products and Services. The awards for this solicitation are expected to occur in spring of 2023. The County will evaluate the awards when published and may submit new contracts to the Baltimore County Council for approval prior to October 31, 2023.

**History** The County entered into a contract in September 2003 with GTSI(now Unicom) for Computer peripherals, software and relates services. It was a cooperative procurement of a U. S. Communities National Contract # RQ03-605674-16A awarded pursuant to Request for Proposal Number RFP03-605674-16 which was competitively bid by the County of Fairfax, VA as the lead agency. September 8, 2009 the County entered into a contract with GTSI(now Unicom) for Computer peripherals, software and relates services. It was a cooperative procurement of a U. S. Communities National Contract # RQ09-997736-42D awarded pursuant to Request for Proposal Number RFP09-997736-42 which was competitively bid by the County of Fairfax, VA as the lead agency. September 19, 2016 the County entered into a new contract with Unicom to provide Technology Products, Equipment & Services, and Solutions. Unicom was awarded the contract pursuant to U.S. Communities Solicitation # 2000001701 dated 08/12/2015 via County of Fairfax, VA as the lead agency.

**Purpose** - The Office of Information Technology will utilize Unicom to provide Services and Solutions including: Systems Configurations, Testing, Software, Hardware/Software Installation, Upgrades and Maintenance, System and Network Integration. Also included in this contract are Technology Products, including: Scanners, Printers, Software, networking, PDA's Projectors, Memory, Cabling, Computer accessories, Computer Components, power protection, and servers. Specific requirements will be developed on a task order basis that will include a Statement of Work acceptable in form and substance to the County in its sole discretion.

**Fiscal Impact** - The total compensation paid to this vendor cannot exceed the sum of \$5,400,000.00 for the entire term including renewal periods. The County is currently in the final renewal period with Unicom that continues through 05/01/2023. The Fairfax County cooperative agreement has been amended to extend the final renewal term through October 31, 2023 under the same terms and conditions.

Prepared by: Office of Information Technology



FM-4 (Contract Amendment #2)

Council District(s) All

Office of Information Technology

IT Commodities/Services

The Administration is requesting a second amendment to a contract with Insight Public Sector, Inc. to continue to purchase various information technology (IT) commodities (i.e., hardware, software) and related services as needed by the County. The proposed second amendment extends the contract by six months, from May 1, 2023 to October 31, 2023, in order to provide time for a new contract to be procured. Compensation may not exceed the amount appropriated for these services. Estimated compensation for the six-month extension period totals \$891,000, increasing the estimated total compensation from \$7,995,176 to \$8,886,176 for the entire amended 7-year and 5-month term, including the renewal periods. The original contract commenced June 6, 2016. See Exhibit A.

Fiscal Summary

<b>Funding Source</b>	<b>Contract Amendment</b>	<b>Current Total Compensation</b>	<b>Amended Total Compensation</b>
<b>County</b> <sup>(1)</sup>	\$ 891,000	\$ 7,165,270	\$ 8,056,270
<b>State</b> <sup>(2)</sup>	--	317,683	317,683
<b>Federal</b> <sup>(3)</sup>	--	512,223	512,223
<b>Other</b>	--	--	--
<b>Total</b>	<u>\$ 891,000</u>	<u>\$ 7,995,176</u> <sup>(4)</sup>	<u>\$ 8,886,176</u> <sup>(5)</sup>

<sup>(1)</sup> General Fund Operating Budget, Equipment Financing Package (EFP), and/or Capital Projects Fund (Enhanced Productivity Thru Technology Fund).

<sup>(2)</sup> Maryland Governor’s Office of Homeland Security funds.

<sup>(3)</sup> Coronavirus Aid, Relief, and Economic Security (CARES) Act funds.

<sup>(4)</sup> Estimated compensation for the current 6-year and 11-month term, including the renewal periods.

<sup>(5)</sup> Estimated compensation for entire amended 7-year and 5-month term, including the renewal periods.

### Analysis

The contractor will continue to provide IT products/equipment and related services/solutions in support of the County's technology needs. Products/equipment may include personal computers (desktop and laptop), monitors, servers, printers, software, networking equipment, PDAs, projectors, memory, cables, and computer accessories and components. Services/solutions may include systems configuration, testing, software copying (e.g., back-up of software onto a physical device), hardware and software installation, upgrades and/or maintenance, and system and network integrations. New products may be added throughout the contract term. Specific requirements are developed on a task-order basis that will include a statement of work acceptable in form and substance to the County at its sole discretion.

On June 6, 2016, the Council approved the original 6-year and 11-month contract not to exceed \$4.6 million. The contract provides discount pricing off the manufacturer's suggested retail price depending on the manufacturer and product; hourly labor rates range from \$52.63 to \$463.27. The County awarded the original contract as a cooperative procurement of a competitively bid Fairfax County, Virginia contract on behalf of the U.S. Communities Government Purchasing Alliance (now OMNIA Partners, Public Sector).

On November 2, 2020, the Council approved the first amendment to the contract, which removed the \$4.6 million compensation cap and limited compensation to the amount appropriated for the entire contract term, primarily due to the County's switch to remote work during the COVID-19 pandemic. The proposed second amendment extends the contract term by six months, from May 1, 2023 to October 31, 2023, to align to an extension made to the cooperative agreement in order to provide time for OMNIA Partners, Public Sector to procure a new contract. Estimated compensation for the six-month extension period totals \$891,000, increasing the estimated total compensation from \$7,995,176 to \$8,886,176 for the entire amended 7-year and 5-month term, including the renewal periods. All other terms and conditions remain the same. According to the County's financial system, the County has expended/encumbered \$7,896,774 under this contract as of March 30, 2023.

OIT advised that the County has five other existing agreements for the purchase of similar commodities (primarily IT hardware). FM-3 on this agenda is an amendment to extend the term of a similar contract with Unicom Government, Inc. OIT further advised that it contracts with multiple vendors to allow the County to remain competitive and fiscally responsible by receiving multiple quotes when similar products are offered.

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

**Summary** - This fiscal matter is to amend a County-wide contract with Insight Public Sector, Inc. to extend the term to match an extension to the cooperative agreement. The contract is for information technology commodities and related services in support of the technology needs of the Baltimore County government and the services provided to the citizens of Baltimore County.

The contract is a cooperative agreement of a U. S. Communities National Contract # 4400006644. Insight was awarded the contract pursuant to Request for Proposal Number 2000001701 which was competitively bid by the County of Fairfax, VA as the lead agency on behalf of U.S Communities Government Purchasing Alliance and any amendments or revisions thereto.

U.S. Communities via Cobb County as the lead agency, is re-soliciting for Technology Products, Services, Solutions and Related Products and Services. The awards for this solicitation are expected to occur in spring of 2023. The County will evaluate the awards when published and may submit new contracts to the Baltimore County Council for approval prior to October 31, 2023.

**History** - On September 21, 2009 The County entered into a contract with Insight to provide Technology Products, Equipment & Services and Solutions. Insight was awarded the contract pursuant to a U. S. Communities Government Purchasing Alliance Contract RQ09-997736-42B via County of Fairfax, VA as the lead agency. On June 6, 2016, The County entered into a new contract with Insight to provide Technology Products, Equipment & Services, and Solutions. Insight was awarded the contract pursuant to U.S. Communities Solicitation # 2000001701 dated 08/12/2015 via County of Fairfax, VA as the lead agency. The County amended the County agreement on 11/02/2020 to make a correction to a previous error and modify the contract to replace the cap language with “County Council appropriated”.

**Purpose** - The Office of Information Technology utilizes Insight to provide Technology Services and Solutions including: Systems Configurations, Testing, Software, Hardware/Software Installation, Upgrades and Maintenance, System and Network Integration. Specific requirements will be developed on a task order basis that includes a Statement of Work acceptable in form and substance to the County in its sole discretion.

**Fiscal Impact** - The total compensation paid to this vendor cannot exceed County Council approved appropriation. As of March 7, 2023, the County has expended \$7,683,983.68. The County is currently in the final renewal period with Insight that continues through 05/01/2023. The Fairfax County cooperative agreement has been amended to extend the final renewal term through October 31, 2023 under the same terms and conditions.

Prepared by: Office of Information Technology

FM-5 (Contract)

Council District(s) All

**Property Management**

**HVAC Maintenance/Repair Services – Computer Environments**

The Administration is requesting approval of a contract with E.J. Herring & Son, Inc. to provide preventative maintenance and repair services to the County’s computer-related HVAC equipment and systems at various County sites. 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 \$3,024,000 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Maximum Compensation</b>	<b>Notes</b>
<b>County</b> <sup>(1)</sup>	\$ 3,024,000	<sup>(1)</sup> General Fund Operating Budget and/or Capital Projects Fund, depending on the nature of the work. <sup>(2)</sup> 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.
<b>State</b>	--	
<b>Federal</b>	--	
<b>Other</b>	--	
<b>Total</b>	\$ 3,024,000 <sup>(2)</sup>	

**Analysis**

The contractor will furnish all labor, equipment, materials, supervision, and related items necessary to repair and provide quarterly inspections and preventative maintenance for HVAC systems at OIT equipment locations throughout the County, including computer environments and radio towers. The County may add or delete equipment at its sole discretion. For non-emergency repair services, the contractor must report to the site within 8 hours of notice and provide a quote for repairs. In an emergency, the contractor must report to the site within 2 hours of notice, phone

in an immediate quote, and after receiving approval, repair equipment within 4 hours of the initial call. The contract provides that failure to repair the equipment (or to provide temporary cooling) within the agreed upon time shall result in the County's assessment of liquidated damages against the contractor in the amount of \$50 per hour until the equipment is repaired and fully operational.

Hourly labor rates for HVAC unit maintenance range from \$30 to \$150, depending on the worker's skill level and regular/overtime status. Quarterly maintenance costs range from \$150 to \$6,400, depending on the equipment/site. Materials and rental equipment will be billed at a 10% markup.

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 \$3,024,000 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 four bids received. According to the bid documents, there was not an M/WBE participation requirement.

On June 7, 2021, the Council approved a similar 5-year and 4-month contract with E.J. Herring & Son, Inc. not to exceed \$2,698,995. According to the County's financial system, the County has expended/encumbered \$245,698 under this contract as of March 27, 2023. Property Management advised that due to an error on the bid price sheet, E.J. Herring & Son, Inc. requested to be released from the 2021 contract but agreed to provide services until the County entered into a new 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**

Property Management is requesting the approval of a contract for E.J. Herring & Son, Inc. to provide HVAC maintenance and repair services for computer environments at various locations throughout the County.

In no event shall the total compensation paid to the Contractor exceed the sum of Three Million Twenty Four Thousand (\$3,024,000.00) during the entire term of this Agreement, including renewals thereof. This Agreement shall be effective when it has been executed by the County and shall continue through one year (the "Initial Term"). The County reserves the right to automatically renew this Agreement for four (4) additional one (1) year renewal options on the same terms and conditions. The County shall have the option of extending this Agreement at the end of the Initial Term or any renewal term for an additional 120 days on the same terms and conditions.

Prior to the commencement of subsequent renewal terms, the County may entertain a request for an escalation in accordance with the current 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.

Prepared by: Property Management



**FM-6 (3 Contract Amendments)**

**Council District(s) All**

**Property Management**

**On-Call Plumbing Services**

The Administration is requesting approval of amendments to three contracts, with BMC Services, LLC, Denver-Elek, Inc., and Spears Mechanical Contractors, Inc., to continue providing on-call plumbing services at various County-owned and/or operated buildings. Spears Mechanical Contractors, Inc. provides services for tier 1 projects (up to \$5,000), and Denver-Elek, Inc. and BMC Services, LLC provide services for tier 2 projects (\$5,001 and above). The proposed amendments, which commence upon Council approval, increase the combined maximum compensation by \$1,278,902, from \$4,342,747 to \$5,621,649 for the entire 5-year and 4-month term, including the renewal and extension periods. The original contracts commenced September 17, 2018. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Combined Contract Amendments</b>	<b>Current Combined Maximum Compensation</b>	<b>Amended Combined Maximum Compensation</b>
<b>County</b> <sup>(1)</sup>	\$ 1,278,902	\$ 4,342,747	\$ 5,621,649
<b>State</b>	--	--	--
<b>Federal</b>	--	--	--
<b>Other</b>	--	--	--
<b>Total</b>	<u>\$ 1,278,902</u> <sup>(2)</sup>	<u>\$ 4,342,747</u> <sup>(3)</sup>	<u>\$ 5,621,649</u> <sup>(4)</sup>

(1) General Fund Operating Budget and/or Capital Projects Fund, depending on the nature of the work.

(2) Additional combined compensation for the 5-year and 4-month term.

(3) Current combined maximum compensation for the 5-year and 4-month term.

(4) Amended combined maximum compensation for the entire 5-year and 4-month term, including the renewal and extension periods.

**Analysis**

The contractors will continue providing all labor, materials, tools, equipment, and supervision to perform plumbing services at County-owned and/or operated buildings on an on-call basis. Spears Mechanical Contractors, Inc. provides services for tier 1 projects (up to \$5,000), and Denver-Elek, Inc. and BMC Services, LLC provide services for tier 2 projects (\$5,001 and above).

On September 17, 2018, the Council approved the original 5-year and 4-month contracts with combined compensation not to exceed \$4,342,747. The proposed amendments, which commence upon Council approval, increase the combined maximum compensation by \$1,278,902 to \$5,621,649 for the entire 5-year and 4-month term, including the renewal and extension periods. All other terms and conditions remain the same. Property Management advised that the proposed amendments are necessary due to unexpected projects. According to the County’s financial system, the County has expended/encumbered \$4,179,945 under the contracts as of March 30, 2023 as follows: \$2,426,491 to Denver-Elek, Inc., \$981,621 to BMC Services, LLC, and \$771,833 to Spears Mechanical Contractors, Inc.

The contractors’ hourly rates and mark-ups are as follows:

	Denver-Elek, Inc.		Spears Mechanical Contractors		BMC Services, LLC	
	Hourly Rate	Overtime/Holiday Rate	Hourly Rate	Overtime/Holiday Rate	Hourly Rate	Overtime/Holiday Rate
Unskilled/Apprentice	\$24.70	\$31.43	\$26.25	\$31.50	\$42.88	\$58.96
Skilled/Journeyman	\$74.08	\$95.40	\$71.40	\$94.50	\$87.90	\$123.27
Drain Cleaning	\$280.59	\$319.87	\$288.75	\$315.00	\$112.56	\$144.71
	Mark-up		Mark-up		Mark-up	
Materials	14%		14%		23%	
Subcontracting <sup>(1)</sup>	7%		7%		28%	
Equipment Rental	7%		7%		18%	

<sup>(1)</sup>Non-plumbing services

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 agreements by providing 30 days prior written notice.

The County awarded the original contracts through a competitive procurement process based on low bid from five bids received. According to the bid documents, there was a 20% M/WBE participation requirement for projects \$25,000 and above.

The County's financial system indicates that the County has one other contract with Denver-Elek, Inc. and no other contracts with BMC Services, LLC and Spears Mechanical Contractors, Inc.

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**

Property Management is requesting the approval of an amendment to the contracts for Spears Mechanical, BMC Services, and Denver Elek to provide on-call plumbing services throughout the County.

Currently on SCON-10000354, SCON-10000355, and SCON-10000356, there is \$169,269.78 of the NTE available.

Total compensation will increase from Four Million, Three Hundred Forty Two Thousand, Seven Hundred Forty-Six Dollars and Sixty-Six Cents (\$4,342,746.66) to Five Million, Six Hundred Twenty One Thousand, Six Hundred Forty-Eight Dollars and Sixty-Six Cents (\$5,621,648.66) upon approval from the County Council. This would provide a \$1,278,902.00 increase to continue to provide plumbing services throughout the County.

Paragraph 2.3 of each Agreement shall be deleted and replaced with the following:

"In no event shall the total compensation paid to the Contractor under this Agreement exceed for the entire term, including any and all renewals and/or extensions, and together with all other contractors also awarded a contract pursuant to the Request for Bid, exceed Five Million, Six Hundred Twenty One Thousand, Six Hundred Forty-Eight Dollars and Sixty-Six Cents (\$5,621,648.66)."

All other terms, conditions, and provisions of the Agreement remain in full force and effect. The current expiration date is September 16, 2023.

Prepared by: Property Management

FM-7 (Contract)

Council District(s) All

**Property Management**

**Maintenance/Equipment/Supervision - Exterior Lighting**

The Administration is requesting approval of a contract with Lighting Maintenance, Inc. (LMI) to provide exterior lighting maintenance and repair services at County-owned and/or operated athletic fields, parking lots, courts, buildings, and parks/parkland. 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 \$1,479,211 for the entire 5-year and 4-month term, including the renewal and extension periods. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Maximum Compensation</b>	<b>Notes</b>
<b>County</b> <sup>(1)</sup>	\$ 1,479,211	(1) General Fund Operating Budget and/or Capital Projects Fund, depending on the nature of the work. (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.
<b>State</b>	--	
<b>Federal</b>	--	
<b>Other</b>	--	
<b>Total</b>	\$ 1,479,211 <sup>(2)</sup>	

**Analysis**

The contractor will provide all labor, materials, tools, equipment, and supervision for the maintenance and repair of exterior lighting at County-owned and/or operated athletic fields, parking lots, courts, buildings, and parks/parkland. The contractor will replace components (e.g., lamps, ballasts, poles, wiring) and provide repairs and preventative maintenance as requested. The contractor will be required to report to the site within 24 hours of notice for non-emergencies and within 2 hours of notice in an emergency.

Hourly labor rates are \$50 or \$55 for a journeyman electrician and \$45 or \$50 for an electrician's helper, depending on regular or overtime hours. Property Management advised that for County-financed construction projects valued at more than \$300,000, the contractor and all subcontractors must comply with the Prevailing Wage and Local Hiring Law; for these projects, the contractor will charge a 75% mark-up on the hourly labor rates (i.e., \$87.50 or \$96.25 for a journeyman electrician and \$78.75 or \$87.50 for an electrician's helper, depending on regular or overtime hours). The contractor's mark-up is 20% on materials and 5% on equipment rental and parking lot or court surface repair.

The contract commences upon council approval, continues for 1 year, and will renew automatically for four additional 1-year periods with an 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 \$1,479,211 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 three bids received. According to the bid documents, there was a 30% M/WBE participation requirement.

On July 1, 2019, the Council approved a similar 5-year and 3-month contract not to exceed \$1,089,654 with LMI. The County's financial system indicated that as of March 29, 2023, \$1,072,124 had been expended/encumbered under this contract. Property Management advised that the volume of work became too extensive for LMI, and the County re-bid the services in order to acquire multiple contractors. However, Property Management further advised that because the other two bids were not cost-effective, the County will utilize its on-call electrical contractors as needed to supplement the proposed LMI contract; Property Management estimated that this work may total \$40,000. (Property Management advised that it utilized an on-call contractor to provide

\$49,909 of work to supplement the existing LMI contract and that Property Management employees perform work that does not require larger bucket trucks/equipment.)

The County's financial system indicates that as of March 27, 2023, LMI currently has one other contract with the County.

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**

Property Management is requesting the approval of a contract for Lighting Maintenance, Inc. to provide labor, materials, tools, equipment, and supervision for maintenance and repairs of exterior lighting at various County owned and/or operated athletic fields, parking lots, courts, and exterior lighting within the boundaries of the County.

In no event shall the total compensation paid to the Contractor exceed the sum of One Million Four Hundred Seventy Nine Thousand Two Hundred Eleven Dollars (\$1,479,211.00) during the entire term of this Agreement, including renewals thereof. This Agreement shall be effective when it has been executed by the County and shall continue though one year (the "Initial Term"). The County reserves the right to automatically renew this Agreement for four (4) additional one (1) year renewal options on the same terms and conditions. The County shall have the option of extending this Agreement at the end of the Initial Term or any renewal term for an additional 120 days on the same terms and conditions.

This Agreement has a MBE/WBE goal of 30%.

Prior to the commencement of subsequent renewal terms, the County may entertain a request for an escalation in accordance with the current 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.

Prepared by: Property Management



**FMs 8, 9, 10 & 11 (4 Contracts)**

**Council District(s) All**

**Department of Public Works and Transportation**

**On-Call Civil Engineering, Transportation, and Structural Design Services**

The Administration is requesting approval of four contracts to provide “Tier 1” and “Tier 2” on-call civil engineering, transportation, and structural design services throughout the County. (“Tier 1” tasks will typically cost \$50,000 or less, and “Tier 2” tasks typically exceed \$25,000.) The two “Tier 1” contractors are Pennoni Associates, Inc. (FM-8) and Brudis & Associates, Inc. (FM-10), and the two “Tier 2” contractors are Johnson, Mirmiran and Thompson, Inc. (FM-9) and KCI Technologies, Inc. (FM-11). Each contract commences upon Council approval, continues for 5 years, and will renew automatically for two additional 1-year periods. The contracts provide that the agreements shall remain in effect until the earlier of the date upon which the required services are completed or the County terminates the agreements. The contracts do not specify a maximum compensation for the initial 5-year term. Combined compensation for the entire 7-plus-year term, including the renewal periods, may not exceed \$10.0 million: \$1.0 million for each “Tier 1” contractor (\$2.0 million combined) and \$4.0 million for each “Tier 2” contractor (\$8.0 million combined). See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Combined Tier 1 Maximum Compensation (Pennoni &amp; Brudis)</b>	<b>Combined Tier 2 Maximum Compensation (JMT &amp; KCI)</b>	<b>Combined Maximum Compensation</b>
<b>County <sup>(1)</sup></b>	\$ 2,000,000	\$ 8,000,000	\$ 10,000,000
<b>State</b>	--	--	--
<b>Federal</b>	--	--	--
<b>Other</b>	--	--	--
<b>Total</b>	<u>\$ 2,000,000</u>	<u>\$ 8,000,000</u>	<u>\$ 10,000,000 <sup>(2)</sup></u>

<sup>(1)</sup> Capital Projects Fund.

<sup>(2)</sup> Maximum compensation for all contractors combined for the entire 7-plus-year term, including the renewal periods. The contracts do not specify a maximum compensation for the initial 5-year term.

### Analysis

The contractors will provide on-call civil engineering, transportation, and structural design services throughout the County. Services will include roadway/intersection design, transportation planning, traffic engineering, surveying, drainage design, environmental permitting, minor utility relocation design, and structural design. Pennoni Associates, Inc. (FM-8) and Brudis & Associates, Inc. (FM-10) will provide “Tier 1” services (tasks that will typically cost \$50,000 or less); Johnson, Mirmiran and Thompson, Inc. (FM-9) and KCI Technologies, Inc. (FM-11) will provide “Tier 2” services (tasks with costs that typically exceed \$25,000).

The contracts commence upon Council approval, continue for 5 years, and will renew automatically for two additional 1-year periods, unless the County provides notice of non-renewal. The contracts provide that the agreements shall remain in effect until the earlier of the date upon which the required services are completed or the County terminates the agreements. The contracts do not specify a maximum compensation for the initial 5-year term. Combined compensation for the entire 7-plus-year term, including the renewal periods, may not exceed \$10.0 million: \$1.0 million for each “Tier 1” contractor (\$2.0 million combined) and \$4.0 million for each “Tier 2” contractor (\$8.0 million combined).

The County will compensate the contractors for services at the engineers’ cost plus profit. Profit is limited to 10% of the combined total of direct labor costs plus overhead and payroll burden. Hourly rates and percentages for overhead, payroll burden, and profit must be within established County limits. The County will not encumber funding for the contracts at this time but rather will charge contract costs to specific projects as it assigns work tasks. The County may terminate the agreements by providing 30 days prior written notice.

The contracts stipulate that should the contractors perform work under the 2005 consent decree, they shall be liable for payment of penalties charged to the County for failure by the contractor(s) to meet or achieve deadlines or requirements. The damages payable are dependent upon the type of project and the length of delay in completing the project.

The Department advised that on September 7, 2022, the Professional Services Selection Committee (PSSC) selected the contractors from 12 submittals to provide “Tier 1” services and 12 submittals to provide “Tier 2” services based on qualifications. On April 3, 2023, the Council approved a 7-plus-year contract not to exceed \$4.0 million with A. Morton Thomas and Associates, Inc. for similar “Tier 2” services. The Department advised that it plans to submit one

additional contract for “Tier 1” services on an upcoming Council agenda, and that its goal is to spread the tasks among the contractors. According to the bid documents, there was a 20% M/WBE participation requirement.

Pennoni Associates, Inc.; Brudis & Associates, Inc.; Johnson, Mirmiran and Thompson, Inc.; and KCI Technologies, Inc. currently have two, three, ten, and seven other contracts with the County, respectively.

On September 6, 2016, the Council approved four similar 5-year contracts with combined maximum compensation totaling \$8.0 million (\$2.0 million each), with Greenman-Pedersen, Inc.; Whitney, Bailey, Cox & Magnani, LLC; Wallace Montgomery & Associates, LLP; and Whitman, Requardt & Associates, LLP. On September 3, 2021, the County Administrative Officer extended the contracts through project completion. The Department advised that as of March 23, 2023, expenditures/encumbrances under the contracts with Greenman-Pedersen, Inc.; Whitney, Bailey, Cox & Magnani, LLC; Wallace Montgomery & Associates, LLP; and Whitman, Requardt & Associates, LLP totaled \$521,904, \$1,261,340, \$854,508, and \$1,571,870, respectively.

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

### Contract Executive Summary - Basic Information

### On-Call Civil Engineering/Transportation/Structural Design Services Tier 1 & Tier 2

**Vendor Names** – KCI Technologies, Inc. Johnson, Mirmiran and Thompson,, Inc., Pennoni Associates, Inc., and Brudis & Associates, Inc.

### Scope of Contract – Projects may include:

- Roadway/Intersection design
  - Road upgrade to include new curb, gutter, sidewalk, resurfacing
  - Redesign to include parking bays, “bumpouts,” bicycle lanes, pedestrian refuge islands.
  - Design to improve pedestrian access and safety and ADA compliance.
  - Parking redesign
  - Traffic calming features
  - Evaluation of existing or proposed conditions to verify conformance with County, State, Federal and AASHTO criteria.
  - Slope and/or road embankment stabilization
- Transportation Planning
  - Transit planning and design for fixed route, on-demand, and micro transit
  - Bicycle and pedestrian planning and design for capital projects and operations
  - Feasibility studies for bicycle, pedestrian and transit operations
  - Complete streets planning and design
  - Multimodal planning and design
  - Transit Oriented Development planning and design
  - Capability to review and overhaul transportation regulatory framework
  - Develop standard operating procedures for project management and planning
  - Develop cost-benefit analysis for transportation projects
  - Prepare federal, state and other grant applications for capital, planning and design funding.
  - Perform fieldwork to assess existing conditions and develop reports
  - GIS maps in accordance with Baltimore County standards
  - Public outreach and engagement support and management.
- Traffic Engineering
  - Minor geometric designs, roundabout designs, traffic signal design, bicycle facility design, traffic impact studies, origin/destination studies, speed studies, data collection (manual and automated), development of maintenance of traffic plans, lighting plans and other traffic engineering tasks.

- Surveys
  - Topographical field surveys
  - Right of way plats
- Drainage Design – drainage systems, storm water management, hydrological and hydraulic calculations, sediment control design, scour evaluations at bridges, wetlands identifications.
- Environmental permitting – local state and federal environmental permitting include NEPA/Section 106 evaluations.
- Minor Utility (water, sewer, storm drain) relocation design and coordination with outside utility companies.
- Structures design
  - Design & construction document preparation for both minor & major bridge replacement & rehabilitation projects
  - Design and structural analysis of retaining walls
  - Design and structural analysis of culverts, headwalls and miscellaneous drainage structures
  - Construction phase design support services (shop drawings, consultation, etc.)
  - Supplemental staffing of County in-house design personnel
  - Field evaluation of existing structural conditions.

**Purpose** - Professional services are required to perform various types of engineering, transportation and structural design services in Baltimore County. While the majority of the tasks are expected to be various types of design work regarding roadway/intersection and transportation resources in Baltimore County, the number and type of project assignments to be performed will depend solely on the County's needs. Projects may require complete services from the start of design through completion of construction. The services will be assigned on an "as-required" or emergency basis through the utilization of an On-Call form of agreement. Task orders assigned under tier 1 will typically be \$50,000.00 or less and tier 2 will typically exceed \$25,000.00.

**Contract Value \$** - \$1,000,000.00 (Tier 1 total) and \$4,000,000.00 (Tier 2 total)

**Term** – The length of the contract for Tier 1 and Tier 2 will be 5-years with the possibility of two 1-year extensions.

**Vendor Selection method** - Via PSSC meeting on September 7, 2022

Prepared by: Department of Public Works and Transportation

FM-12 (Contract)

Council District(s) All

**Department of Public Works and Transportation**

**Consulting Services – Bicycle and Pedestrian Master Plan**

The Administration is requesting approval of a contract with Alta Planning + Design, Inc. to continue to provide consultant services in order to finalize the County’s Bicycle and Pedestrian Master Plan. The contract commences upon Council approval and continues through July 31, 2023 or the date upon which the required services are completed. Compensation may not exceed \$35,000 for the entire contract term. See Exhibit A.

**Fiscal Summary**

<b>Funding Source</b>	<b>Maximum Compensation</b>	<b>Notes</b>
<b>County</b> <sup>(1)</sup>	\$ 35,000	(1) Capital Projects Fund.
<b>State</b>	--	(2) Maximum compensation for the entire term.
<b>Federal</b>	--	
<b>Other</b>	--	
<b>Total</b>	\$ 35,000 <sup>(2)</sup>	

**Analysis**

The Department advised that Baltimore County Master Plan 2010 called for the creation of a Countywide plan focused on improving the County’s transportation system for pedestrian and bicycle use. The County has two plans covering the area inside the URDL: the Eastern Pedestrian and Bicycle Access Plan and the Western Pedestrian and Bicycle Access Plan, which the Council adopted in November 2006 and November 2012, respectively. The Department advised that these plans were intended to be the first two phases of a comprehensive plan for the entire County; a third phase was intended to address pedestrian and bicycle issues in the rural areas of the County.

On April 19, 2021, the Council approved an approximate 11½-month contract not to exceed \$200,000 with Alta Planning + Design, Inc. to perform a Countywide Bicycle and Pedestrian Plan update, to include both the urban and rural parts of the County, resulting in a ready-to-implement Unified Bicycle and Pedestrian Master Plan. The Department advised that the contractor completed a project website, user survey, and online interactive map; attended public meetings; compiled and reviewed existing data; reviewed current plans, policies, and programs; and completed a network prioritization, cost estimates, and the initial draft plan document, which was released October 12, 2022 for public comment. The contract expired March 30, 2022. The Department advised that the County expended \$194,614 under this contract.

The proposed contract will enable Alta Planning + Design, Inc. to revise the draft plan to incorporate public and stakeholder comments. The updates will include incorporating a “spot improvements” category to address a publicly-identified need for new crosswalks, pedestrian signals, etc.; providing revised high-level cost estimates and funding scenarios for plan implementation; and clarifying implementation steps and maintenance responsibilities. Alta Planning + Design, Inc. also will produce an interactive map of the final proposed network. The Department anticipates releasing the final Unified Bicycle and Pedestrian Master Plan by early June 2023.

The contract commences upon Council approval and continues through July 31, 2023 or the date upon which the required services are completed. Compensation may not exceed \$35,000 for the entire contract term.

The Department requested that the proposed contract be designated as a noncompetitive 902(f) award secured in the best interest of the County since Alta Planning + Design, Inc. completed the draft plan. According to the bid documents, there was no M/WBE participation requirement.

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**

### **ALTA PLANNING & DESIGN, INC.**

#### **Consulting Services, Bicycle and Pedestrian Master Plan**

Baltimore County wishes to continue to utilize Alta Planning and Design to work with Baltimore County staff to finalize the creation of the County's bicycle and pedestrian plan.

Due to the quantity of public and stakeholder comments on the draft Baltimore County Bicycle and Pedestrian Master Plan, the contractor needs a new contract in the amount of \$35,000 fee to finalize the project. The following scope language is to be included in a new/ revised contract.

##### Final Report (Draft Plan Document)

The end goal is a document that galvanizes a vision for bicycle and pedestrian mobility in a clear and concise workplan for transportation investments over the next five years. A graphically rich, technically documented plan will support this goal. The draft plan document will include a summary of the planning methodology, vision and goals, existing conditions review, recommended facility types or concept designs, recommended policies and programs, and implementation strategies.

##### Final Plan

The draft plan document will be presented to the PBAC (Pedestrian and Bicycle Advisory Committee) as well as the general public for review and comment. Alta will complete one-round of consolidated edits from the County and one-round of consolidated edits from PBAC to the draft plan document in order to produce the final Baltimore County Bicycle and Pedestrian Plan. Alta will revise the draft plan to respond to public comments, stakeholder review and County direction. Revisions will include the following:

##### Updated network recommendations

New network category for "Spot Improvements" to capture publicly identified improvements such as crosswalks, pedestrian signals, etc. This will not be a full inventory of all spot improvement needs but the start of a new program to identify and prioritize improvements.

New section to detail a funding strategy for plan implementation to include funding level scenarios. Plan edits to reflect leadership and County goals and priorities. Alta will submit a revised draft plan to County staff for review. The county will provide clear direction to Alta for final revisions to the draft plan in one consolidated set of comments/edits. Once approved by the County, Alta will prepare a presentation to the PBAC highlighting the changes to the plan and presenting the final plan. Alta will complete one final round of edits that will be minor in nature and provided to Alta in one consolidated set of comments with clear direction from the County. An interactive map of the final proposed network and key existing condition findings will supplement the final plan document. The map product should be developed using the ESRI platform and it is preferred that Alta will be given a guest access to the County's ESRI HUB account so that the map products can be a permanent feature on the County's website.

Prepared By: Department of Public Works and Transportation



**MB-2 (Res. 6-23)****Council District(s) 2, 3, & 4**

---

**Mr. Jones (By Req.)**

---

**Department of Planning**

---

**Approval of Maryland Rural Legacy Plan Applications (3)**

---

Resolution 6-23 approves and endorses, in priority order, three Rural Legacy Area Plan applications for FY 2024 funding for consideration and approval by the Maryland Rural Legacy Board. These plans include the Piney Run, Manor, and Gunpowder Valley rural legacy areas.

The Maryland Rural Legacy Program is part of the Smart Growth initiative, approved by the Maryland General Assembly during its 1997 session, and is administered by the Maryland Department of Natural Resources. The purpose of the program is to preserve large blocks of rural landscape to protect and foster rural economies such as agriculture and tourism, to protect important natural resources, and to maintain the rural culture.

The Rural Legacy Program provides for the designation of specific areas as rural legacy areas and provides the opportunity for the sponsors of the rural legacy areas to compete for State funding; the sponsors can be a political jurisdiction or a private land trust. Rural legacy areas have a specific boundary within which State funds, if awarded, may be spent. Similarly, County funds provided to rural legacy areas must be spent within the State-approved rural legacy areas. The Department advised that this program helps the County in reaching its overall goal of preserving at least 80,000 acres.

The Department advised there are five State-approved rural legacy areas in Baltimore County, the most in the State, and three have submitted applications for FY 2024 funding. The Maryland Rural Legacy Program requires local jurisdiction approval of the applications and a ranking in the case of multiple applications in one jurisdiction. The County ranking is included in the State's evaluation of the applications. County ranking is based on factors that include: completion of projects; environmental protection; public benefits; threat; and sponsor input. See Exhibit A.

The Department advised that the proposed ranking for FY 2024 is as follows:

<u>Ranking</u>	<u>Rural Legacy Area</u>	<u>Council District(s)</u>
1	Piney Run	2, 3, 4
2	Manor	3
3	Gunpowder Valley	3

The Department advised that the rankings will be forwarded to the State Rural Legacy Advisory Committee, which will review the applications and make a recommendation to the Rural Legacy Board comprised of the Secretaries of the Departments of Natural Resources, Planning, and Agriculture. The Rural Legacy Board will determine the funding levels subject to the approval of the Maryland Board of Public Works.

This resolution shall take effect from the date of its passage by the County Council.

COUNTY COUNCIL RESOLUTION TO PRIORITIZE APPLICATIONS FOR  
FUNDING FOR STATE DESIGNATED RURAL LEGACY AREA PROPOSALS FOR FY24  
EXECUTIVE SUMMARY  
Department of Planning

The Administration requests approval by the County Council of this Resolution to approve and prioritize three FY24 Rural Legacy Area Applications submitted to the Maryland Rural Legacy Program.

All three of the Rural Legacy Area initiatives within the County have been very successful in working with landowners to acquire easements and then to monitor the easements to ensure that the restrictions and obligations are met. The Department considered several factors including completion on projects, environmental protection, public benefits, threat and sponsor input for this ranking. The State requires that counties with more than one Rural Legacy Area prioritize their applications. Of the five State-approved Rural Legacy Areas in Baltimore County, three have submitted applications for funding this year.

The Sponsors of the FY24 applications include Gunpowder Valley Conservancy for the Gunpowder Rural Legacy Area, Land Preservation Trust for the Piney Run Watershed Rural Legacy, and Manor Conservancy for the Manor Rural Legacy Area. Applications are available upon request.

The Department recommends approval of all three applications with the following priority order:

- (1) Piney Run Watershed Rural Legacy Area (Council Districts 2, 3, 4);
- (2) Manor Rural Legacy Area (Council District 3);
- (3) Gunpowder Valley Rural Legacy Area (Council District 3).


The ranking will be forwarded to the State Rural Legacy Advisory Committee, which reviews applications and makes a recommendation to the Rural Legacy Board comprised of the Secretaries from the Department of Natural Resources, the Department of Planning, and the Department of Agriculture. The Rural Legacy Board will determine the funding levels subject to the approval of State Board of Public Works.

The Rural Legacy Program helps the County work towards the goal of protecting at least 80,000 acres. The two Rural Legacy Areas within the county that did not submit applications for this fiscal year, include: the Coastal Rural Legacy Area (Sponsor-Baltimore County and Gunpowder Valley Conservancy) and Long Green Rural Legacy Area (Sponsor-Long Green Land Trust).

Prepared by: Department of Planning

BALTIMORE COUNTY COUNCIL  
NOTES TO THE AGENDA  
APPENDIX A

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

**TO:** Administrative Officer **DATE:** 3/20/23  
**FROM:** Kevin D. Reed, Director  **COUNCIL MEETING**  
Office of Budget & Finance **DATE:** 4/17/23  
**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 10004968      Compass Group, USA

This Purchase Order is for the purchase of food preparation and delivery for vulnerable populations utilizing the County's Freezing Weather Shelter. As detailed in the 902f Justification memo signed by Lawrence Richardson, Compass Group, dba Chartwells Black & Gold has expertise in preparing specialized meals and has the ability to delivery the shelter needs in requested quantities on short notice to multiple locations, including delivering specially requested meals to homeless shelters and to hotels, where County residents may be sent for location or quarantine to prevent the spread of COVID in other congregate residential settings.

Award Total: \$ 58,000.00  
Award Date: 3/10/23

PO 10005404      Indiana Printing & Publishing Company, Inc.

Indiana Printing and Publishing Company is uniquely qualified for this print job as indicated by past year's actions of being our only bidder for the job and the lack of interest by other printers in the area. Indiana has printed this publication many times for the Department of Aging as well as our eight edition a year newspaper, the Time of Your Life Digest.

For over twenty-six years, Baltimore County Department of Aging has printed the Community Resources Directory to serve as a "yellow page type document" for older adults, persons with disabilities and professional to find needed resources in the community. Businesses and corporations sponsor advertisements to cover the expense of this publications. All costs related to the booklet are paid for by funds that are raised by our department prior to printing. All this information is detailed in the 902f Justification memo signed by Edward Blades, and reviewed by Law.

Award Total: \$ 42,291.00  
Award Date: 3/15/23

PO 10005361

Azelis US Holding, Inc.

This Purchase Order provides for the purchase of VectoBack larvicide, which will be used to treat midges in the Back River. As detailed in the Sole Source Justification memo signed by David Lykens, VectoBack is the only Bti larvicide proven to treat midges, with no adverse effect on other aquatic organisms. Additionally, the Maryland Department of Agriculture (MDA) already uses this product for treating midges in Back River, and in an effort to maintain consistency with MDA, the Department of Environment Protection and Sustainability wishes to continue use of this product.

Award Total: \$ 399,278.88  
Award Date: 3/15/23

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