

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

*Issued: July 27, 2023
Work Session: August 1, 2023
Legislative Day No. 15: August 7, 2023*

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



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

August 7, 2023

NOTES TO THE AGENDA

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**AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2023, LEGISLATIVE DAY NO. 15
August 7, 2023 6:00 P.M.**

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

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CALL OF BILLS FOR FINAL READING AND VOTE

- 1 **JOANNE RUND, CHIEF, FIRE DEPARTMENT**
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- 4 **DAVID BYCOFFE, DIVISION CHIEF, FIRE DEPARTMENT**
Bill 45-23 – Mr. Jones(By Req.) – “Limited Emergency” Donations
- 7 **COUNCIL**
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8 Bill 47-23 – Mr. Kach – Zoning Regs. – Uses Permitted in the R.C. 6 Zone-Group Child-Care Centers
9 Bill 48-23 – Mr. Kach – Parking Along the Big Gunpowder Falls
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APPROVAL OF FISCAL MATTERS/CONTRACTS

- 10 **DEBRA SHINDLE, CHIEF, PROPERTY MANAGEMENT**
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- 14 **D’ANDREA WALKER, DIRECTOR, DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION**
2. Contracts – (2) – On-call shoreline erosion control enhancement design services - DPWT
- 18 **DAVID LYKENS, DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION & SUSTAINABILITY**
3. Contracts – (4) – Tree maintenance and reforestation services - DEPS
- 23 **RUIE LAVOIE, DIRECTOR, BOARD OF ELECTIONS**
4. Contracts – (2) – Security services – Ballot Boxes-BOE
- 27 **STEVE LAFFERTY, DIRECTOR, DEPARTMENT OF PLANNING**
5. Contract of Sale – Security Wards, LLC – Acquisition of parcel-6901 Security Blvd., 21244-DOP
- 30 **LAWRENCE RICHARDSON, DEPUTY DIRECTOR, F&A, DEPARTMENT OF HEALTH & HUMAN SERVICES**
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- 34 **FAITH THOMAS, CHIEF, REAL ESTATE COMPLIANCE**
7. Contract of Sale – Pierre L. Georges – Acquisition of parcel-6509 Windsor Mill Rd., 21207-Windsor Mill Project-REC
34 8. Contract of Sale – Douglas Elisha – Acquisition of parcel-6741 Windsor Mill Rd., 21207-Windsor Mill Project-REC
- 39 **MICHAEL FRIED, DIRECTOR, OFFICE OF INFORMATION TECHNOLOGY**
9. Amendment to Contract – United States Tower Services, LTD – Maintenance of radio towers-OIT
39 10. Amendment to Contract – Infinigy Solutions, LLC – Maintenance of radio towers-OIT

APPROVAL OF FISCAL MATTERS/CONTRACTS (cont.)

DEBRA SHINDLE, CHIEF, PROPERTY MANAGEMENT

- 44 11. Contract of Sale – The Church of the Good Shepherd – Acquisition – 736 Edmondson Avenue, 21228-Catonsville Fire Station-PM

KEVIN REED, DIRECTOR, OFFICE BUDGET AND FINANCE

- 47 12. Contract – Contractor Compliance and Monitoring, Inc. – Labor compliance program (prevailing wage) consulting services-OBF

MISCELLANEOUS BUSINESS

COUNCIL

- 59 1. Correspondence - (a) (5) - Non-Competitive Awards (June 20, 2023)
2. Appointment – Mr. Jones(By Req.) – Police Accountability Board – Scott J. Richman
3. Reappointment – Mr. Jones(By Req.) – Police Accountability Board – Peter Fitzpatrick
4. Appointment – Mr. Jones(By Req.) – Design Review Panel – Scott Walters
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MICHAEL FRIED, DIRECTOR, OFFICE OF INFORMATION TECHNOLOGY

- 51 6. Res. 19-23 – Mr. Jones(By Req.) –Accept donation–Enterprise Network Extender 3 units–Cellco Prtnrshp./dba Verizon Wireless

COUNCIL

- 53 7. Res. 20-23 – Mr. Young – Modify designated community of Arbutus as a Sustainable Community

DR. JENNIFER LYNCH, ACTING DIRECTOR, DEPARTMENT OF ECONOMIC & WORKFORCE DEVELOPMENT

- 54 8. Grants - Mr. Jones(By Req.) - FY2024 Arts and Sciences Grants

Bill 44-23 (Supplemental Appropriation)

Council District(s) All

Mr. Jones (By Req.)

Fire Department

Federal Assistance to Firefighters Grant

The Administration is requesting a supplemental appropriation of federal funds totaling \$1,080,909 to the Federal Assistance to Firefighters Grant Gifts and Grants Fund program. The funds will be used to provide comprehensive cancer screenings and peer support and resiliency training to eligible Department personnel. See Exhibit A.

Fiscal Summary

Funding Source	Supplemental Appropriation	Current Appropriation	Total Appropriation
County ⁽¹⁾	--	--	--
State	--	--	--
Federal ⁽²⁾	\$ 1,080,909	--	\$ 1,080,909
Other	--	--	--
Total	\$ 1,080,909	--	\$ 1,080,909

⁽¹⁾ The County is required to provide a 10% match (\$108,091) of the grant award. The Office of Budget and Finance advised that the matching requirement will be met through funds to be made available in the Department's FY 2024 General Fund budget.

⁽²⁾ Federal Emergency Management Agency (FEMA) funds.

Analysis

The Department advised that the proposed grant funds, together with County matching funds, will be used to provide comprehensive cancer screenings to eligible Department personnel (\$1,116,000) and peer support and resiliency training for the Department's Critical Incident Stress Management (CISM) team (\$73,000) to help address mental health challenges faced by first responders. The Department further advised that the program will begin in or before January

2024, and that it is developing a comprehensive plan for service delivery, including eligibility requirements.

The grant period is April 14, 2023 through April 13, 2025. The County is required to provide a 10% match (\$108,091) of the grant award (\$1,080,909). The Office of Budget and Finance advised the matching requirement will be met through funds to be made available in the Department's FY 2024 General Fund budget.

With the affirmative vote of five members of the County Council, Bill 44-23 will take effect August 20, 2023.

Executive Summary

Baltimore County Fire Department has been awarded \$1,080,909.00 by the Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) to provide comprehensive cancer screenings and mental wellness training to first responders. The required local match for this award is \$108,090.91.

\$1,116,000.00 will be used for comprehensive cancer screenings to eligible Fire Department members. In addition, \$73,000.00 will be used to help address many of the mental health challenges faced by first responders. This funding will be utilized to provide several training opportunities that will enhance the Department's current peer support network.

The performance period of the award is from April 14, 2023, through April 13, 2025.

Prepared by: Fire Department

Bill 45-23

Council District(s) All

Mr. Jones (By Req.)

Fire Department

“Limited Emergency” Donations

Bill 45-23 creates a limited emergency procedure for accepting donations or gifts of essential resources during certain local emergency situations. See Exhibit A.

Currently, the County Executive is authorized to declare a local state of emergency upon the “threat or occurrence of a disaster in or affecting the county that requires state or federal assistance or the implementation of the local emergency management plan in order to save lives and protect the public health and safety.” The definition of “emergency” includes “a hurricane, tornado, flood, wind-driven water, storm surge, tidal wave, earthquake, mudslide, snowstorm, drought, fire, or explosion; an enemy attack or act of terrorism; or a public health catastrophe.”

By contrast, the bill defines “limited emergency” as “an occurrence of a natural, technological or human-caused event that endangers lives, property, public health, safety or welfare, or the environment, but that has not been the subject of a local state of emergency declared in accordance with § 3-1-503 of this subtitle.” According to the bill, limited emergencies include: a supply chain disruption; a transportation disruption; a failure of public infrastructure; or an impairment in the availability of food, water, medical supplies, health or hygiene products, internet or cellular communication access, or other important, normally available services or products.

In the event of a limited emergency, the bill states that the County Executive, the County Administrative Officer (CAO), or the Director of Emergency Management is authorized to accept a gift of essential resources. According to the bill, within 30 days of receiving the limited emergency gift, the Director of Emergency Management, with the cooperation of the County office or department that will benefit and manage the gift on behalf of the County, shall submit a summary to the CAO and the County Council. Also according to the bill, among other information, the summary must describe the limited emergency and the gift, including the donor’s identity and contact information, the approximate value, the date it was given, and any conditions on its use.

The bill states that these limited emergency requirements do not apply to agreements the County may have from time to time with nonprofit partners or volunteer organizations active in disaster relief, including but not limited to the Maryland Food Bank and the American Red Cross.

With the affirmative vote of five members of the County Council, Bill 45-23 will take effect 15 days after its enactment.

Executive Summary

During several recent water disruptions in Baltimore County, it was discovered that The Office of Emergency Management is unable to accept time sensitive disaster donations without the declaration of a local emergency. This Bill will empower the Baltimore County Emergency Manager, the County Administrative Officer, and the County Executive to accept donation on a limited basis in defined instances of need.

The Bill defines a limited emergency as a natural or man-made disaster that has the potential to endanger lives and property but does not rise to the level of a local state of emergency.

The Bill limits the acceptance of donation to essential resources. Examples of essential resources include (but are not limited to) potable water, food, and hygiene or personal care products. Donations accepted under this legislation must be valued at less than \$5,000.00.

The Bill also requires that all donations be reported to the County Council within thirty (30) days of receiving the donation. The manner and specific information required to be reported is also defined in the Bill.

Prepared by: Fire Department

Bill 46-23Council District(s) All

Mr. Kach

Animal Welfare – Picking Up Stray Animals

Bill 46-23 extends the time that a person may hold a stray animal before turning the animal over to Baltimore County Animal Services. The bill also adds discretionary actions a person that picks up a stray animal may take during that time.

Currently, a person who picks up a stray animal must turn over the animal to the Animal Services Division within 24 hours. The bill extends this time to 72 hours after picking up the stray animal. The bill also states that a person who picks up a stray animal may (but is not required to) take the following actions before turning the animal over to the Animal Services Division:

- check the animal for a tag, tattoo, microchip, or other identification to ascertain the owner;
- file a found report with the Animal Services Division that includes the finder's information, animal description, and the date and location the animal was found; or
- publicize the animal on social media, flyers, or other public platforms.

With the affirmative vote of five members of the County Council, Bill 46-23 will take effect 14 days after its enactment.

Bill 47-23

Council District(s) 3

Mr. Kach

Zoning Regs. – Uses Permitted in the R.C.6 Zone – Group Child-Care Centers

Bill 47-23 permits a group child-care center, Class B in the R.C. (Rural Conservation and Residential) 6 Zone by right under certain conditions.

Specifically, the bill states that the group child-care center must be located within the Hunt Valley and Timonium Master Plan. Also, the R.C.6 zoned tract on which the group child-care center is located must be adjacent to the M.L.R. (Manufacturing Light Restricted) Zone. In addition, the R.C.6 zoned portion of the tract in which the group child-care center building and play area are located may be no larger than 0.50 acre. Finally, the group child-care center must comply with all bulk regulations for the M.L.R. Zone, and is exempt from all provisions contained in Section 1A07, as well as the setback requirements contained in Section 250.4 of the Baltimore County Zoning Regulations.

With the affirmative vote of five members of the County Council, Bill 47-23 will take effect 14 days after its enactment.

Bill 48-23

Council District(s) 3

Mr. Kach

Parking Along the Big Gunpowder Falls

Bill 48-23 adds an exception to the prohibition on parking along the Big Gunpowder Falls (the Falls). The County Council has previously enacted several bills to prevent parking along the Falls that poses a safety risk to drivers and pedestrians.

Previously, with the enactment of Bill 67-17, the Council attempted to address dangerous parking on the side of the road for visitors to the Falls by prohibiting parking along Monkton Road between Old Monkton Road and Sheppard Road. The bill also requested that the Department of Public Works & Transportation (DPW&T) post appropriate signage.

Thereafter, Bill 66-20 expanded the areas of coverage and provided a list of relevant road areas covered by the parking prohibition and again requested that DPW&T post appropriate signage. Finally, Bill 92-20 slightly amended Bill 66-20 to specify that there could be no parking where there are posted “no parking” signs in the road areas referenced in Bill 66-20.

Currently, the sponsor of Bill 48-23 desires to allow limited parking on Notchcliff Road between the areas of its intersection with Glen Arm Road and Harford Road. Thus, Bill 48-23 adds new language that states parking may be permitted on public areas abutting Notchcliff Road between the areas of its intersection with Glen Arm Road and Harford Road if the Director of DPW&T determines it is safe to do so. The bill also requires that DPW&T post appropriate signage where parking is permitted as set forth in the Act.

With the affirmative vote of five members of the County Council, Bill 48-23 will take effect 14 days after its enactment.

FM-1 (2 Contract Amendments)

Council District(s) All

Property Management

Maintenance, Repair & Inspections – Fuel Tanks

The Administration is requesting approval of amendments to two contracts, with Total Environmental Concepts, Inc. and Petroleum Services, Inc., to continue providing maintenance, repair, and inspections of fuel tanks located at various County-owned and/or operated facilities/sites. The proposed amendments, which commence upon Council approval, increase the combined maximum compensation by \$934,355, from \$825,000 to \$1,759,355 for the entire 5-year and 4-month term, including the renewal and extension periods. The original contracts commenced June 2, 2020. See Exhibit A.

Fiscal Summary

Funding Source	Combined Contract Amendments	Current Combined Maximum Compensation	Amended Combined Maximum Compensation
County ⁽¹⁾	\$ 934,355	\$ 825,000	\$ 1,759,355
State	--	--	--
Federal	--	--	--
Other	--	--	--
Total	\$ 934,355 ⁽²⁾	\$ 825,000 ⁽³⁾	\$ 1,759,355 ⁽⁴⁾

(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, supervision, vehicles, equipment, tools, supplies, and other necessary items for the installation, repair (regular and emergency), maintenance, cleaning, and ground restoration pertaining to underground and above-ground fuel storage tanks located at County-owned and/or operated facilities/sites. Services include installing new tanks, fuel lines, and concrete pads; removing existing tanks; removing and disposing of fuel contaminated soil; conducting sample analysis; and repairing and restoring concrete surfaces, turf, and grounds damaged during fuel tank servicing. The contracts provide that the contractors are not guaranteed any minimum amount of work. Property Management advised that the proposed amendments are necessary due to the unanticipated removal and replacement of several older fuel tanks.

Hourly labor rates range from \$45 to \$97 depending on the contractor, worker's skill level, and time status (regular or overtime). Rates for equipment mobilization are \$150 and \$306, depending on the contractor, and mark-ups range from 8% to 18%, depending on the contractor, type of material, subcontractor service, and rental equipment.

On July 6, 2020, the Council approved the original 5-year and 4-month contracts (effective June 2, 2020) with combined compensation not to exceed \$825,000. The proposed amendments, which commence upon Council approval, increase the combined maximum compensation by \$934,355 to \$1,759,355 for the entire 5-year and 4-month term, including the renewal and extension periods. All other terms and conditions remain the same. According to the County's financial system, the County has expended/encumbered \$713,864 under the contracts as of July 3, 2023 as follows: \$629,706 to Petroleum Services, Inc. and \$84,158 to Total Environmental Concepts, Inc.

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 four bids received. According to the bid documents, there is a 15% M/WBE participation requirement.

The County's financial system indicates that the County has no other contracts with Petroleum Services, Inc. or Total Environmental Concepts, 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 Petroleum Services and Total Environmental Concepts to provide maintenance, repair, and inspections of fuel tanks located at various County facilities.

Currently on SCON-10000614 and SCON-10000606, there is \$476.23 of the NTE available.

Total compensation will increase from Eight Hundred Twenty-Five Thousand Dollars (\$825,000) to One Million, Seven Hundred Fifty-Nine Thousand, Three Hundred Fifty-Five Dollars and Five Cents (\$1,759,355.05) upon approval from the County Council. This would provide a \$934,355.05 increase to continue to provide fuel tank services throughout the County.

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

"In no event shall the total compensation paid to the Contractor under this Agreement exceed the sum of Twenty Five Thousand Dollars (\$25,000.00) unless the County Council approves this Agreement and the term is thereby extended as described in Paragraph 3.1 below. The Contractor acknowledges that it is not guaranteed any minimum amount of work under this Agreement and further acknowledges that in no event shall the combined sum of compensation paid to all Contractors exceed the sum of One Million Seven Hundred Fifty-Nine Thousand Three Hundred Fifty-Five Dollars and Five Cents (\$1,759,355.05) during the entire term of this Agreement including renewals thereof."

All other terms, conditions, and provisions of the Agreement remain in full force and effect. The current expiration date is September 29, 2025.

Prepared by: Property Management

FM-2 (2 Contracts)

Council District(s) All

Department of Public Works & Transportation

On-Call Shoreline Erosion Control Enhancement Design Services

The Administration is requesting approval of two contracts, with EA Engineering, Science, and Technology, Inc. and AKRF, Inc./Straughan Environmental, Inc., a Joint Venture, to provide on-call consulting services for various shoreline erosion and enhancement projects throughout the County. 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. Compensation for each contractor may not exceed \$2,000,000, for a combined maximum compensation of \$4,000,000, for the entire 7-plus-year term, including the renewal periods. See Exhibit A.

Fiscal Summary

Funding Source	Combined Maximum Compensation	Notes
County ⁽¹⁾	\$ 4,000,000	(1) Capital Projects Fund.
State	--	(2) Maximum compensation for both contractors combined (\$2.0 million per contractor) 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.
Federal	--	
Other	--	
Total	\$ 4,000,000 ⁽²⁾	

Analysis

The contractors will provide professional services for work associated with shoreline erosion and enhancement design services throughout the County. Services will include planning, designing,

permitting, contract preparation, construction management, and post-construction monitoring for various shoreline erosion control and enhancement projects; conducting topographic and hydrographic surveys; and providing geotechnical services and interagency coordination. Projects may involve beach replenishments, tidal marsh plantings, and invasive species control services. The Department advised that these services are needed to continue the implementation of the County's Waterway Restoration Program and to assist in ensuring the County's compliance with the Chesapeake Bay TMDL (Total Maximum Daily Loads) and NPDES (National Pollutant Discharge Elimination System) MS4 discharge permit mandates.

Each contract commences upon Council approval, continues for 5 years, and will renew automatically for two additional 1-year periods on the same terms and conditions, 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. Compensation for each contractor may not exceed \$2,000,000, for a combined maximum compensation of \$4,000,000, for the entire 7-plus-year term, including the renewal periods.

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 payments 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 the delay in completing the project.

On November 1, 2021, the Professional Services Selection Committee (PSSC) selected the two contractors based on qualifications from 12 proposals received. According to the bid documents, there is a 20% M/WBE participation requirement.

On August 4, 2014, the Council approved two similar contracts, with EA Engineering, Science, and Technology, Inc. and Moffat and Nichol, Inc., not to exceed \$1,500,000 combined. These

contracts expired for the purposes of assigning new work on August 3, 2021. The County's financial system indicates that as of July 21, 2023, the County expended/encumbered \$1,384,108 under the contracts: \$681,816 to EA Engineering, Science, and Technology, Inc. and \$702,292 to Moffat and Nichol, Inc. The Department advised that since August 3, 2021, the County has not assigned any new shoreline erosion work; however, shoreline design services tasks associated with two existing projects have continued.

Currently, EA Engineering, Science, and Technology, Inc. has three and AKRF, Inc./Straughan Environmental, Inc., a Joint Venture, has no other contracts 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...."

Contract Executive Summary – Basic Information

On-Call Shoreline Erosion Control and Enhancement Design Services – Project 2020-03

Vendor Names – EA Engineering, Science & Technology Inc. PBC;
AKRF, Inc./Straughan Environmental, Inc. (Joint Venture)

Purpose – To assist Baltimore County with the design of various shoreline erosion control and enhancement projects. Design services will be ordered on a project by project basis and may include but are not limited to a variety of non-structural and structural techniques such as breakwaters, revetments, stone sills, beach replenishment, tidal marsh plantings, invasive species management, and beneficial use of dredged material.

Scope of Contract – Projects may include:

- Shoreline erosion control and enhancement design services may include planning, designing, permitting, contract preparation, construction management and post construction monitoring.
- Topographic and hydrographic surveys.
- Geotechnical services.
- Interagency coordination.

Contract Value \$ - \$2,000,000.00

Term – Five (5) year initial term with two (2) automatic one (1) year extensions for a total of seven (7) years

Vendor Selection method - Via PSSC meeting on November 1, 2021

Prepared by: Department of Public Works & Transportation

FM-3 (4 Contracts)

Council District(s) All

Department of Environmental Protection and Sustainability

Tree Maintenance and Reforestation Services

The Administration is requesting approval of four contracts to provide on-call reforestation and landscape tree maintenance services to meet the County’s reforestation requirements under the Maryland Forest Conservation Act (FCA) and the County’s Phase II Chesapeake Bay Watershed Implementation Plan (WIP). The four contractors are: Bry’s Lawn Care and Landscaping, LLC; Empire Landscape, LLC; Environmental Quality Resources, LLC; and Wright Environmental & Land Services, LLC. Each contract commences upon Council approval, continues for 3 years, and will renew automatically for seven additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days. The contracts do not specify a maximum compensation for the initial 3-year term or for the entire 10-year and 4-month term, including the renewal and extension periods. Compensation for all contractors combined is limited to the amount appropriated for these services for the entire contract term. The Department advised that estimated compensation for all four contractors combined totals \$2,500,000 for the entire 10-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Combined Total Compensation	Notes
County ⁽¹⁾	\$ 2,500,000	⁽¹⁾ Capital Projects Fund.
State	--	⁽²⁾ Estimated compensation for all contractors combined for the entire 10-year and 4-month term, including the renewal and extension periods. The contracts do not specify a maximum compensation for the initial 3-year term or for the entire 10-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.
Federal	--	
Other	--	
Total	<u>\$ 2,500,000</u> ⁽²⁾	

Analysis

The contractors will provide on-call rural and landscape tree maintenance services for reforestation projects required under the Maryland FCA and the County's Phase II WIP in support of the County's MS4 permit. The Department advised that the County has planted over 450 acres of reforestation (traditional) trees and 5,000 landscape-style trees under these programs since 2011; to retain tree-planting credits under the County's MS4 permit, reforestations and landscape-style trees must be monitored and maintained to ensure long-term survival. The purpose of the proposed contracts is to extend the period of oversight and maintenance necessary for continued survival of each tree planting project for a term of up to an additional 10 years, as needed. Services include site or tree assessments; maintenance, including mowing, shelter upkeep or removal, and replacement tree plantings; and reforestation and tree monitoring. The contracts also require a survival guarantee (tree warranty).

Hourly labor rates range from \$25.00 to \$78.47, depending on the contractor and skill level (i.e., supervisor, skilled or unskilled labor, certified pest control applicator). Markup costs for plants, trees, planting materials (e.g., stakes, mulch, fertilizer), and herbicides range from 5% to 75%, depending on the contractor. Equipment costs range from \$35 to \$200 per hour and from \$115 to \$500 per day, depending on the contractor and type of equipment (e.g., forestry mower, water truck, tractor, planter). The assignment of work will be at the County's sole discretion. The Department advised that work will be distributed depending on the amount of work, contractor availability, and project cost.

Each contract commences upon Council approval, continues for 3 years, and will renew automatically for seven 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 contracts do not specify a maximum compensation for the initial 3-year term or for the entire 10-year and 4-month term, including the renewal and extension periods. Compensation for all contractors combined is limited to the amount appropriated for these services for the entire contract term. The Department advised that estimated compensation for all four contractors combined totals \$2,500,000 for the entire 10-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 agreements by providing 30 days prior written notice.

The County awarded the contracts through a competitive procurement process based on low bid from 6 bids received; one bid was deemed nonresponsive. According to the bid documents, there is not an M/WBE participation requirement.

On December 2, 2019, the Council approved two 10-year and 1-month contracts (effective November 1, 2019), with Environmental Quality Resources, LLC and Wright Environmental & Land Services, LLC, for similar on-call reforestation and landscape tree maintenance services. Compensation for both contractors combined may not exceed \$4,385,000. The County's financial system indicated that as of July 7, 2023, expenditures/encumbrances under the contracts totaled \$650,471: \$126,215 to Environmental Quality Resources, LLC and \$524,256 to Wright Environmental & Land Services, LLC. The Department advised that since 2019, the County has expanded its Forest Management Program, adding Operation ReTree and Street Tree Replacement programs, and requires additional contractors for reforestation and maintenance services. The Department further advised that the County will terminate the two current contracts for convenience upon Council approval of the proposed contracts, as both vendors responded to the current solicitation with the intention of entering into a longer-term contract with the County for the same services.

On March 16, 2020, the Council approved two 7-year and 3-month contracts, with Level Land, Inc., and Wright Environmental and Land Services, LLC, to provide on-call site preparation, tree planting, monitoring, and maintenance for "urban" (landscape-style) tree planting projects in support of the County's efforts to meet its reforestation requirements under the Maryland FCA and the County's Phase II WIP in support of the County's MS4 permit.. The County's financial system indicated that as of July 13, 2023, expenditures/encumbrances under the contracts totaled \$679,560 and \$1,930,251 for Level Land, Inc. and Wright Environmental and Land Services, LLC, respectively.

On October 4, 2021, the Council approved three 8-year and 3-month contracts, with Empire Landscape, LLC, Environmental Quality Resources, LLC, and Wright Environmental and Land Services, LLC, not to exceed \$8,650,000 for all contractors combined to provide on-call rural reforestation services throughout the County. The County's financial system indicated that as of July 13, 2023, expenditures/encumbrances under these contracts totaled \$104,160, \$0, and

\$282,717 for Empire Landscape, LLC, Environmental Quality Resources, LLC, and Wright Environmental and Land Services, LLC, respectively.

The County's financial system indicates that the County has one other contract with Bry's Lawn Care and Landscaping, LLC, 1 other contract with Environmental Quality Resources, LLC, and no other contracts with Empire Landscape, LLC nor Wright Environmental and Land Services, LLC.

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

On-Call Contract for Reforestation and Landscape Maintenance Services

Baltimore County Department of Environmental Protection and Sustainability (EPS) is responsible for the County's reforestation requirements under Maryland's 1991 Forest Conservation ACT (FCA) and the County's Chesapeake Bay TMDL program in support of Baltimore County's MS4 Permit. Under these programs, the County has planted over 450 acres of reforestation trees and over 5,000 landscape style trees since 2011. To retain tree planting credits under the County's MS4 permit, reforestation and landscape style trees must be monitored and maintained to ensure long-term survival. Environmental Quality Resources LLC and Wright Environmental and Land Services, LLC currently hold a ten (10) year Long Term Maintenance contract for rural and urban reforestation maintenance that started in 2019. Since 2019, EPS has expanded their Forest Management Program, adding Operation ReTree and Street Tree Replacement Programs. EPS requires additional contractors to ensure the adequate long-term maintenance of reforestations and single tree plantings.

The purpose of these contracts is to extend the period of oversight and maintenance necessary for continued survival of each tree planting project for a term of up to an additional ten (10) years, as needed. Maintenance periods for specific projects will include a single maintenance event or an extended maintenance period of (1) to three (3) years. Maintenance requirements may include mowing, replacement tree plantings, shelter upkeep, removal, or replacement, vine and invasive species suppression, watering, pruning, fertilizing, mulching, or other maintenance requirements, determined by the contractor and approved by the County.

The contractor and EPS will consult together on a project-by-project basis on the Scope of Work for the contractor's duties. EPS will provide original planting plans, including the locations of specific planting projects and the County will either provide or approve a contractor-supplied planting and or maintenance plan for projects that require tree plantings or extended maintenance. The contractor will provide EPS with a written proposal for each project. For projects that have an extended maintenance period, the contractor shall provide the County with a yearly maintenance report detailing maintenance actions.

Environmental Quality Resources LLC, Wright Environmental and Land Services LLC, Empire Landscape LLC, and Bry's Lawn Care and Landscaping LLC are the four vendors selected for this contract through a competitive bid. The Long-Term Maintenance contract for rural and urban reforestation maintenance currently held by Environmental Quality Resources LLC and Wright Environmental and Land Services LLC will be cancelled once the new contract is in place.

The contractors will not be compensated more than the County Council approved appropriation during the entire term of the Agreement, including renewals.

Prepared by: Department of Environmental Protection and Sustainability

FM-4 (2 Contracts)

Council District(s) All

Board of Elections

Security Services – Ballot Boxes

The Administration is requesting approval of two contracts, with Armed Security, Inc. t/a Butler Security, Inc. and Metropolitan Protective Services, Inc., to provide security guard services for 34 ballot boxes that will be located throughout the County during the primary and general elections. Each contract commences upon Council approval, continues for 1 year, and will renew automatically for five additional 1-year periods with the option to extend the initial term or any renewal term an additional 120 days. The contracts do not specify a maximum compensation for the initial 1-year term or for the entire 6-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 Board advised that estimated compensation for both contractors combined totals \$1,567,243 for the entire 6-year and 4-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Combined Total Compensation
County ⁽¹⁾	\$ 1,567,243
State	--
Federal	--
Other	--
Total	<u>\$ 1,567,243</u> ⁽²⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ Estimated compensation for both contractors combined for the entire 6-year and 4-month term, including the renewal and extension periods. The contracts do not specify a maximum compensation for the initial 1-year term or for the entire 6-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 Board advised that the State Board of Elections will reimburse 50% of the cost of these services.

Analysis

The Board advised that Maryland law requires ballot boxes to be monitored by security cameras at all times and by periodic in-person visits. The Board further advised that there will be 35 ballot boxes throughout the County, including one ballot box inside a secured building, during the primary and general elections. The County will enter into two contracts, with Armed Security, Inc. and Metropolitan Services, Inc., to provide unarmed overnight roving patrol for the remaining 34 ballot boxes; the Office of Budget and Finance, Purchasing Division advised that Armed Security, Inc. will monitor 18 locations and Metropolitan Protective Services, Inc. will monitor 16 locations. Each contractor will provide guards to travel to its assigned locations to ensure the boxes have not been tampered with during the hours and at the frequency determined by the Board. In the event of any incident, the contractors are required to contact the County immediately and provide a detailed report with time-stamped photos by 9:00 a.m. the following morning.

The hourly rate for Armed Security, Inc. is \$45, including security guards and gasoline. The hourly rates for Metropolitan Protective Services, Inc. are \$32.50 for security guards and \$37.50 for supervisors, plus an additional \$10,000 fuel charge. The Board estimates that the cost per election will total \$219,440: \$83,160 for Armed Security, Inc. and \$136,280 for Metropolitan Protective Services, Inc.

Each contract commences upon Council approval, continues for 1 year, and will renew automatically for five 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 contracts do not specify a maximum compensation for the initial 1-year term or for the entire 6-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 Board advised that estimated compensation for both contractors combined totals \$1,567,243 for the entire 6-year and 4-month term, including the renewal and extension periods. The Board further advised that the State Board of Elections will reimburse 50% of the cost of these 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 contracts through a competitive negotiations process after the County's Request for Proposals (RFPs) yielded five proposals. According to the bid documents, there is not an M/WBE participation requirement. The same RFP process yielded contracts approved by the Council on September 6, 2022 with Armed Security, Inc. t/a Butler Security, Inc. and Metropolitan Protective Services, Inc. not to exceed \$83,160 and \$136,280 respectively, to provide security guard services for 34 ballot boxes during the 2022 Gubernatorial General Election Cycle. At that time, the Board advised that it was unable, due to time constraints, to create term contracts for services beyond the 2022 Gubernatorial General Election Cycle, and that it was planning to present a term contract to the Council on a later agenda utilizing the same RFP. The County's financial system indicates that expenditures under the contracts with Armed Security, Inc. and Metropolitan Protective Services, Inc. totaled \$83,160 and \$136,280, respectively.

The County's financial system indicates that the County has one other contract with Armed Security, Inc. and no other contracts with Metropolitan Protective Services, 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

The Board of Elections is requesting the approval of two contracts with Armed Security, Inc. t/a Butler Security, Inc. and Metropolitan Protective Services, Inc. to provide unarmed overnight roving patrol of the Ballot Boxes during an Election cycle. A competitive bid process was completed. The selected contractors were best qualified and are certified minority contractors.

Maryland law requires monitoring of ballot boxes. There are a total of 35 ballot boxes in Baltimore County, however one does not require patrol because it is located inside a secure building on the campus of the University of Maryland Baltimore County; The Commons. Due to the staffing requirements to patrol the remaining 34 ballot boxes, Purchasing divided the list between 2 vendors to ensure adequate resources are available. The unarmed overnight roving patrol will provide service to the 34 locations throughout the County.

Each vendor will be responsible to patrol their assigned ballot box locations. Overnight patrol will be performed during the hours and at the frequency determined by the Board of Elections, tentatively every 2 hours between 5:30 pm to 7:00 am. If appropriate, the BOE may adjust the time and frequency of patrols as needed. On an Election Day, the coverage period will end at 8:00 pm when all ballots have been removed from the ballot boxes and the boxes are locked and secured by an Election Official.

The total combined cost for this service is \$219,440** for each election. Service will begin when the ballot boxes arrive. Their estimated arrival is 45 days prior to an election.

This multi-year agreement will allow the Board of Elections to have their services readily available for future election cycles. Should Council approve, the contracts will commence when the ballot boxes arrive.

**Contract amount per election:

- Butler Security, Inc.: \$83,160
- Metropolitan Protective Services, Inc.: \$136,280

The BOE negotiated with the State Board to be reimbursed 50% of the cost of these security services. The reimbursement will be credited through the quarterly State billing. 1 Maryland Code Election Law, § 1-101, § 2-304, and §2-305 of the Election Law Article of the Annotated Code of Maryland

Prepared by: Board of Elections/Office of Budget and Finance, Purchasing Division

FM-5 (Contract)

Council District(s) 1

Department of Planning

Acquisition of Parcel – 6901 Security Blvd., 21244

The Administration is requesting approval of a contract to acquire land (presently a parking lot) totaling approximately 12.0 acres for \$6,850,000 in the interest of advancing the redevelopment vision for the Security Square Mall site as laid out in the “Reimagine Security Square” final report, released in May 2023. Security Wards, LLC currently owns the property to be acquired, located at 6901 Security Boulevard in Woodlawn. The property is zoned BM-CT (Business Major-Commercial, Town Center Core). See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 6,850,000	⁽¹⁾ Capital Projects Fund.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 6,850,000</u>	

Analysis

The County will purchase an approximate 12.0-acre property located at 6901 Security Boulevard in Woodlawn for \$6.85 million. The property, which is owned by Security Wards, LLC, is improved with a parking lot, and is a part of the approximately 90-acre Security Square Mall site. The Department advised that the County’s appraisal consultant, Associated Appraisers, completed an appraisal of the property effective January 25, 2023, recommending a value of \$6,403,000. After review and analysis, the County’s review appraiser concurred with the appraisal, recommending the respective amount as just compensation for the acquisition. The Department advised that

following negotiations, the County and the property owner accepted a negotiated price of \$6,850,000.

Should the Council approve the purchase of the property, the County will pay a deposit of \$50,000 and will enter into a 60-day “Study Period” to assess the feasibility of redeveloping the property. The deposit will be fully refundable until the end of the Study Period; if the results of the feasibility study are deemed acceptable to the County, then the deposit will be applied to the purchase price of the property. According to the contract, in the event the County Executive (or his designee) and the County Council do not approve the contract on or before August 7, 2023, the contract shall become null and void without either party having further liability to the other. The contract also provides that the County and the seller will enter into a future reasonable access easement agreement related to the adjacent properties that the seller will continue to own.

The Department previously advised that the Administration has recognized that the 90-acre Security Square Mall site is vital to the overall health and well-being of the Woodlawn community, and that this asset is underutilized and underperforming, and generally not meeting community needs in its current condition. On September 6, 2022, the Council approved the purchase of an approximately 18-acre site which included the former Sears department store for \$10 million as a first step in the redevelopment process. The County then utilized on-call contractor Johnson, Mirmiran & Thompson (along with subcontractors Ayers Saint Gross and Landwise Advisors) to facilitate a community-design charrette process to identify residents’ goals and desires for the site so that it can serve as a valued community asset. On May 31, 2023, the County released the “Reimagine Security Square” report, the culmination of the charrette process, which outlines a long-term, community-driven plan for the redevelopment of the site.

The FY 2024 Capital Budget’s Countywide Improvements project appropriation includes \$10 million (\$5 million in County (PAYGO) and \$5 million in State funds) in new funding for this project, along with \$20 million that was previously authorized. The Department advised that as of July 17, 2023, \$10,618,636 has been encumbered/expended for this project, excluding the amount for this acquisition. The Department further advised that no additional property acquisitions are planned at this time.

County Charter, Section 715, requires Council approval of real property acquisitions where the purchase price exceeds \$5,000. County Code, Section 3-9-102, states that the County “may acquire by purchase...real or leasehold property needed for a public purpose.”

Executive Summary

PROGRAM TITLE: Security Wards

PROJECT NO.: 181000635

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: Security Wards, LLC

LOCATION: 6901 Security Boulevard, Baltimore, Maryland 21244

CONSIDERATION: \$6,850,000.00

PURPOSE OF PROJECT: This request came from the Administration. The purpose of purchasing the 12 +/- acres is for site acquisition in the interest of advancing the redevelopment vision laid out in the Reimagine Security Square final report, released in May 2023.

LIMITS OF PROJECT: 12 +/- acres at 6901 Security Boulevard

Prepared by: Office of Law – Real Estate Compliance

FM-6 (Letter of Agreement)

Council District(s) All

Department of Health and Human Services

Residency Training Affiliation

The Administration is requesting approval of a Program Letter of Agreement (the agreement) to establish a residency training affiliation between Johns Hopkins University, on behalf of the Johns Hopkins Bloomberg School of Public Health General Preventive Medicine Residency Program, as the sponsoring institution and the Baltimore County Department of Health as the participating site. The agreement commenced August 1, 2022 and continues for 3 years or until updated or changed by both parties. The agreement states that the Department of Health will pay Johns Hopkins University \$4,700 per month for each resident participating in a practicum rotation with the County. The Department advised that estimated compensation totals \$70,500 for the entire 3-year term of the agreement. See Exhibit A.

Fiscal Summary

Funding Source	Total Compensation	Notes
County	--	⁽¹⁾ Maryland Department of Health funds passed through Baltimore County Public Schools. ⁽²⁾ Estimated compensation for the entire 3-year term.
State ⁽¹⁾	\$ 70,500	
Federal	--	
Other	--	
Total	\$ 70,500 ⁽²⁾	

Analysis

The Department of Health seeks to establish a residency training affiliation with the Johns Hopkins Bloomberg School of Public Health General Preventive Medicine Residency Program. Under the proposed agreement, preventive medicine residents may complete a full-time, 3-month rotation with the Department in which they would have the opportunity to contribute to various public health activities depending on departmental needs as well as their own interests; potential projects may

include investigating and addressing public health hazards, enabling equitable access to health services, evaluating health programs, implementing quality improvement projects, and developing health communication materials. The Department advised that because the grant funding is coming to the Department through Baltimore County Public Schools, residents are expected to complete projects with a focus on school-based health services.

In accordance with the agreement, residents will attend meetings, visit clinical sites for educational purposes (residents will not participate in clinical care), and have regular check-ins with Department staff. Doctors on staff with the Department will be responsible for supervising the residents, as well as for maintaining a learning environment that ensures the development of the skills, knowledge, and attitudes necessary to enter the practice of medicine.

The agreement commenced August 1, 2022 and continues for 3 years or until updated or changed by both parties. The agreement states that the Department of Health will pay Johns Hopkins University \$4,700 per month for each resident participating in a practicum rotation with the County. The Department advised that estimated compensation totals \$70,500 for the entire 3-year term (which assumes 5 residents each complete 3-month rotations). Either party may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract as a noncompetitive 902(f) award secured in the best interest of the County. The Department advised that the Johns Hopkins Bloomberg School of Public Health General Preventive Medicine Residency Program is nationally recognized and competitive for those seeking public health training, and attracts high quality candidates from across the nation. The Department further advised that this agreement will provide staffing to complete various public health projects that are priorities for the Department, bringing innovative and leading edge public health knowledge to Department programs in a cost-effective manner.

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.”

The Department advised that one resident participated in a rotation from April 1, 2023 to June 30, 2023, and that another resident began a rotation on July 1, 2023. The Department further advised that expenditures totaling \$18,800 have been incurred to date under this agreement.

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....” Because the proposed agreement commenced prior to Council approval, we believe this situation constitutes a violation of the aforementioned section of the County Charter.

Executive Summary

This is 3-year agreement that establishes a residency training affiliation between Johns Hopkins University, specifically the Bloomberg School of Public Health General Preventive Medicine Residency Program, as the sponsoring institution, and the Baltimore County Department of Health (BCDH) as the participating site. Under this agreement, preventive medicine residents may complete a full-time longitudinal rotation with BCDH, where they contribute to various public health activities depending on department needs, such as investigate and address public health hazards, enable equitable access to health services, evaluate health programs, or implement quality improvement projects.

Under the agreement, BCDH compensates Johns Hopkins University \$4,700 per month per resident. Funding from the Maryland Department of Health School Based Health Center Program, via Baltimore County Public Schools (GR-1170), has been approved to fully support the cost of 3 resident months in FY23, and 6 resident months in FY24. This same grant funding is expected to fully support at least 6 resident months in FY25, the last year of the agreement. Total cost of the three years of the contract is \$70,500. Due to the source of the grant funding, residents are expected to complete projects with a focus on school-based health services.

Prepared by: Department of Health and Human Services

FMs-7 & 8 (2 Contracts)

Council District(s) 2

Office of Law – Real Estate Compliance Division

Acquisition of Parcels - 6509 and 6741 Windsor Mill Road, 21207 – Windsor Mill Project

The Administration is requesting approval of two contracts to acquire land and easement access spanning, in total, approximately 0.073 acre for \$16,192, for the construction of a sidewalk along Windsor Mill Road in Gwynn Oak. FM-7 is a contract with Pierre L. Georges, for \$5,934, for land (0.006 acre) and easement access (0.018 acre) located at 6509 Windsor Mill Road. FM-8 is a contract with Douglas Elisha, for \$10,258, for land (0.028 acre) and easement access (0.021 acre) located at 6741 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 areas in paving, and the easements will be used for drainage and utility easements or revertible slope easements necessary to retain and support the highway and/or adjacent property. Each contract’s compensation amount takes into account any adverse impacts to site improvements. See Exhibits A and B.

Fiscal Summary

Funding Source	Combined Purchase Price	Notes
County ⁽¹⁾	\$ 16,192	⁽¹⁾ Capital Projects Fund. The combined purchase price includes \$1,611 to compensate for adverse impacts to certain site improvements.
State	--	
Federal	--	
Other	--	
Total	\$ 16,192	

Analysis

Descriptions of the two acquisitions are as follows:

6509 Windsor Mill Road (FM-7)

The County's staff appraiser completed an appraisal of the property effective December 19, 2022, recommending a value of \$5,934. 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 \$611 to compensate for adverse impacts to certain site improvements; additionally, the County will reinstall or replace as necessary other impacted site improvements.

The total 0.024-acre property to be acquired, including both the land and the easement access area, is part of a larger 0.142-acre parcel that is residentially improved with a detached 2-story with basement dwelling.

6741 Windsor Mill Road (FM-8)

The County's staff appraiser completed an appraisal of the property effective March 10, 2023, recommending a value of \$10,258. 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 \$1,000 to compensate for adverse impacts to certain site improvements; additionally, the County will reinstall or replace as necessary other impacted site improvements.

The 0.049-acre property to be acquired, including both the land and the easement access area, is part of a larger 0.160-acre parcel that is residentially improved with a detached 2-story with attic 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 two proposed acquisitions, approximately 18 remaining acquisitions will require Council approval.

The Council has previously approved contracts for 13 properties totaling \$132,096. 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. As of the adoption of the FY 2024 Capital Budget, appropriations earmarked for the project total \$2.5 million, of which \$500,000 is earmarked specifically for phase two. DPWT further advised that as of July 17, 2023, the County had expended/encumbered approximately \$250,000 for land acquisition, and no construction funding has been encumbered.

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: Pierre L. Georges

LOCATION: 6509 Windsor Mill Road
Baltimore, MD 21207

CONSIDERATION: \$5,934.00

PURPOSE OF PROJECT: This contract is for the purchase of Highway
Widening Area 290 sq. ft. and a Revertible
Slope Area of 814 sq. ft.

LIMITS OF PROJECT: 6509 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: Douglas Elisha

LOCATION: 6741 Windsor Mill Road
Baltimore, MD 21207

CONSIDERATION: \$10,258.00

PURPOSE OF PROJECT: This contract is for the purchase of Highway Widening Area of 1,282 sq. ft., a Drainage and Utility Easement Area of 150 sq. ft., and a Revertible Slope Area of 777 sq. ft.

LIMITS OF PROJECT: 6741 Windsor Mill Road

Prepared by: Office of Law – Real Estate Compliance Division

FMs 9 & 10 (2 Contract Amendments)

Council District(s) All

Office of Information Technology

Maintenance of Radio Towers

The Administration is requesting approval of amendments to two contracts, with United States Tower Services, Ltd. (USTS) (FM-9) and Infinigy Solutions, LLC (FM-10), to continue providing annual inspections, maintenance, and repair of the County's radio towers and monopoles. USTS will continue to serve as the primary contractor, and Infinigy Solutions, LLC will continue to serve as the secondary contractor. The proposed amendments remove the existing combined compensation cap of \$511,066 and limit the combined compensation to the amount appropriated for these services for the entire contract term. OIT advised that estimated compensation for both contractors combined totals \$750,000 for the entire 5-year and 4-month term, including the renewal and extension periods (an increase of approximately \$238,934). See Exhibit A.

Fiscal Summary

Funding Source	Current Combined Maximum Compensation	Amended Combined Estimated Compensation ⁽²⁾
County ⁽¹⁾	\$ 511,066	\$ 750,000
State	--	--
Federal	--	--
Other	--	--
Total	\$ 511,066	\$ 750,000 ⁽³⁾

⁽¹⁾ General Fund Operating Budget.

⁽²⁾ The amendments remove the existing compensation cap for both contractors combined and limit compensation for both contractors combined to the amount appropriated for these services for the entire contract term.

⁽³⁾ Estimated combined compensation for the entire 5-year and 4-month term, including the renewal and extension periods; amount exceeds the original contracts' compensation cap by \$238,934.

Analysis

The contractors will continue to furnish all labor, materials, tools, equipment, services, and supervision to perform the required annual inspections, repairs, and preventative maintenance of the County's radio towers and monopoles. The contracts continue to provide for annual inspection of 21 of the County's 26 radio towers and monopoles; the remaining 5 radio towers and monopoles will continue to receive repair services only. For repair services, the contractor must report to the job site within 24 hours of notification and commence repair work within 10 days of the notice to proceed; in an emergency situation, the contractor must report within 4 hours and commence repair work immediately upon the notice to proceed.

USTS (FM-9) will continue to serve as the primary contractor, and Infinigy Solutions, LLC (FM-10) will continue to serve as the secondary contractor. Each contract provides that the County will, on a project-by-project basis, utilize services from only the primary contractor unless the primary contractor cannot supply the services within a specified period of time. In such a case, the County will contact the secondary contractor to perform the work. OIT advised that the proposed amendments are necessary because the original not-to-exceed amount considered only tower site annual inspection and general maintenance costs, but not major repair costs; OIT further advised that as a result of the inspections, corrective repairs and equipment replacement were needed.

The cost for the annual inspections ranges from \$1,434 to \$4,884, depending on the type of tower and the contractor. Repair work will be performed at hourly rates of \$107.50 and \$132.50 during regular business hours (Monday through Friday, 8:00 a.m. to 4:00 p.m.) and \$149.50 and \$172.25 during overtime hours (evenings 4:00 p.m. to 8:00 a.m., weekends, and holidays) for USTS and Infinigy Solutions, LLC, respectively. Mark-up on materials will be billed at 3.3% and 25.0% for USTS and Infinigy Solutions, LLC, respectively. Any cost estimate for the repair, modification, or installation of additional equipment exceeding \$2,500 may, at the discretion of the County, be re-bid.

On November 2, 2020, the Council approved the original 5-year and 4-month contracts with combined compensation not to exceed \$511,066. The proposed amendments remove the existing compensation cap and limit compensation for both contractors combined to the amount appropriated for these services for the entire contract term. OIT advised that estimated compensation for both contractors combined totals \$750,000 for the entire 5-year and 4-month

term, including the renewal and extension periods (an increase of approximately \$238,934). All other terms and conditions remain the same. The County's financial system indicated that as of July 6, 2023, expenditures/encumbrances under the contracts with USTS and Infinigy Solutions, LLC totaled \$454,490 and \$0, respectively.

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 contracts through a competitive procurement process based on low bid from three bids received. According to the bid documents, there is not an M/WBE participation requirement.

The County's financial system indicates that the County has no other contracts with USTS nor with Infinigy Solutions, LLC.

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 an amendment to the United States Tower Services LTD service contract to modify the compensation cap to ensure sufficient funds are contractually available to maintain radio towers as necessary.

United States Tower Services LTD is the primary contractor to provide radio tower inspections, preventative maintenance, emergency and non-emergency repair as needed. On a project-by-project basis, the County continues to utilize services from United States Tower. If United States Tower Services LTD is unavailable to supply the services at the time of the request or perform within a specified period of time as needed, the secondary contractor, Infinigy Solutions will be utilized.

History-. Baltimore County has 21 tower locations that require an annual inspection with regular and emergency service as needed and 5 tower locations that require regular and emergency service as needed.

Baltimore County issued RFB no. 1523 for contractors that could provide adequate maintenance of the equipment as well as provide regular and emergency service on an as needed basis. In addition, repairs that are deemed "emergency" now have specific response and repair times that must be met.

Purpose- The purpose of this contract is to prolong the life of Baltimore County radio towers, and attachments by performing quality preventive maintenance, as well as providing quality and expert repair of unforeseen failures at the best possible value to the County and meeting guidelines set forth by the FAA and FCC, as well as local, state, and manufacturer's guidelines.

Fiscal Impact- The term of this agreement began on November 2, 2020 with an initial term of one year with four (4) one-year renewal periods. If this amendment is approved by County Council, the contract's compensation cap will be amended to not exceed County Council approved appropriation.

Prepared by: Office of Information Technology

Executive Summary

Summary - This fiscal matter is an amendment to the Infinigy Solutions LLC service contract to modify the compensation cap to ensure sufficient funds are contractually available to maintain radio towers as necessary.

Infinigy Solutions LLC is the secondary contractor to provide radio tower inspections, preventative maintenance, emergency and non-emergency repair as needed. If the primary contractor, United States Tower Services LTD is unavailable to supply the services at the time of the request or perform within a specified period of time as needed, Infinigy Solutions LLC will be utilized.

History-. Baltimore County has 21 tower locations that require an annual inspection with regular and emergency service as needed and 5 tower locations that require regular and emergency service as needed.

Baltimore County issued RFB no. 1523 for contractors that could provide adequate maintenance of the equipment as well as provide regular and emergency service on an as needed basis. In addition, repairs that are deemed "emergency" now have specific response and repair times that must be met.

Purpose- The purpose of this contract is to prolong the life of Baltimore County radio towers, and attachments by performing quality preventive maintenance, as well as providing quality and expert repair of unforeseen failures at the best possible value to the County and meeting guidelines set forth by the FAA and FCC, as well as local, state, and manufacturer's guidelines.

Fiscal Impact- The term of this agreement began on November 2, 2020 with an initial term of one year with four (4) one-year renewal periods. If this amendment is approved by County Council, the contract's compensation cap will be amended to not exceed County Council approved appropriation.

Prepared by: Office of Information Technology

FM-11 (Contract)

Council District(s) 1

Property Management

Acquisition - 736 Edmondson Avenue, 21228 – Catonsville Fire Station

The Administration is requesting approval of a contract to acquire an improved property on approximately 6.11 acres for \$2,000,000 for the new location of the Catonsville Fire Station. The Church of the Good Shepherd currently owns the property to be acquired, which is located at 736 Edmondson Avenue in Catonsville and zoned DR-5.5 (Density Residential – 5.5 lots per acre). See Exhibit A.

Fiscal Summary

Funding Source	Purchase Price	Notes
County ⁽¹⁾	\$ 2,000,000	⁽¹⁾ Capital Projects Fund.
State	--	
Federal	--	
Other	--	
Total	<u>\$ 2,000,000</u>	

Analysis

The Administration advised that the County has a need to expand the fire station in the Catonsville community from a two-bay facility to a five-bay facility to meet its current fire station service needs. The County will purchase an approximate 6.11-acre property located at 736 Edmondson Avenue in Catonsville for \$2,000,000. The property, which is owned by The Church of the Good Shepherd, is improved with two 1-story buildings.

The Administration advised that the County’s appraisal consultant, S. H. Muller & Associates, LLC, completed an appraisal of the property effective April 4, 2022, recommending a value of

\$1,125,000. The Administration further advised that following negotiations, the County and the property owner accepted a price of \$2,000,000. The Administration also advised that the County considered numerous locations for the new station and determined that the proposed site is the most viable solution due to its service area location and site topography. The Administration advised that the County will pay its consultant \$55,000 for services related to this transaction.

Should the Council approve the purchase of the property, the County will enter into a 90-day "Study Period" to assess the feasibility of the project. If the outcome of the Feasibility Study is unsatisfactory to the County, the County shall have the option to declare the contract null and void.

The contract provides that The Church of the Good Shepherd will lease the property from the County for a maximum period of 18 months following the County's assumption of ownership. The Church of the Good Shepherd will pay the County \$1 in rent per year as well as be responsible for property maintenance and water and utility charges.

The adopted FY 2024 Capital Budget includes \$9.5 million (\$8.0 million in County funds and \$1.5 million in State Aid), in addition to \$3.6 million in prior authorizations for this project. As of July 18, 2023, \$1,528,270 has been encumbered/expended for project expenses.

County Charter, Section 715, requires Council approval of real property acquisitions where the purchase price exceeds \$5,000. County Code, Section 3-9-102, states that the County "may acquire by purchase...real or leasehold property needed for a public purpose."

Executive Summary

PROGRAM TITLE: Catonsville Fire Station

PROJECT NO.: 10000589
CC220069

FISCAL MATTER: Contract of Sale

PROPERTY OWNERS: The Church of the Good Shepherd

LOCATION: 736 Edmondson Ave.
Catonsville, Maryland 21228

CONSIDERATION: \$2,000,000.00

PURPOSE OF PROJECT: This contract is for the purchase of 736 Edmondson Ave. Catonsville, Maryland 21228, on tax map 101, comprising 6.11 acres, more or less (the "Property"). Tax ID no. 2200025677. The property will be the site for the new Catonsville Fire Station

LIMITS OF PROJECT: 736 Edmondson Ave.

Prepared by: the Administration

FM-12 (Contract)

Council District(s) All

Office of Budget and Finance

Labor Compliance Program (Prevailing Wage) Consulting Services

The Administration is requesting approval of a contract with Contractor Compliance and Monitoring, Inc. (CCMI) to provide labor compliance program (prevailing wage) consulting services. The contract commences upon Council approval, continues through June 10, 2024, and will renew automatically for one additional 1-year period 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 approximate 10-month term. Compensation may not exceed \$190,000 for the entire approximate 2-year and 2-month term, including the renewal and extension periods. See Exhibit A.

Fiscal Summary

Funding Source	Maximum Compensation	Notes
County ⁽¹⁾	\$ 190,000	⁽¹⁾ General Fund Operating Budget.
State	--	⁽²⁾ Maximum compensation for the entire approximate 2-year and 2-month term, including the renewal and extension periods.
Federal	--	
Other	--	
Total	<u>\$ 190,000</u> ⁽²⁾	

Analysis

On November 2, 2020, the Council approved Bill 102-20 (effective July 1, 2021), which stipulated new requirements for County capital improvement contracts valued at more than \$300,000 and County-subsidized capital contracts receiving assistance over \$5 million. Specifically, the legislation requires that all contractors and subcontractors must pay the construction employees for such contracts no less than the prevailing wage in the County. "Prevailing wage" is the basic

hourly rate and fringe benefit rate paid for comparable work in the private sector within the County. Prevailing wage rates are calculated annually by the State Commission of Labor and Industry, and, in part, based on surveys of construction company employers. The legislation also requires the monitoring of contractor compliance.

The contractor will provide comprehensive labor compliance program consultant services, including, but not limited to, the monitoring and enforcement of labor compliance for projects subject to the County's prevailing wage law, conducting prevailing wage related trainings, providing telephone and email support to contractors and subcontractors for prevailing wage related inquiries, monitoring of apprenticeship requirements, performing audits of certified or verified payrolls, and drafting associated reports and summaries. The Administration advised that the proposed contract will enable the County's Prevailing Wage Administrator to focus on other requirements (e.g., pre-bid and pre-construction meetings, site visits, monitoring, reporting).

The contractor will bill the County at hourly rates ranging from \$85 to \$425, depending on the staffing level (e.g., technician, principal) and service, and a flat fee of \$250 for onsite interviews and preconstruction conferences.

The contract commences upon Council approval, continues through June 10, 2024, and will renew automatically for one additional 1-year period 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 approximate 10-month term. Compensation may not exceed \$190,000 for the entire approximate 2-year and 2-month term, including the renewal and extension periods.

Prior to the commencement of the 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. The County may terminate the agreement by providing 30 days prior written notice.

The County awarded the contract as a cooperative procurement of an existing competitively-bid 5-year Montgomery County agreement that was awarded June 11, 2020. The Office advised that there is 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

The Office of Budget and Finance requests approval of a term Contract with Contractor Compliance and Monitoring, Inc., who shall provide comprehensive Labor Compliance Program consultant services, including, but not limited to the monitoring and enforcement of labor compliance for projects subject to the County's Prevailing Wage Law, conducting Prevailing Wage related trainings, providing telephone and email support to Contractors and Subcontractors for Prevailing Wage related inquiries, monitoring of apprenticeship requirements, audits of certified or verified payrolls and drafting of associated reports and summaries.

This contract is awarded as a Cooperative Agreement, pursuant to the competitively solicited Montgomery County, Maryland Request for Proposal No. 1100437. The term of the Agreement is effective upon approval of the County Council, and shall continue through June 10, 2024, at which time, the County may exercise one (1) one-year renewal option through June 9, 2025. In no event shall the total compensation paid to the Contractor exceed the sum of \$190,000.00 during the entire term of the Agreement.

The Contractor was selected based upon the existing Montgomery County Contract, and the Contractor's experience in performing similar Labor Compliance consulting services in Montgomery County, Maryland.

All work performed by the Contractor shall be overseen by the County's Lead Prevailing Wage & Local Hire Administrator, who has been assigned to the Office of Budget and Finance, effective July 1, 2023.

Prepared by: Office of Budget and Finance

MB-6 (Res. 19-23) Donation

Council District 2

Mr. Jones (By Req.)

Office of Information Technology

**Accept Donation – Enterprise Network Extender 3 Units –
Cellco Partnership dba Verizon Wireless**

Resolution 19-23 authorizes the County to accept the donation of five Enterprise Network Extender 3 devices from Cellco Partnership dba Verizon Wireless valued at \$14,975 for use at Stevenson University’s Greenspring Campus. On November 21, 2022, the Council approved a lease for approximately 44,191 sq. ft. of space at the Greenspring Campus for training and ongoing education for the Police and Fire Departments, as well as an athletic field for various recreational uses by the Department of Recreation and Parks. The Office advised that the network extenders will provide improved cellular coverage for general and emergency communications. See Exhibit A.

The Office advised that the associated installation and cabling costs totaled \$22,461 and were funded from the Police Department’s FY 2023 Operating Budget.

County Charter, Section 306, vests in the County Council the power to accept gifts.

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

Executive Summary

Police and Fire department training academies have arranged to lease space for expanded training efforts in the original Stevenson University campus. Due to the location of the campus there is very limited cellular coverage outside the buildings and no coverage inside the buildings occupied by these classes.

Police and Fire have stated that this coverage is required for general communications and more importantly emergency communications should a trainee be injured or fall ill.

Baltimore County is contracted with Verizon Wireless to provide cellular service and devices for County employees for business purposes. Verizon, noting the low signal level has agreed to donate cellular repeater hardware with a combined value of \$14,975 to the County to install in the Stevenson campus. These systems will provide good service within areas of the Stevenson buildings occupied by County employees and some surrounding areas.

Prepared by: Office of Information Technology

MB-7 (Res. 20-23)

Council District(s) 1

Mr. Young

Modify Designated Community of Arbutus as a Sustainable Community

Resolution 17-23 is a supportive resolution in favor of modifying the boundaries of the designated Arbutus Sustainable Community (the “Sustainable Community”). The resolution will be included along with other documentation as may be required by the Maryland Department of Housing and Community Development (the “Department”).

Baltimore County previously submitted to the Department a Sustainable Community Designation Application (the “Application”), and has adopted a Sustainable Community Plan (the “Plan”); the Department approved the Application and Plan.

Baltimore County proposes to modify the area designated as the Sustainable Community, as outlined on the map attached to the resolution as Exhibit A. The modified area is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act. The applicable law and the Community Legacy Program regulations require a local government to submit an application to the Department in order to modify a designated Sustainable Community.

Resolution 20-23 shall take effect from the date of its passage by the County Council, and a copy of the resolution shall be sent to the Secretary of the Department of Housing and Community Development for consideration by the Smart Growth Sub-Cabinet.

MB-8 (Grants)

Council District(s) All

Mr. Jones (By Req.)

Department of Economic and Workforce Development

FY 2024 Arts and Sciences Grants

The Administration is requesting approval of grants totaling \$3,880,300 to arts, sciences, cultural and tourism events, activities, and programs, consistent with the adopted FY 2024 budget, as follows: 33 General Fund operating grants (\$2,840,000); 19 Tourism Program operating and non-operating grants (\$680,800); Maryland State Arts Council grants for the SPLASH Summer Arts Program and various projects (\$325,000); and various project grants (each less than \$9,500) not eligible for State grant funding (\$34,500). See Exhibit A for a listing of the organizations and the respective grant awards.

Fiscal Summary

Funding Source	Combined Grants Total	Notes
County ⁽¹⁾	\$ 3,555,300	⁽¹⁾ FY 2024 General Fund and Tourism Program Operating Budgets.
State ⁽²⁾	325,000	
Federal	--	⁽²⁾ MD State Arts Council grant for the SPLASH Summer Arts Program and various projects.
Other	--	
Total	<u>\$ 3,880,300</u>	

Analysis

The Department advised that for FY 2024, the Commission on Arts and Sciences again worked within the guidelines established by the County Executive to assure that all grantees provided value to Baltimore County residents and visitors. The Department further advised that the Commission evaluated all grant applicants based on artistic merit; service to the community; multicultural outreach; soundness of business practice; and level of service to Baltimore County

residents, including partnerships with County-based organizations, creativity of outreach programs to the County, geographic diversity within the County, number of programs/activities that take place in the County, and extent and effectiveness of outreach to youth and artists/performers in the County. The proposed grants are consistent with the adopted FY 2024 program budgets.

Monetary assistance for arts and sciences organizations in excess of \$5,000 is subject to approval by the County Council in accordance with Baltimore County Code, Section 10-1-108. Monetary assistance of \$5,000 or less is subject to the 14-day grant notification process. Although not required, the Department has included one \$4,000 operating grant and one \$2,000 non-operating grant as part of the current request.

Baltimore County Code, Section 10-1-108(b)(3), requires recipient organizations of arts, sciences, and cultural enrichment grants in excess of \$10,000 per fiscal year to submit an annual audit prepared by a certified public accountant. The Department advised that as of July 14, 2023, all organizations to be awarded FY 2024 grant funds have submitted their required audits for the receipt of FY 2022 grant funds (the most current reporting period).

Executive Summary

Each year, in consultation with the Commission on Cultural Arts and Sciences, Baltimore County distributes arts, sciences, cultural, and tourism grants. The grants support organizations and institutions that provide invaluable arts, sciences, and cultural opportunities for the benefit of Baltimore County residents and visitors.

The arts, sciences, cultural and tourism grants total \$3,880,300 of which \$3,253,800 are operating grants being submitted for approval for Fiscal Year 2024.

The grantees range from large organizations such as the Baltimore Symphony Orchestra, the Maryland Zoo, the Baltimore Museum of Art, and the Walters Art Museum, to smaller nonprofits such as the Fire Museum of Maryland, the Historical Society of Baltimore County, and the Glenn L. Martin Maryland Aviation Museum. A complete list of the proposed grants is listed below.

HEADQUARTERS IN BALTIMORE COUNTY	
Contemporary Arts, Inc.	\$14,000
Fire Museum of Maryland	\$20,000
Gordon Center for Performing Arts	\$100,000
Historical Society of Baltimore County	\$16,000
Irvine Nature Center, Inc.	\$65,000
MPT Foundation	\$50,000
Towson University Asian Art & Culture Center	\$17,000
Towson University Community Art	\$6,500
Camp Puh'Tok	\$60,000
Glenn L. Martin Maryland Aviation Museum	\$15,000
Natural History Society of MD (NHSM)	\$15,000
Baltimore Classical Guitar Society	\$27,000
Open Spaces	\$6,300
WTMD (YPRC)	\$75,000
Towson Arts Collective	\$7,500
UMBC AOK Library	\$9,500
UMBC Center for Art Design and Visual Culture	\$20,000
HEADQUARTERS IN BALTIMORE CITY, HOWARD OR HARFORD COUNTY	
American Visionary Art Museum	\$100,000
Bach Concert Series	\$7,000
Baltimore & Ohio Railroad Museum	\$40,000
Baltimore Children's Museum dba Port Discovery	\$50,000
Baltimore Choral Arts Society	\$15,000
Baltimore Clayworks	\$15,000
Baltimore Concert Opera	\$10,000
Baltimore Museum of Art	\$325,000
Baltimore Museum of Industry	\$27,500
Baltimore Symphony Orchestra	\$450,000
Baltimore Theatre Project	\$4,000
Center Stage Associates	\$175,000
Chesapeake Shakespeare Company	\$15,000

Creative Alliance at the Patterson	\$35,000
Everyman Theatre	\$75,000
Handel Choir of Baltimore	\$9,000
Hippodrome Foundation, Inc.	\$65,000
Jewish Museum of Maryland	\$20,000
Ladew Topiary Gardens	\$25,000
Make Studio Art	\$20,000
Maryland Academy of Sciences dba Maryland Science Center	\$120,000
Maryland Historical Society	\$35,000
Maryland Humanities Council dba Maryland Humanities	\$22,500
Maryland Zoological Society dba Maryland Zoo	\$425,000
Maryland State Boys Choir	\$20,000
National Aquarium	\$200,000
Peale Center for Baltimore History & Architecture	\$15,000
Pride of Baltimore	\$25,000
Shriver Hall Concert Series	\$20,000
Walters Art Gallery dba Walters Art Museum	\$325,000
Young Audiences of Maryland/Arts for Learning	\$40,000
Subtotal Operating Grants	\$3,253,800
WTMD	\$150,000
Micro Capital Grants	\$25,000
African-American Cultural Festival	\$20,000
Patapsco Heritage Greenway, Inc.	\$70,000
Property Insurance: Ballestone & Banneker	\$2,000
Project Grants (Projects that are not eligible for State Grant funding)	\$34,500
Splash Summer Arts Program and Project Grants eligible to use State Grant funding	\$325,000
Subtotal	\$626,500
TOTAL	\$3,880,300

Prepared by: Department of Economic and Workforce Development

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

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

TO: Administrative Officer **DATE:** 6/20/23
FROM: Kevin D. Reed, Director **COUNCIL MEETING**
Office of Budget & Finance **DATE:** 8/7/23
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 10008008-1 Atlantic Tactical, Inc.

This Purchase Order is for purchase of Pepperball Launchers and Munitions for use by patrol officers in the Police Department.

These Launchers are currently in use by the Tactical Unit. Purchasing the same equipment provides the agency standardization of tools across the agency.

As indicated in the 902f Justification signed by Chief McCullough dated 04/27/2023, pepperball is the only known "non-lethal" chemical munitions and impact tool available. It delivers a paintball style projectile, filled with PAVA (OC) powder that offers a lower risk compliance tool for the resolution of various situations where force may be required.

Award Total: \$49,535.40
Award Date: 6/9/23

SCON 10001766 Sydnor Hydro, Inc.

This Supplier Contract is for the purchase of Fairbanks Morse replacement Impellers, Pumps, Accessories and Parts for a period of five (5) years. As indicated in the Sole Source Justification signed by D'Andrea L. Walker dated 05/17/2023, Sydnor Hydro, Inc. is the sole source for this brand in the State of Maryland. The County utilizes Fairbanks Morse products at several pumping stations. Parts and pumps inevitable wear out over time and if this supplier contract is not available it could affect County residents. For these reasons DPWT is requesting a contract so pumps and parts can be expedited so disruption is avoided.

Estimated Award Total: \$250,000.00
Award Date: 6/15/23

SCON 10001782 EWT Holdings III Corp.

This Supplier Contract is for the purchase of Bioxide which is dispensed from pumping stations directly into the sewage lines for DPWT for a period of five (5) years. As indicated in the 902f Justification signed by D'Andrea L. Walker dated 05/31/2023, the systems that are currently installed in these pumping stations utilize

Bioxide which is a chemical that is a safer alternative to hydrogen peroxide. Bioxide is used to control and maintain the sewage pumping smells and sewage lines. A discontinuation of the Bioxide would result in an immediate strong sewage odor in both the Towson and Timonium areas. In addition, if the equipment were unavailable, corrosion to the sewage lines would eventually result in a major force main leak in Towson or Timonium respectively, creating a public health hazard and require extensive repairs.

Estimated Award Total: \$2,550,000.00
Award Date: 6/26/23

SCON 10001784 Qiagen North American Holdings, Inc.

This Supplier Contract covers Pre-Agreement Preventive Maintenance and yearly maintenance for Qiagen equipment utilized by the Forensics Unit for a period of five (5) years.

As indicated in the Sole Source Justification signed by Interim Chief Dennis Delp dated 04/06/2023, Qiagen EZ-I XL Robots are used to extract DNA from evidence in criminal cases. Qiagen is the manufacturer of the equipment and does not allow other vendors to purchase or re-sell their parts. All services must be performed by Qiagen service specialists.

This service program meets ANAB/ISO standards which are required to maintain accreditation. Service records are discoverable for court purposes and it is in the best interest of the County to use the highest standards of reliability for work presented to the courts.

Estimated Award Total: \$125,184.00
Award Date: 6/26/23

SCON 10001723-1 Agilent Technologies, Inc.

This Supplier Contract is for the purchase of Annual Maintenance of Forensics Equipment GC/MS GM-1M211 and GC-FID GC-13132 for a period of four (4) years.

As indicated in the 902f Justification signed by Chief Melissa Hyatt dated 05/25/22 and signed by Interim Chief Dennis Delp on 04/05/2023, Agilent Technologies is the sole manufacturer and supplier of the GC/MS and the GC/FID systems. Specific expertise and trainings is required to service these instruments. Agilent Technologies is the only organization with personnel trained to service the instruments and able to certify the instruments are working to specification.

These instruments are used to identify the chemical makeup of substances. Without annual maintenance, instrumentation must be taken out of service negatively impacting criminal casework.

Estimated Award Total: \$61,118,60
Award Date: 6/26/23

SCON 10001369 Jacobs Technology, Inc.

This Supplier Contract is for the purchase of updated base stations for direction finding equipment, vehicle, vehicle integration, extended warranty and a handheld unit from Jacobs Technologies Inc. (Key W Corporation is subsidiary) for the Criminal Intelligence Unit.

As indicated in the Sole Source Justification signed by Interim Chief Dennis Delp dated 03/15/2023, the equipment is used to locate suspects, victims and missing persons. The upgraded technology/equipment is the only product that will work with the current system to allow for future software updates and future conversation to 5G capabilities for a (5) year term.

Installation must be handled by Key W in order to insure the integrity of the installation with existing equipment and to maintain warranty. Their installation is completely discreet and covert, providing utility and safety for the truck operator.

The equipment and software are proprietary to Key W and not available through resellers or third parties.

Estimated Award Total: \$1,178,071.84
Award Date: 6/26/23

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