

THE TOWN OF FOREST HEIGHTS  
RESOLUTION 06-13

**A RESOLUTION TO AUTHORIZE THE TOWN OF FOREST HEIGHTS' (THE "TOWN'S") PARTICIPATION IN AN EXTERNAL WATER AND SEWER LINE SERVICE, REPAIR OR REPLACEMENT PROGRAM OFFERED THROUGH THE NATIONAL LEAGUE OF CITIES ("NLC"); AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC., TO PROVIDE SAID SERVICES TO RESIDENTIAL PROPERTY OWNERS WITHIN THE TOWN'S CORPORATE LIMITS**

Introduced By: Mayor Jacqueline Goodall

**WHEREAS**, the Town Council finds it to be in the best interests of the Town and its citizens to participate in NLC's Service Line Warranty Program whereby the Town Government will assist in marketing said program to residential property owners who may enter into service agreements with Utility Service Partners Private Label, Inc. doing business as Service Line Warranties of America ("SLWofA") to cover the costs associated with any service, repairs or replacements to their external water and/or sewer lines occurring between the utility meter and the house foundation; and

**WHEREAS**, each home owner may voluntarily elect to enter into a contract(s) for each coverage (i.e, water, sewer or both), sample attached hereto as Exhibit A, with said company; and

**WHEREAS**, the Town must enter into a marketing agreement, a sample is provided as Exhibit B) with the said company and thereby grant a non-exclusive license to Utility Service Partners Private Label, Inc. to use the Town's name and logo to be used in adverting and corresponding (Exhibit C) with the Town's residents in exchange for a 10% license fee to be paid to the Town; and

**WHEREAS**, the Town Charter, § 33-63(f) authorizes the Town to forego the normal procurement process through cooperative purchasing in certain cases where another government entity has already made a competitive purchase of said item and therefore the Mayor and Council may, without soliciting bids, purchase the item in question at the bid price from the successful bidder, if the Mayor and Council determines that the bid price is competitive, and

**WHEREAS**, the Mayor and Council find that the City of District Heights and one other Maryland municipality participate in said NLC program; and

**WHEREAS**, the Town Charter, § 33-63(g) further authorizes the Mayor and Council by a two-thirds vote to waive the competitive bidding requirements of said Charter section for good cause shown for sole source procurements of unique products and services, and that written findings as to the basis of such waiver shall be placed in the journal of the Council's proceedings, and

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**WHEREAS**, the Mayor and Council find that said NLC program is unique and is not readily provided by any other company affiliated or not with NLC or the Maryland Municipal League; and

**WHEREAS**, the Town Ordinance Code, § 20.4(a)(6) states that upon written findings entered into the journal, the Mayor and Council may exempt the purchase of a good or service from competitive selection processes when the purchase qualifies as a sole source procurement as a result of several circumstances including: One vendor is the only one qualified or eligible or is quite obviously the most qualified or eligible to provide the good or service or the procurement is of such a specialized nature or related to a specific geographic location that only a single source, by virtue of experience, expertise, proximity, or ownership of intellectual property rights, could most satisfactorily provide the good or service, and

**WHEREAS**, the Mayor and Council desire to participate in NLC's Service Line Warranty Program and said company is hereby considered to be the most qualified or eligible vendor to provide the services and the procurement is of such a specialized nature or related to a specific geographic location that only a single source is reasonably available, by virtue of experience, expertise, and proximity, and

**BE IT RESOLVED**, that the Mayor and Town Council of the Town of Forest Heights hereby approve the Town's participation in the NLC Service Line Warranty Program, and further authorizes the Mayor to execute a marketing agreement with Utility Service Partners Private Label, Inc. doing business as Service Line Warranties of America ("SLWofA"), and.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon passage.

PASSED this 4th day of February 2013.

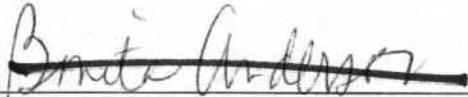
**APPROVED:** By Resolution of the Town Council of The Town of Forest Heights, Maryland

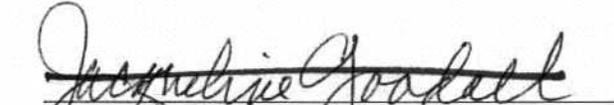
<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
GOODALL	<u>YEA</u>
KENNEDY	<u>YEA</u>
STONER	<u>YEA</u>
BARNES	<u>YEA</u>
CLARKE	<u>YEA</u>
SMITH-BARNES	<u>YEA</u>
REIFSNEIDER	<u>ABSENT</u>

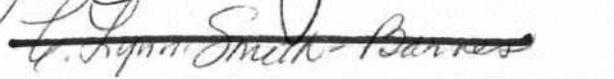
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ATTEST:

THE MAYOR AND COUNCIL OF THE  
TOWN OF FOREST HEIGHTS

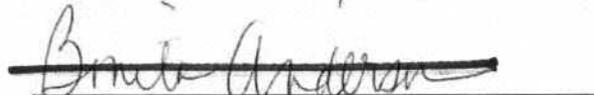
  
Bonita C. Anderson, Town Clerk

  
Jacqueline Goodall, Mayor

  
C. Lynn Smith-Barnes, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 4th day of February 2013 with 6 Aye votes and 0 Nay votes the aforesaid Resolution 06-13 passed.

  
Bonita Anderson, Town Clerk