

**THE TOWN OF FOREST HEIGHTS  
RESOLUTION 27-13**

**A RESOLUTION TO PROCURE WATERPROOFING SERVICES  
AND REPAIRS FOR THE MUNICIPAL BUILDING**

Introduced by: Mayor Jacqueline Goodall

WHEREAS, the Town Ordinance Code, § 20.4(a)(5) mandates that a purchase of \$5,000 to \$9,999 must be approved by the Council and may be procured competitively by advertising a request for RFP's, RFQ's or invitations to bid, and that a minimum of three (3) bids are typically required to award a contract, and

WHEREAS, the Town Charter, § 33-63(g) 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

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 Council finds that it is prudent, urgent and necessary to expeditiously procure and retain certain services and materials in order to waterproof the south side of the municipal building, to temporarily remove the HVAC system, to excavate and install a 14 linear foot French drain, to install support posts and column reinforcements, to install piping, stabilization fabric, and other appropriate materials and to perform necessary work in order to adequately waterproof and repair the exterior wall of said building, and

WHEREAS, the Mayor and Council further find that staff has performed a good faith effort to abide by Town law and obtain proposals or quotes for said waterproofing project but has yielded only two (2) proposals instead of the normally requisite three (3) and that only one or two vendors in the area are qualified and ready to deploy and the procurement is of a substantially specialized nature, and

WHEREAS, the funds are available under line item 7223 and it has been determined by Council that the company, Value Dry, LLC, is a Maryland company in good standing with

The Town of Forest Heights

Resolution 27-13

Page 1

the State of Maryland and said company is further found to be a substantially unique provider of this merchandise or service, and the procurement is for items of a specialized nature in accordance with Section 20.4(a)(6) of the Ordinance Code for the Town of Forest Heights.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of The Town of Forest Heights, Maryland hereby authorize the Public Works Supervisor or his designee to enter into an agreement with said vendor at a discounted purchase or project price not to exceed \$5,500.00 total as further described in a detailed drawing of work (Attachment #1) and discounted pricing breakdown (Attachment #2) prepared by Mr. David Reyes of said company and as described in the above recitals which are all incorporated by reference herein.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

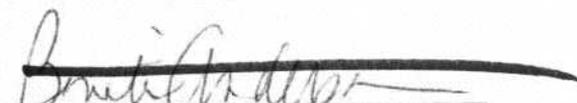
PASSED this 17<sup>th</sup> day of April, 2013.

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

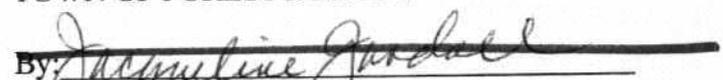
<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
GOODALL	<u>YEA</u>
KENNEDY II	<u>ABSENT</u>
STONER	<u>YEA</u>
BARNES	<u>ABSENT</u>
MUHAMMAD	<u>YEA</u>
SMITH-BARNES	<u>ABSENT</u>
MANN	<u>YEA</u>

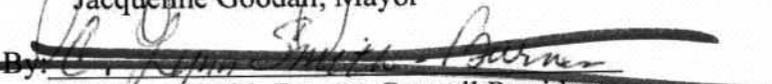
I HEREBY CERTIFY that the above Resolution No. 27-13 was passed by the required (2/3rds) yea and nay votes of the Mayor and Council of the Town of Forest Heights on the 17<sup>th</sup> day of April, 2013.

ATTEST:

  
Bonita C. Anderson, Town Clerk

THE MAYOR AND COUNCIL OF THE  
TOWN OF FOREST HEIGHTS

By:   
Jacqueline Goodall, Mayor

By:   
C. Lynn Smith-Barnes, Council President