

THE TOWN OF FOREST HEIGHTS
RESOLUTION 94-13

A RESOLUTION TO APPROVE AND AUTHORIZE THE PROCUREMENT, PURCHASE AND INSTALLATION OF A 6' X 6' TEKSTAR FULL COLOR LED SIGN FROM EBSCO INDUSTRIES, INC. TRADING AS J. M. STEWART CORPORATION OR STEWART SIGNS

Introduced by: Mayor Jacqueline Goodall

WHEREAS, pursuant to Town Charter, § 33-20, the Council shall have the power to pass ordinances not contrary to the laws and Constitution of this State for the specific purpose to provide for advertising for the purposes of the Town, and for printing and publishing statements as to the business of the Town; and

WHEREAS, the Town Charter, § 33-63(a) requires that all purchases and contracts for the Town government shall be made by the Mayor and Council, and the Council may provide by ordinance for rules and regulations regarding the use of competitive bidding and contracts for all Town purchases and contracts; and

WHEREAS, pursuant to Section 20.4(a)(4) of the Town Ordinance Code, Procurement of an item valued at \$10,000 or more, which, in accordance with the Charter, requires competitive bidding and a written contract, shall be advertised in the Town newsletter, newspaper of general circulation or on the Town website and, to the extent the procurement is expected to exceed \$25,000 in value, on the eMaryland Marketplace, the internet-based procurement system managed by the Maryland Department of General Services; and

WHEREAS, the Town Charter, § 33-63(f) & (g) further authorizes the Town to forego the normal procurement process through cooperative purchasing in certain cases where another Maryland government entity or member of the Washington COG has already made a competitive purchase of said item, good or service 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 furthermore, the Mayor and Council by a two-thirds vote may waive the competitive bidding requirements of said section for good cause shown for sole source procurements of unique products and services whereby written findings as to the basis of such waiver shall be placed in the journal of the Council's proceedings; and

WHEREAS, the Town staff has obtained a proposal (Quote No. 799574/6, attached hereto as Exhibit 1) to purchase a 4' x 6' (display), single-sided, TekStar, full-color, LED sign with 20 mm 24 x 80 matrix with 12" deep, hinged, extruded aluminum cabinet and thermoformed Makrolon SL faces decorated on inside surface with 3M vinyl graphics from Ebsco Industries, Inc. trading as J. M. Stewart Corporation (or Stewart Signs) of Sarasota, Florida at a cost of \$8,413.20 (not including installation); and

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WHEREAS, J. M. Stewart Corporation has further prepared an installation agreement, attached hereto as Exhibit 2 and incorporated by reference herein, to install said sign at a cost not to exceed \$4,000.00 not including electrical work; and

WHEREAS, the Council finds that at least two (2) other local government entities in Maryland (i.e., the Board of Education of Worcester County in May of 2013 (Snow Hill H.S. Proj. No. 2003237.06) and St. Mary's County Public Schools in January 2013 (Mechanicsville E.S., Bid No. SMCPS 2013-01-DSS-DC) have competitively procured LED signs from J. M. Stewart Corporation within the last two (2) years; and

WHEREAS, the Council further finds that it is cost effective, economical and prudent to purchase said LED signs from J. M. Stewart Corporation, and that said purchase may properly bypass the competitive bid or proposal requirements of the Town Charter since said Charter permits cooperative purchasing with other Maryland governments; and

WHEREAS, the Treasurer has certified in writing that the funds are available under line item 7099 of the FY 2014 Budget.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of Town of Forest Heights, Maryland hereby authorize, and approve the purchase by the Mayor or her designee on behalf of the Town of the above-described LED sign at the quoted total price of \$8,412.20 as enumerated in J. M. Stewart Corporation, Quote No. 799574/6 on December 5, 2013 attached hereto and incorporated herein by reference.

AND BE IT FURTHER RESOLVED that said sign shall be erected near the intersection of Seneca and Sachem Drives in Ward II after the mandatory referral of the structure is reviewed by the Prince George's County Planning Board pursuant to State law.

AND BE IT FURTHER RESOLVED that the Mayor and Town Council of Town of Forest Heights, Maryland hereby authorize, and approve the Mayor or her designee on behalf of the Town to execute an agreement for the installation of the above-described LED sign at the total price of \$4,000.00 as enumerated by J. M. Stewart Corporation, in its Customer Installation and Specification Agreement (CIAS 052709), attached hereto and incorporated herein by reference.

AND BE IT FURTHER RESOLVED that the Public Works Supervisor or his designee shall serve as a responsible person on location and for any necessary alterations at the Municipal Building, he shall prepare the site of the signage and any required site plan, and further shall report or give notice of the proposed work in the public right of way to be performed pursuant to this Resolution and the above-referenced proposals/agreements to Miss Utility and/or WSSC, SHA, PEPCO, and any other appropriate entities prior to construction.

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AND BE IT FURTHER RESOLVED that the Mayor or the Town Administrator is hereby duly authorized to execute any permit, referral, purchase order, contract or other legal instrument to effectuate said purchase and installation.

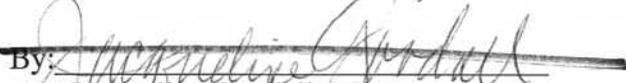
AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED this 3rd day of January, 2014.

ATTEST:


Bonita C. Anderson, Town Clerk

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

By: 
Jacqueline Goodall, Mayor

By: 
C. Lynn Smith-Barnes, Council President

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

GOODALL

ABSTAIN

KENNEDY II

YEA

STONER

YEA

BARNES

YEA

MUHAMMAD

ABSENT

SMITH-BARNES

YEA

MANN

YEA

CERTIFICATION

I/we, hereby certify, as the duly appointed Town Clerk/Town Administrator of the Town of Forest Heights, Maryland, that on the 3rd day of January 2014 with 5 Aye votes and 1 Nay, constituting at least a four (4) vote majority, the aforesaid Resolution 94-13 passed.

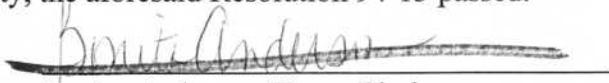

Bonita Anderson, Town Clerk

EXHIBIT I (J. M. Stewart Corporation, LED Sign, Quote No. 799574/6)
EXHIBIT 2 (J. M. Stewart Corporation, Customer Installation Agreement and Specification, CIAS 052709)