

THE TOWN OF FOREST HEIGHTS

RESOLUTION 48-16

**A RESOLUTION TO PURCHASE SOIL TO LEVEL FOUNDATION FOR LOT
AT 5433 INDIAN HEAD HIGHWAY – (ANNE K. REIFSNEIDER PARK)**

Introduced by: Mayor Goodall

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 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

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 purchase soil to level foundation for lot at 5433 Indian Head Highway – (Anne K. Reifsneider Park) from Deakins Pond Wholesale Nursery, whom Forest Heights have purchased items from before, and is hereby considered to be quite obviously the most qualified or eligible vendor to provide the good or service and/or 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

WHEREAS, the Treasurer has certified that the funds are available under line item 7263 – Parks & Public Area Maintenance and it has been verified that the company, Deakins Pond Wholesale Nursery is a unique or sole provider of this merchandise, said provider has made government sells, 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 Town of Forest Heights, Maryland hereby authorize the Mayor to purchase soil to level foundation for the lot at 5433 Indian Head Highway (Anne K. Reifsneider Park) at a purchase price not to exceed \$3,354.00 total as further described herein and in the above recitals which are incorporated by reference herein.

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

PASSED this 17th day of August, 2016.

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

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

GOODALL	<u>YEA</u>
KENNEDY II	<u>ABSENT</u>
MCLAURIN	<u>NAY</u>
BARNES	<u>YEA</u>
MANN	<u>YEA</u>
SMITH-BARNES	<u>YEA</u>
MUHAMMAD	<u>YEA</u>

ATTEST:

Signature on file

Bonita C. Anderson, Town Clerk

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

Signature on file

By: _____
Jacqueline Goodall, Mayor

By: _____
Cynthia Mann, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 17th day of August 2016 with 5 Aye votes and 1 Nay votes.

Signature on file

Bonita Anderson, Town Clerk