

THE TOWN OF FOREST HEIGHTS

**RESOLUTION 55-14**

**A RESOLUTION TO PURCHASE ROCKS TO LEVEL FOUNDATION FOR TOT  
LOT AT FOXMO**

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 rocks to level foundation for Tot Lot at Fox Way and Mohican Drive 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 7089 – Park Maintenance – Supplies/Other 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 rocks to level foundation for Tot Lot at a purchase price not to exceed \$2,282.00 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 20<sup>th</sup> day of August, 2014.

**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>YEA</u>
STONER	<u>YEA</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

*Signature on file*

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 20<sup>th</sup> day of August 2014 with 7 Aye votes and 0 Nay votes.

*Signature on file*

\_\_\_\_\_  
Bonita Anderson, Town Clerk