

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING**

**APRIL 8, 2019**

**PUBLIC OFFICIALS PRESENT**

*Council President John "Jack" R. Heath  
Councilwoman Angela Blake  
Councilwoman April Jackson*

*Vice-President Muir Boda  
Councilman James Ireton, Jr.*

**PUBLIC OFFICIALS NOT PRESENT**

*Mayor Jacob R. Day*

**IN ATTENDANCE**

*Deputy City Administrator Andy Kitzrow, DID Director Amanda Pollack, Procurement Director Jennifer Miller, Business Development Director Laura Soper, Police Chief Barbara Duncan, Building Official William Holland, Project Specialist Will White, Deputy Fire Chief James Gladwell, City Clerk Kim Nichols, City Attorney Mark Tilghman, interested citizens and members of the press.*

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**CITY INVOCATION – PLEDGE OF ALLEGIANCE**

*On April 8, 2019, the City Council met in regular session at 6:00 p.m. in Council Chambers. Council President John R. Heath called the meeting to order and invited Pastor Dana Stauffer of the Fruitland Campus–Emmanuel Wesleyan Church to the podium to provide the City Invocation, followed by the Pledge of Allegiance to the flag of the United States of America.*

**ADOPTION OF LEGISLATIVE AGENDA**

*Ms. Jackson moved, Mr. Ireton seconded, and the vote was unanimous to approve the legislative agenda.*

**PRESENTATION**

- *Maryland's Community Solar Pilot Program - presented by Eric Misbach, Associate Director, Community Solar Operations of Nexamp*

*Eric Misbach, Community Solar Operations Associate Director of Nexamp, made a presentation about Nexamp's community solar farm on Kent Island, which was built to serve most of the Eastern Shore, including the City of Salisbury. He reported that Nexamp held a public information session on 4/6/19 at the Wicomico Library, and another session was scheduled for 4/9/19 at 6:00 p.m. at the Library. Several years ago the State Legislature and the Public Service Commission (PSC) created rules around Maryland's clean energy goals, one being the Community Solar PILOT Program.*

*Community solar has become popular nationwide, and Maryland has recently enacted the policy to allow companies to build large solar arrays and share the solar power with individual households. The PSC requires that portions of solar farms be reserved for the low and moderate-income population to ensure solar power is accessible and affordable to those who could most benefit from electricity savings and cannot afford to install solar panels. This project falls under the rule that more than half has to be reserved for the low and moderate-income population. The solar farm has been half filled with households that want to participate, and the remaining portion is reserved for the lower income population or for organizations and institutions serving the lower income population including affordable housing developments, non-profits, governmental agencies, etc.) It is free to sign up to the program, available to everyone, and has no cancellation fee. There will be a 10% savings on electricity through the solar farm and has been reserved for households that fall under the requirements.*

*Ms. Blake asked how the company defined low to moderate income, and Mr. Misbach said it was defined as 80% or below of the state's median household income, defined by the number of people in the household. For a household of four, it is less than or equal to \$71, 900.00. For a single resident or a household of one, it is less than \$50,000.00. They do not ask for tax returns or proof in income, and only ask for verbal confirmations.*

**CONSENT AGENDA** – presented by City Clerk Kim Nichols

*The Consent Agenda, consisting of the following items, was unanimously approved on a motion and seconded by Ms. Blake and Mr. Boda, respectively:*

- *March 4, 2019 Closed Session Minutes*
- *March 11, 2019 Regular Meeting Minutes*
- *March 18, 2019 Work Session Minutes*
- *Resolution No. 2929- declaring that APPI Energy and 112 Market Street LLC are eligible to receive Enterprise Zone benefits for property located at 112 E Market Street*
- *Resolution No. 2930- declaring that 112 E Market Street LLC is eligible to receive Enterprise Zone benefits for property located at 120 E Market Street*
- *Resolution No. 2931- approving the appointment of William Knopf to the Sustainability Advisory Committee for term ending April 2022*
- *Resolution No. 2932- approving the re-appointment of Charles Simms to the Sustainability Advisory Committee for term ending April 2022*

**AWARD OF BIDS** – presented by Procurement Director Jennifer Miller

*The Award of Bids, consisting of the following items, was unanimously approved on a motion by Ms. Jackson that was seconded by Mr. Ireton:*

- |  |                       |
|--|-----------------------|
| • <i>RFP 19-110, Main Street Master Plan Phases I &amp; III Construction</i>                   | <i>\$5,100,000.00</i> |
| • <i>ITB 125-19, Change Order #1, Main Street Block 3 and Riverwalk Landscape Architecture</i> | <i>\$ 846,303.52</i>  |

- *RFP 19-113, CA & Inspection Services for Main Street Master Plan Phases I & III* \$ 326,589.00
- *Declaration of Surplus, 2003 Ford Focus (Field Operations-Parking Division)* \$ 0.00

**PUBLIC HEARINGS/RESOLUTIONS** – presented by Deputy City Administrator Andy Kitzrow

*President Heath asked for anyone wishing to speak in any of the three Public Hearings to stand and be sworn in by City Clerk Kim Nichols. Mrs. Nichols swore in five (5) people.*

- **1410 West Road Boundary Adjustment- Resolution No. 2914-** *pursuant to the authority of Article XI-E., Constitution of the State of Maryland, and Section 4-301, et seq., Subtitle 3, Title 4, Division II and Section 4-401, et seq., Subtitle 4, Title 4, Division II, Local Government Article, Annotated Code of Maryland, for the purpose of amending its corporate limits as required in its Charter (SC1-2), which covers the descriptions of the lands that make up the City, to correct an inadvertent property description involving a parcel of land owned by Kevin Leonard Smith, Jr., which was included in a prior annexation near Queen Avenue and West Road*

*Mr. Ireton moved and Ms. Jackson seconded to approve Resolution No. 2914. Mr. Kitzrow then presented the resolution.*

*Mr. Boda moved, Ms. Blake seconded, and the vote was unanimous to amend Resolution No. 2914 as read by Mr. Kitzrow.*

*President Heath opened the Public Hearing at 6:33 p.m., and as there were no requests to speak, immediately closed the Public Hearing.*

*Resolution No. 2914, as amended, was approved by unanimous vote in favor.*

- **Route 13 North-PennTex 2 Property Annexation- Resolution No. 2927-** *proposing the annexation to the City of Salisbury of a certain area of land contiguous to and binding upon the Northerly Corporate Limit of the City of Salisbury to be known as the “Route 13 North – Penntex 2 Property Annexation” the southerly boundary of which begins at a point on the Corporate Limit, said point lying at the intersection of the easterly right-of-way line of U.S. Route 13, North Salisbury Boulevard, and the northerly boundary line of the lands of PTV I, LLC, thence running in an easterly direction by and with the northerly line of the lands of PTV I, LLC*

*Ms. Jackson moved and Mr. Boda seconded to approve Resolution No. 2927. Mr. Kitzrow then presented the resolution.*

*President Heath opened the Public Hearing at 6:38 p.m. The following comments were received by four members of the public:*

- *Thanked the neighbors for being part of the process. Bringing the project into the City will improve the community. With the landscaping and improved site layout, the developer believes this will be a superior project to what it may have been had it remained in the County. They tried to address all of the neighbors' concerns.*
- *In January, the speaker spoke about environmental concerns and was gratified that Council gave more time to consider the environmental impact. (Letter to Council from this speaker, dated April 1, 2019, is attached and made part of these minutes.)*
- *Leonard's Mill Pond and the system of ponds in Wicomico County are sensitive areas in terms of the ecosystems, flora, and fauna that inhabit the areas.*
- *The County Comprehensive Plan contained narrative regarding recognizing the value of the County's natural resources. She asked to ensure that new development and redevelopment minimizes pollutant loadings and runoffs from sites through implementing sediment, stormwater and erosion control plans and practices.*
- *Deteriorating of sensitive areas not only occurs by development activities on site but also by the increase of impervious surface, water runoff and non-point source pollution elsewhere in the watershed. In addition to regulating and controlling growth on the sensitive areas and its fringes, a comprehensive approach is necessary to guide new development and have minimum impact on the natural resources.*
- *The plan appeared there would be clear cutting up to the water edge and a pier over the pond where people could dine. Speaker asked Council to provide an easement in perpetuity of a tree line to filter the runoff from the parking lots of the two restaurants to be built. It would impede the view from the restaurant onto the pond, but the health of the whole ecosystem needs to be considered.*
- *There is precedent in the County and City for a perpetual easement. When the Clairmont Village was developed in the 30's by the Booth brothers, South Clairmont was horseshoe shaped. When the Clairmont Center was proposed, the City made a perpetual easement (a brick wall) as part of the development process. The brick wall ran from Lorecrop to College Avenue, and is still there. No noise or light pollution penetrates beyond the wall.*
- *Council has the authority to order a perpetual easement in the development process that would be a barrier and enhance the value of the PennTex property, ensure a natural filter, and maintain the view for the residents.*
- *Discussed the investment of the constituents who live around the pond- 62 homes with real estate values range from \$250,000 to over \$400,000. PennTex has not invested more than the aggregate of the homeowners' investment. The 62 homes generate approximately \$186,000 of annual property tax. It would have been nice to compare those numbers with the dollars the developers invested, and possibly take more time and opportunity for sharing with the County Council in face to face instead of four minutes. It would have given a better outcome for everyone.*
- *County zoning regulations 225-45 deals with new development, the Paleo Channel and the Overlay District. In Section 49 in the Comprehensive Plan it says, "The City of Salisbury prohibits new development on slopes greater than 15 degrees." The slope there may be over 15 degrees.*

- *The pond is spring-fed and a stream continues to run into Leonard's Mill Run and part of a green hub. Not only for the Paleo Channel, it is also a mapped green corridor. It all needs to be discussed as part of the overall development plan.*
- *On the list of annexation procedures on the Salisbury City website, number 16 states the City Council conducts a public hearing and second reading of the proposed annexation. During the public hearing, the Council will establish the date for the adoption of the annexation request. Number 17 states the Council meets to vote on the decision to approve the annexation. The plan to vote is tonight, but it seems to the speaker there is another step included in the approval process. It would not change the outcome, but the speaker was concerned with the process.*
- *In the future, the speaker asked the Council to hold a Work Session with the residents impacted by the development, and recognize there are citizens with vast areas of knowledge that could be helpful in facilitating great outcomes.*

*President Heath noted that there were three or four public Work Sessions held on this annexation where the process was delayed so that PennTex could resolve some of the issues, such as the easement situation.*

*Mr. Ireton said he would vote "no" again, and noted it was important to realize that he would be called when traffic was backed up on Dagsboro Road. He applauded the citizens' efforts and PennTex for being responsive to the citizens.*

*Ms. Blake asked what was meant by "Independent Waste Hauler" (answer was a private trash company). The City only picks up residential garbage. She asked if the 100-foot forest buffer would be cut, and was informed the current 25 ft. embankment would not have mature trees removed from it except for a few dying trees and briars and undergrowth to make room for the new trees and landscaping. The tall pine trees are in the way of the parking lot and buildings, and will have to be removed. Ms. Blake asked about the drainage from the parking, and was informed it would run in the opposite direction from the pond into a bio retention facility by Rt. 13.*

*Mr. Harmon discussed the solid hedge planned by PennTex and the many plantings amongst the trees which would create a natural embankment (a vegetative bank).*

*President Heath closed the Public Hearing at 7:04 p.m.*

*Resolution No. 2927 passed on a 4-1 vote. Mr. Ireton voted "nay."*

- **Route 13 North-PennTex 2 Property Annexation Plan- Resolution No. 2928-** *to adopt an annexation plan for a certain area of land contiguous to and binding upon the Northerly Corporate Limit of the City of Salisbury to be known as the "Route 13 North – PennTex 2 Property Annexation" the southerly boundary of which begins at a point on the said Corporate Limit, said point lying at the intersection of the easterly right-of-way line of U.S. Route 13, North Salisbury Boulevard, and the northerly boundary line of the lands of PTV I, LLC, thence running in an easterly direction by and with the northerly line of the lands of PTV I, LLC*

*Ms. Jackson moved and Mr. Boda seconded to approve Resolution No. 2928. Mr. Kitrow then presented the resolution.*

*President Heath opened the Public Hearing at 7:09 p.m. The following comments were received by one member of the public:*

- *The annexation procedures provide for a hearing to be held at a later day. Asked if it was Council's intention to by-pass the annexation procedures and vote on the plan tonight, and therefore begin the 45-day period.*
- *Mr. Tilghman said the Public Hearing and vote were scheduled for this evening and State law being followed regarding the procedure.*
- *Speaker said the procedures did not outline the procedure as it was being done.*
- *The layperson has to rely on what is published.*
- *Understood the four-minute rule, but thought that everyone that comes before the Council has a first amendment right of freedom of speech and freedom of petition. The four-minute rule violates the citizens' right to speak.*

*President Heath closed the Public Hearing at 7:11 p.m.*

*Resolution No. 2928 passed on a 4-1 vote. Mr. Ireton voted "nay."*

**RESOLUTIONS** – presented by Deputy City Administrator Andy Kitrow

- **Resolution No. 2933** - in opposition to offshore seismic testing and drilling for oil and gas

*Mr. Ireton moved, Mr. Boda seconded and the vote was unanimous to approve Resolution No. 2933.*

*(Mr. Ireton exited the meeting at 7:20 p.m.)*

- **Resolution No. 2934**- adopting Vision Zero as the City's traffic and engineering policy and establishing a Vision Zero Task Force

*Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (4-0) to approve Resolution No. 2934.*

**ORDINANCES** – presented by City Attorney Mark Tilghman

- **Ordinance No. 2533**- 2<sup>nd</sup> reading- to establish a Riverwalk Construction Reimbursement Program to promote and accelerate new commercial construction or expansion along the Riverwalk areas to encourage development in and near the Downtown area and districts tied to the Riverwalk

*Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2533 for second reading.*

- **Ordinance No. 2534**- 2<sup>nd</sup> reading- approving a budget amendment of the FY19 General Fund Budget to appropriate funds received from Witmer Public safety group from the sale of handguns to be used to repair the moisture barrier along the foundation of the Salisbury Police Department

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2534 for second reading.

- **Ordinance No. 2535**- 2<sup>nd</sup> reading- approving an amendment of the FY19 Budget to appropriate funds for street resurfacing and concrete repair

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2535 for second reading.

- **Ordinance No. 2536**- 1<sup>st</sup> reading- approving an amendment of the FY 2019 General Fund Budget to appropriate funding to the Business Development Marketing Fund

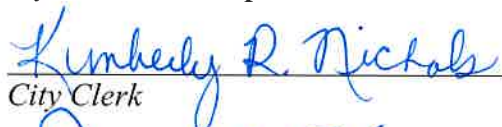
Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2536 for first reading.

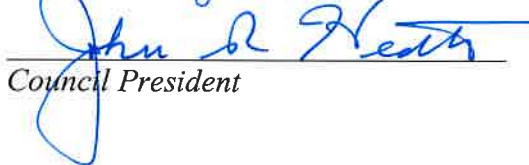
- **Ordinance No. 2537**- 1<sup>st</sup> reading- authorizing the mayor to enter into a contract with the Community Foundation of the Eastern Shore for the purpose of accepting grant funds in the amount of \$4,000, and approving a budget amendment to the FY 2019 Grant Fund to appropriate funds for the Salisbury-Wicomico Integrated Firstcare Team

Mr. Boda moved, Ms. Blake seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2537 for first reading.

### **ADJOURNMENT**

There were no Public Comments, and with no further business to discuss, the meeting was adjourned at 7:38 p.m.

  
City Clerk

  
Council President



City of  
**Salisbury**  
Jacob R. Day, Mayor

**COUNCIL AGENDA – Award of Bids**

**April 8, 2019**

- |  |                |
|--|----------------|
| 1. RFP 19-110<br>Main Street Master Plan Phases I & III Construction                       | \$5,100,000.00 |
| 2. ITB 125-19, Change Order #1<br>Main Street Block 3 and Riverwalk Landscape Architecture | \$ 846,303.52  |
| 3. RFP 19-113<br>CA & Inspection Services for Main Street Master Plan Phases I & III       | \$ 326,589.00  |
| 4. Declaration of Surplus<br>2003 Ford Focus (Field Operations – Parking Division)         | \$ 0.00        |





**To:** Mayor and City Council  
**From:** Jennifer Miller  
Director of Procurement  
**Date:** April 8, 2018  
**Subject:** Award of Bid  
RFP 19-110 Main Street Master Plan Phases I & III Construction

The Department of Procurement received a request from the Department of Infrastructure and Development to solicit proposals for RFP 19-110 Main Street Master Plan Phases I & III Construction. The scope of work for this solicitation called for a qualified contractor who will furnish all labor, materials and equipment necessary for the remaining revitalization of Main Street (the Plaza) and a portion of North Division Street.

The Department of Procurement followed standard competitive bidding practices by advertising in the Daily Times and on the City of Salisbury's procurement portal, utilizing the City's vendor list, and posting on the State of Maryland's procurement website, eMaryland Marketplace. One (1) vendor submitted a bid by the due date and time of March 21, 2019 at 2:30 p.m.:

Vendor	Total Bid
George & Lynch, Inc.	\$4,613,860

George & Lynch, Inc. was deemed qualified and responsible according to the technical evaluation criteria specified in the solicitation document, which prompted the opening of the cost proposal. Section 2.32.050.C.1.d "Procedure for Competitive Bidding" of the Salisbury Code of Ordinances states that in the event only one responsible bidder has submitted a responsive bid, the procurement may be negotiated with the sole bidder. The Department of Infrastructure and Development worked with the contractor to resolve proposed costs and refine specification assumptions, resulting in a negotiated initial contract value of \$5,100,000. Funds are available in the following accounts:

10500-513026-48022 Main Street Master Plan Grant Funds  
98119-513026-48022 Main Street Master Plan FY19 General Capital Projects

The Department of Procurement concurs with the recommendation submitted by the Department of Infrastructure and Development, and thereby requests Council's approval to award Contract RFP 19-110 Main Street Master Plan Phases I & III to George & Lynch, Inc. in the amount of \$5,100,000.

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Department of Procurement  
125 N Division St., #104 Salisbury, MD 21801  
410-548-3190 (fax) 410-548-3192  
[www.salisbury.md](http://www.salisbury.md)



City of  
**Salisbury**  
Jacob R. Day, Mayor

To: Jennifer Miller, Director of Procurement  
From: Amanda H. Pollack, Director Infrastructure & Development *AK*  
Date: March 27, 2019  
Re: RFP 19-110 Mainstreet Master Plan Phases I & III Construction

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Salisbury Department of Infrastructure and Development recently advertised a request for proposals for Mainstreet Master Plan Phases I & III Construction. The scope of this project includes construction of improvements to West Main Street from just east of N. Division Street to Mill Street and from Business Route 50 to W. Main Street. The work includes removal of existing curb and gutter, roadway, sidewalk, street trees, fountains, planter, and light poles along with abandonment and selected removal of water and sewer lines. New construction includes parallel water and sewer systems and the construction of the storm drain system; stormwater management features, signing and striping, streetscape improvements, sidewalk construction, porous pavement landscaping and streetscape amenities. It also includes full depth pavement reconstruction on Main Street and overlay of existing pavement on N. Division. Notice to Proceed with construction is likely to be issued in May 2019.

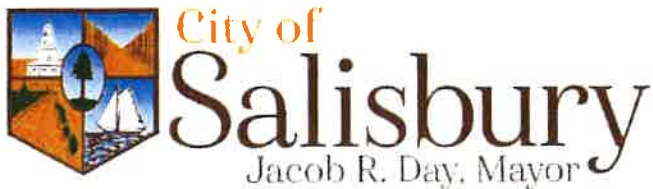
One firm submitted a proposal for the construction services. Proposals were opened on Wednesday March 21, 2019 at 2:30 pm. The one firm that submitted a proposal, George & Lynch, was ranked as qualified by the Infrastructure and Development Department selection committee. Following the technical review, the cost proposal was opened and included a proposed contract value of \$4,613,860.00. Under the terms of the RFP, because this is a time and material contract, a Contract Value would be negotiated with the Successful Vendor enabling an opportunity to clarify intent and scope. Negotiation with George & Lynch resulted in a Contract Value of \$5,100,000.00.

Please issue a Purchase Order to George & Lynch in the amount of \$5,100,000.00 for the work specified in the Request for Proposal 19-113 Scope of Work. Funds are available in the accounts 10500-513026-48022 and 98119-513026-48022, and shall be allocated as follows:

10500-513026-48022	\$1,000,000.00
98119-513026-48022	\$4,100,000.00

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Department of Infrastructure & Development  
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**To:** Mayor and City Council  
**From:** Jennifer Miller  
Director of Procurement  
**Date:** April 8, 2019  
**Subject:** Change Order #1 to ITB 125-18  
Main Street Block 3 and Riverwalk Landscape Architecture

The Department of Procurement received a request from the Department of Infrastructure & Development to process Change Order #1 in the amount of \$846,303.52 for Invitation to Bid (ITB) 125-18 Main Street Block 3 and Riverwalk Landscape Architecture. As stated in the Award of Bid memo to Council on June 4, 2018 (a copy of which is attached), additional work based on the original scope desired would be awarded via change order as funding become available in FY19. This Change Order would provide for deferred items such as paver crosswalks, curb/gutter/sidewalk, landscaping, roadway signs, pavement striping, uplighting, site furnishing and a water main realignment. Funds are available in the following accounts:

98118-513026-48049 Urban Greenway Phase I  
97010-513026-48022 Main Street Masterplan  
98119-513026-48022 Main Street Masterplan FY19 GCP

The Department of Procurement requests Council's approval to process Change Order #1 to George & Lynch, Inc., in the amount noted above.

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Department of Procurement  
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City of  
**Salisbury**  
Jacob R. Day, Mayor

To: Jennifer L. Miller, Director – Procurement  
From: Amanda H. Pollack, P.E., Director of Infrastructure & Development *AP*  
Richard D. Baldwin, Project Engineer  
Date: March 26, 2019  
Re: ITB 125-18 Main Street Block 3 and Riverwalk Landscape Architecture Order No. 1

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Change Order #1 for Contract ITB 125-18 Main Street Block 3 and Riverwalk Landscape Architecture is enclosed for review. This change order awards funding for bid items deferred in the initial contract award pending availability of Fiscal Year 19 funds, reduces the number of decorative street lights by eliminating replacement of existing street lights along W. Carroll Street, removes Riverwalk Delmarva Power 200 Amp Service connection which will be completed by Delmarva Power and the City, adds a unit price for select fill (borrow), adds funds for standard pre-cast items not included in stored materials from Corrado Construction, and adds unit prices and quantities to re-align a water main to avoid a conflict and provide wet taps for Fire Services not shown on drawings. Change order No. 1 includes a no cost contract extension of 116 days. This increase reflects commitment to complete Blocks 1 & 2 and Riverwalk improvements before the 2018 National Folk Festival, obligation of Utility Crew to the City's Hampshire Road Pump Station, coordinating demolition of Block 3 with the rolling utility approach which has been successfully utilized to minimize impact to residents and businesses, weather delays, accommodation of utility shut downs, contract drawing omissions, and resolution of a gas main conflict.

Please process Change Order No.1 for the net sum of \$846,303.52 in accordance with the following summary:

Original Contract Award	\$1,950,455.99
Change Order #1	<u>\$ 846,303.52</u>
New Contract Sum	<u>\$2,796,759.51</u>

Account Changes:

98118-513026-48049	\$ 22,960.00	
97010-513026-48022	\$ 438,580.88	-
98119-513026-48022	\$ 454,203.24	
98114-513026-48015	<u>(\$ 69,440.60) credit</u>	
	\$ 846,303.52	



City of  
**Salisbury**  
Jacob R. Day, Mayor

ORIGINAL  
AWARD MEMO  
6/4/18

**To:** Mayor and City Council  
**From:** Jennifer Miller  
Director of Procurement  
**Date:** June 4, 2018  
**Subject:** Award of Bid  
125-18 Main Street Block 3 and Riverwalk Landscape Architecture

The Department of Procurement received a request from the Department of Infrastructure and Development to solicit bids for Contract 125-18 Main Street Block 3 and Riverwalk Landscape Architecture. The scope of work for this bid solicitation will furnish all labor, materials and equipment necessary for the construction of block 3 of Main Street Master Plan, all non-emergency work in blocks 1 & 2, and the landscaping of the Riverwalk.

The Department of Procurement followed standard competitive bidding practices by advertising in the Daily Times and on the City of Salisbury's procurement portal, utilizing the City's vendor list, and posting on the State of Maryland's procurement website, eMaryland Marketplace. One (1) vendor submitted a bid by the due date and time of April 20, 2018 at 2:30 p.m.:

Vendor	Total Bid
George & Lynch, Inc.	\$3,197,879.26

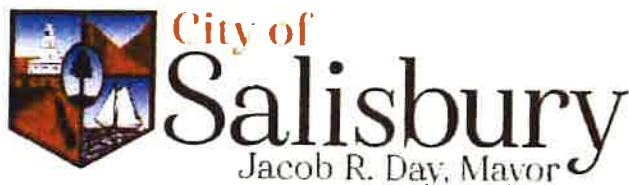
George & Lynch, Inc. was deemed to be a responsible bidder, and their bid proposal was determined to be responsive. However, the bid amount surpassed the project's available budget. Section 2.32.050.C.1.d "Procedure for Competitive Bidding" of the Salisbury Code of Ordinances states that in the event only one responsible bidder has submitted a responsive bid, the procurement may be negotiated with the sole bidder. The Department of Infrastructure and Development coordinated a scope modification (details are in the attached department memo) to reduce the cost of the work to \$1,950,455.99. As additional funds become available in FY19, remaining work may be awarded via change order to George and Lynch, Inc., based on the original scope desired.

The Department of Procurement concurs with the recommendation submitted by the Department of Infrastructure and Development, and thereby requests Council's approval to award Contract 125-18 Main Street Block 3 and Riverwalk Landscape Architecture to George & Lynch, Inc. in the amount of \$1,950,455.99.

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Department of Procurement  
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ORIGINAL  
AWARD MEMO  
6/4/18

To: Jennifer L. Miller, Director of Procurement  
From: Amanda H. Pollack, P.E., Director of Infrastructure and Development *AP*  
Date: May 25, 2018  
Re: 125-18 Main Street Block 3 and Riverwalk Landscape Architecture Construction Award of Bids

The Department of Infrastructure and Development advertised the construction contract for the Construction of the Main Street Block 3, Landscaping and Site Furnishings for Main Street Blocks 1 and 2, and Riverwalk Landscape Architecture. The construction limits are on East Main Street from Route 13 to Division Street and along the North Side and South side of the East Branch of the Wicomico River from just east of Mill Street to Route 13. The Main Street the work in Block 3 includes replacement of existing water mains, sewer mains, and storm drains, full depth pavement replacement (curb to curb), installation of conduit for broadband, implementation of Best Management Practices for stormwater, and streetscape improvements including sidewalks, landscaping, street lights and streetscape amenities. The Riverwalk Landscape portion of the bid includes installation of new lighting, furnishings and landscaping.

Bids were opened on Friday, April 20, 2018 at 2:30 p.m. and are valid for 120 days. One bid was received. George & Lynch was the lowest, responsive, responsible bidder with a total base bid of \$3,197,879.26. Since the bid was higher than the available budget, the scope has been negotiated. Scope modifications include eliminating the purchase and installation of site furnishings along the Riverwalk and eliminating the installation of site furnishing along Main Street. Both of these items will be completed by the Field Operations Department at a significant cost savings. Additional Value Engineering is still underway and will be considered in future change orders.

At this time, the Department of Infrastructure and Development recommends aware of this contract within the available funding limit. We recommend awarding the remaining work as funds become available in Fiscal Year 19. We recommend award to George & Lynch in the amount of \$1,950,455.99, per the attached breakdown of items. Funds are available in the following accounts:

<u>Project</u>	<u>Account</u>	<u>Amount</u>
Main Street	10500-513026-33098	\$75,000.00
	96216-513026-50020	\$772,500.00
	96316-513026-55017	\$592,766.39
	97010-513026-48022	\$61,491.12
	98116-513026-48022	\$55,000.00
	98116-513026-48023	\$51,495.12
Riverwalk	98114-513026-48015	\$121,774.43
	98118-513026-48049	\$220,500.93
<b>Total</b>		<b>\$1,950,455.99</b>

Additionally, we recommend establishing a Substantial Completion date for the Block 1, Block 2 and Riverwalk items of August 31, 2018. We recommend extending the Notice to Proceed for Block 3 until September 17, 2018 with a contract duration for that work of 150 days. This timing is predicated on a change order for the remaining Block 3 work being executed prior to the Notice to Proceed.

*Amanda H. Pollack*

Amanda H. Pollack, P.E.  
Director of Infrastructure and Development

Department of Infrastructure & Development  
125 N. Division St., #202 Salisbury, MD 21801  
410-548-3170 (fax) 410-548-3107  
www.salisbury.md



City of  
**Salisbury**  
Jacob R. Day, Mayor

**To:** Mayor and City Council  
**From:** Jennifer Miller  
Director of Procurement  
**Date:** April 8, 2019  
**Subject:** Award of Bid  
RFP 19-113 Construction Administration and Inspection Services for  
Main Street Master Plan Phases I & III

The Department of Procurement received a request from the Department of Infrastructure and Development to solicit proposals for RFP 19-113 Construction Administration and Inspection Services for Main Street Master Plan Phases I & III.

The Department of Procurement followed standard solicitation practices by advertising in the Daily Times, posting on the City of Salisbury's procurement portal, utilizing the City's vendor list, and advertising on the State of Maryland's website, eMaryland Marketplace. Three (3) vendors submitted a proposal by the due date and time of March 21, 2019, at 2:30 p.m. All vendors were determined to be responsive and responsible, and the technical proposals were evaluated according to the criteria established in the solicitation document (which is noted in the departmental memo, attached). All vendors were deemed qualified (achieving 75% of maximum technical points), and the Department of Procurement proceeded in opening the price proposals from vendors. Below are the composite scores and total proposed prices for each vendor:

Vendor	Evaluation Score (total max. pts = 100) Technical & Price Proposal	Total Proposal Price
GHD, Inc.	92.33	\$326,589.00
Whitman, Requardt & Assoc., LLP	81.33	\$284,120.00
EA Engineering, Science & Technology, Inc.	78.33	\$334,057.00

The Department of Procurement concurs with the award recommendation submitted by the Department of Infrastructure and Development, and thereby requests Council's approval to award a contract to GHD, in the amount of \$326,589.00. Funds are confirmed as available in the Main Street Master Plan engineering/architectural project account 98119-513026-48022.

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City of  
**Salisbury**  
Jacob R. Day, Mayor

To: Jennifer Miller, Director of Procurement  
From: Amanda H. Pollack, Director Infrastructure & Development  
Date: March 26, 2019  
Re: RFP 19-113 Engineering Construction Services for Mainstreet Master Plan Phases I & III

Salisbury Department of Infrastructure and Development recently advertised a request for proposals for Engineering Construction Services for Mainstreet Master Plan Phases I & III. The engineering construction services include construction administration services, full time inspection services, and close-out services. These services are requested in response to the upcoming implementation of a streetscape program along West Main Street from just east of the North Division Street intersection to Mill Street, and along North Division Street from Church Street to Main Street. This project includes replacement of existing water mains, sewer mains, storm drains, implementation of Best Management Practices for storm water, and streetscape improvements including sidewalks, landscaping, street lights and streetscape amenities. This project also includes the full depth replacement of Main Street and the installation of conduit for Broad Band. A written Notice to Proceed with construction is likely to be issued in May 2019.

Three firms submitted bids for the engineering construction services, Proposal were opened on Wednesday March 13, 2019 at 2:30 pm. All three firms ranked as qualified under the technical proposal evaluation conducted by the Infrastructure and Development selection committee. Following completion of the technical review the cost proposal of each qualified firm was opened and evaluated by Procurement. The results of the technical and cost proposal evaluations are summarized below:

Company	Total Combined Score	Total Price
GHD	92.33	\$326,589.00
Whitman Requardt & Assoc.	81.33	\$284,120.00
EA Engineering	78.33	\$334,057.00

The Evaluation Criteria and total points for both technical and cost proposal evaluation are summarized below:

- 35 Pts. Expertise, qualifications, of the Vendor, its personnel and proposed subcontractors as related to the Scope of Services, and understanding of the Scope of Services.
- 25 Pts. Price and billable rates
- 20 Pts. Performance on all projects within the last five years including but not limited to: project success, relevance of projects to Scope of Work contained in the proposal





City of  
**Salisbury**  
Jacob R. Day, Mayor

**To:** Mayor and City Council  
**From:** Jennifer Miller  
Director of Procurement  
**Date:** April 8, 2019  
**Subject:** Declaration of Surplus

The Department of Procurement received a request from the Parking Division of Field Operations to declare a 2003 Ford Focus as surplus. This vehicle is over 15 years old, and while it has low mileage, the vehicle is in poor condition and is in need of frequent repairs. Vehicle identification information is on the attached departmental memo.

Upon declaration of surplus, as approved by Council, the Department of Procurement will attempt to sell the vehicles via an auction sale. If unsellable through an auction service, it will be sold locally as salvage.



City of

Salisbury

Jacob R. Day, Mayor

**To:** Jennifer Miller, Director of Procurement  
**From:** Ben Baker, Operation and Maintenance Superintendent *BAB*  
**Subject:** Surplus Vehicle  
**Date:** March 27, 2019

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The Department of Field Operations respectfully requests that the City declare the following vehicle as surplus. As required, Fleet Management performed a vehicle inspection and determined the car is in poor condition and recommended replacement.

The car listed below has served its useful life expectancy. The vehicle was replaced in the FY19 budget.

ID No.	Description	Year	Make	Model	VIN No.	Miles/Hrs.
PKG-2	Car	2003	Ford	Focus ZX-5	3FAFP37333R123051	44,302 Miles

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Department of Field Operations  
500 Mack Ave.  
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