

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

AUGUST 12, 2019

PUBLIC OFFICIALS PRESENT

*Council President John “Jack” R. Heath
Council Vice-President Muir Boda
Councilman James Ireton, Jr.*

*Mayor Jacob R. Day
Councilwoman Angela M. Blake*

PUBLIC OFFICIALS NOT PRESENT

Councilwoman April Jackson

IN ATTENDANCE

City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Procurement Director Jennifer Miller, Department of Infrastructure and Development Director Amanda Pollack, Water Works Director Cori Cameron, Finance Director Keith Cordrey, Fire Chief John Tull, City Clerk Kim Nichols, City Attorney Mark Tilghman, and interested citizens.

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President John R. “Jack” Heath called the meeting to order and invited Pastor Robert C. Reinert of Faith Baptist Church to the podium to deliver the City Invocation, followed by the Pledge of Allegiance to the flag of the United States of America.

PRESENTATION

- Census 2020 Awareness Day proclamation
Mayor Jacob R. Day discussed the importance of the 2020 Census, and said there was reason for concern about a possible lack of participation in the next census. It was important for everyone to participate because the apportionment of dollars collected by the federal government and apportionment of our representation in Congress is determined based upon the distribution of population. For every person not counted, there are federal dollars being lost to another community. Mayor Day invited the following people forward to join him at the podium:
 - *Dr. Branté Dashiell*
 - *Eddie Lee*
 - *John Watson*
 - *Sanya Whitehead*
 - *Lori Carter*
 - *Julia Glanz*

Mayor Day presented the proclamation and urged all citizens to participate in the 2020 Census by completing the requested paperwork in order to receive the full benefit of representation.

ADOPTION OF LEGISLATIVE AGENDA

Mr. Ireton moved, Mr. Boda seconded, and the vote was unanimous (4-0) to approve the legislative agenda as presented.

CONSENT AGENDA – presented by City Clerk Kim Nichols

The Consent Agenda, consisting of the following items, was unanimously approved (4-0 vote) on a motion and seconded by Mr. Boda and Ms. Blake, respectively:

- **May 14, 2019 Budget Work Session Minutes**
- **July 1, 2019 Work Session Minutes**
- **July 8, 2019 Council Meeting Minutes**
- **July 15, 2019 Work Session Minutes**
- **July 22, 2019 Council Meeting Minutes**
- **August 5, 2019 Work Session Minutes**
- **Resolution No. 2969** – approving the appointment of Bruce Giordano to the Sustainability Advisory Committee for term ending August 2022
- **Resolution No. 2970** – approving the appointment of Marina Feeser to the Sustainability Advisory Committee for term ending August 2022

AWARD OF BIDS – presented by Procurement Director Jennifer Miller

The Award of Bids, consisting of the following item, was unanimously approved (4-0 vote) on a motion by Mr. Ireton that was seconded by Ms. Blake.

- | | |
|---|----------------|
| • Award of Bid, ITB 19-121 Fitzwater Street Lift Station Replacement | \$4,289,830.50 |
| • Award of Bid, ITB A-08-18 Wastewater Treatment Facility Polymer Chemical Supplier | \$ 230,832.00 |
| • Award of Bid, RFP 19-117, Fitzwater Street Lift Station Replacement CA & Inspection | \$ 225,300.00 |
| • Declaration of Surplus, SFD Turnout Gear | \$ 0.00 |
| • Declaration of Surplus, SFD Vehicles | \$ 0.00 |

ORDINANCES – presented by City Attorney Mark Tilghman

- **Ordinance No. 2552**- 1st reading - approving an amendment of the FY2020 Budget to appropriate a developer contribution for street lighting improvements

Ms. Blake moved, Mr. Boda seconded, and the vote was 3-1 to approve Ordinance No. 2552 for first reading. President Heath voted “nay.”

- **Ordinance No. 2553**- 1st reading- approving an amendment of the FY20 Budget to appropriate funds for street resurfacing and concrete repair

Mr. Boda moved, Mr. Ireton seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2553 for first reading.

- **Ordinance No. 2554**- 1st reading- to authorize and empower City of Salisbury to issue and sell one or more series of (1)(a) General Obligation Bonds and (b) General Obligation Bond anticipation notes, each in an original aggregate principal amount not to exceed \$12,482,977

Mr. Ireton moved, Mr. Boda seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2554 for first reading.

- **Ordinance No. 2555**- 1st reading- authorizing the mayor to enter into a contract with the Governor's Office of Crime Control and Prevention for the purpose of accepting Maryland Criminal Intelligence Network grant funds in the amount of \$369,924 and approving an amendment to the FY 2020 Grant Fund Budget to appropriate funds for the Salisbury FY20 MCIN Program

Mr. Boda moved, Mr. Ireton seconded, and the vote was 3-0 to approve Ordinance No. 2555 for first reading. Mr. Ireton did not cast a vote.

- **Ordinance No. 2556**- 1st reading- to amend the Municipal Code, Title 5-Business Licenses and Regulations, Chapter 5.04-Commercial District Management Authority; Chapter 5.32-Transient Merchants and Mobile Vendors; Chapter 5.44-Plays, Concerts and Circuses; and Chapter 5.52-Restaurants in connection with adding City Fire Marshal inspection and approval requirements to ensure compliance with the City Fire Prevention Code


Ms. Blake moved, Mr. Boda seconded, and the vote was unanimous (4-0) to approve Ordinance No. 2556 for first reading.

ADJOURNMENT

With no further business to discuss, the meeting adjourned at 6:42 p.m.



City Clerk



Council President

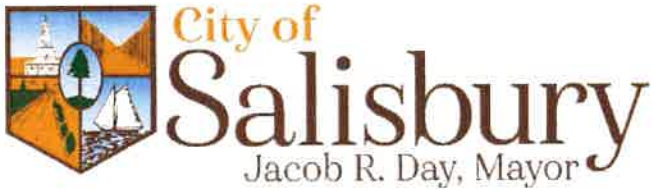


City of
Salisbury
Jacob R. Day, Mayor

COUNCIL AGENDA – Award of Bids

August 12, 2019

- | | |
|---|----------------|
| 1. Award of Bid
ITB 19-121 Fitzwater Street Lift Station Replacement | \$4,289,830.50 |
| 2. Award of Bid
ITB A-08-18 Wastewater Treatment Facility Polymer Chemical Supplier | \$ 230,832.00 |
| 3. Award of Bid
RFP 19-117 Fitzwater Street Lift Station Replacement CA & Inspection | \$ 225,300.00 |
| 4. Declaration of Surplus
SFD Turnout Gear | \$ 0.00 |
| 5. Declaration of Surplus
SFD Vehicles | \$ 0.00 |



To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: August 12, 2019
Subject: Award of Bid
ITB 19-121 Fitzwater Street Lift Station Replacement

The Department of Procurement received a request from the Department of Infrastructure and Development to solicit bids from qualified and experienced contractors to provide all labor, equipment and materials necessary to replace the existing Fitzwater Street Lift Station with a new lift station, install a new force main, demolish the existing lift station and complete cured in place pipe lining of the existing gravity sewer in Fitzwater Street and West Main Street.

The City followed standard competitive bidding practices by advertising in the Daily Times, posting the solicitation on the City of Salisbury's Procurement Portal and posting a bid notice on the State of Maryland's website, eMaryland Marketplace. Four (4) vendors submitted a bid by the due date and time of May 2, 2019, at 2:30 p.m. Of the four submittals, one was deemed responsive and responsible; however, the bid was over budget.

Vendor	Original Bid
George & Lynch, Inc.	\$5,440,024.50

Attempting to bring the project cost within budget, the Department of Infrastructure and Development modified the scope of work to tie the new pump station into the existing force main, thus reducing the new force main from 1,480 linear feet to 25 linear feet. Additionally, the maximum contract time (start of construction through completion) was extended. These changes affected several other bid items in addition to the force main, such as excavation and refill, traffic control, surveying and preparation of red line drawings. The Department of Procurement then issued a "Best and Final Offer" to the responsive and responsible bidder, and the resulting cost came in under budget at \$4,289,830.50.

The Department of Procurement hereby requests Council's approval to award Contract ITB 19-121 to George & Lynch, Inc., in the amount of \$4,289,830.50. Funding is available in the project accounts noted in the departmental memo.

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



City of
Salisbury
Jacob R. Day, Mayor

To: Jennifer Miller, Director of Procurement
 From: Amanda H. Pollack, Director Infrastructure & Development *AB for AHP*
 Date: July 19, 2019
 Re: ITB 19-121 Fitzwater Street Lift Station Replacement

Salisbury Department of Infrastructure and Development recently advertised an invitation to bid for Fitzwater Street Lift Station Replacement. The scope of this project was divided into two (2) phases. Phase 1 was to replace the existing Fitzwater Lift Station with a new lift station, install a new force main, reroute existing sewer to new lift station, and demolish the old lift station. Phase 2 was to complete cured in place plastic pipe (CIPP) lining of the existing gravity sewer in Fitzwater Street and West Main Street.

Bids were opened on April 4, 2019, four bids were received, one bid was incomplete and considered non-responsive. The other bids ranging from \$5,440,024.50 to \$7,138,386.00 exceeded available funding of \$4,964,205.17.

The Department of Infrastructure and Development sought resolution through a combination of reducing scope and requesting revised pricing from the responsible and responsive bidders. The scope of the project was reduced by removing construction of a new force main and associated line items from Phase 1 and increasing the available contract to eliminate the requirement for concurrent execution of both phases. Phase 2 remained unchanged. Revised pricing was received from only one bidder.

Company	Original Bid	Revision	Revised Bid
George & Lynch, Inc.	\$5,440,024.50	(\$1,150,194.00)	\$4,289,830.50

Please see the attached bid award recommendation prepared by George, Miles & Buhr, Inc. dated July 17, 2019 and issue a Purchase Order to George & Lynch in the amount of \$4,289,830.50 for the work specified in the Invitation to bid 19-121 Scope of Work. Funds are available in the accounts:

96112-513026-55011	\$1,679,205.17
96317-513026-55011	\$2,400,000.00
97010-513026-55011	\$ 210,625.33

♦ ♦ ♦ ♦
ARCHITECTS
ENGINEERS

206 WEST MAIN STREET
SALISBURY MD 21801
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PH 800.799.4452
FAX 410.548.5790

SALISBURY
BALTIMORE
SEAFORD

www.gmbnet.com

♦ ♦ ♦ ♦

JAMES H. WILLEY, JR., PE
PETER A. BOZIOK, JR., PE
JUDY A. SCHWARTZ, PE
CHARLES M. O'DONNELL, III, PE
W. BRUCE FOXWELL, PE
A. PEGGIE MARINER, JR., PE
JAMES C. HOAGESON, PE
STEPHEN L. MARSH, PE
DAVID A. VANDERBEEK, PE
RODOLPH E. HULLAND, PE
JASON M. LITTLE, PE
CHRIS B. DERBYSHIRE, PE
W. MARK GARDUCY, PE
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, PE

JOHN B. BURNISWORTH, PE
MICHAEL G. KOBAY, PE
VINCENT A. LUCIANI, PE
ANDREW J. LYONS, JR., PE
W. NICHOLAS LLOYD
AUTUMN J. WILLS

July 17, 2019

City of Salisbury
125 N. Division Street
Salisbury, MD 21801- 4940

Attn: Rick Baldwin
Supervisory Civil Engineer

Re: Fitzwater Lift Station Replacement
Bid Award Recommendation
City of Salisbury, MD
GMB File No. 110031

Dear Mr. Baldwin:

On May 2, 2019, bids for the Fitzwater Lift Station Replacement were received, opened and read publicly. A total of four (4) bids were submitted by contractors from Maryland, Delaware, and Pennsylvania.

The scope of this project was divided into two (2) phases. Phase 1 was to replace the existing Fitzwater Lift Station with a new lift station, install a new force main, reroute existing sewer to new lift station, and demolish the old lift station. Phase 2 consisted of complete cure in place plastic pipe (CIPP) lining of the existing gravity sewer in Fitzwater Street and West Main Street. Schedule A on the bid form represented Phase 1 scope items, Schedule B represented phase 2 scope items, and Schedule C combined both Phase 1 and Phase 2 scopes with an adjustment to mobilization accordingly. One (1) bid was incomplete and did not submit pricing for Schedule C. The initial total bid amounts for Schedule C (Phase 1 + Phase 2 combined) ranged from \$5.44 to \$7.14 million.

All bids came in higher than the funding available. City of Salisbury Department of Infrastructure and Development evaluated the scope of project and the installation of a new force main was removed from the Phase 1 scope. The new lift station will tie in and utilize the existing force main. Refer to the attached memorandum dated June 10, 2019 reflecting the revised bid quantities for multiple Schedule A bid items. Qualified and responsive bidders were requested to submit revised pricing based on the revised quantities. As noted in the memorandum, contract times for Phase 2 were adjusted.

The revised lowest bid of \$4,289,830.50 was submitted by George & Lynch, Inc. of Dover, Delaware.

George & Lynch, Inc. is an experienced general contractor who has been working in the construction industry since 1923. They have extensive experience with site work, paving, utility and lift station installation working with local municipalities. GMB has worked directly with George & Lynch, Inc. and has had positive experiences. For the reasons stated above, George & Lynch, Inc. was found to be the lowest responsive, responsible bidder.

GMB recommends award of the Fitzwater Lift Station Replacement to George & Lynch, Inc. in the amount of \$4,289,830.50 based on the revised bid with the modification of scope items as discussed in the attached Memorandum.

A copy of the initial bid tabulation and revised Form of Proposal Bid from George & Lynch, Inc. as provided by City of Salisbury is enclosed for your files.

If you have any questions, please do not hesitate to call at 410.742.3115 or contact me via e-mail at kmcallister@gmbnet.com. Thank you.

Sincerely,

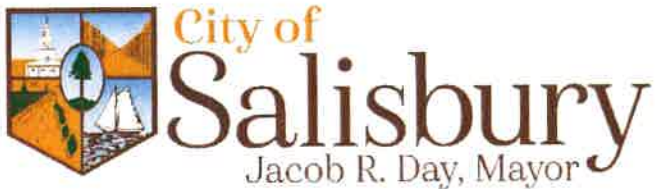


Katherine J. McAllister, P.E.
Project Manager

KJM/slh

Enclosures:

City of Salisbury Memorandum dated June 10, 2019
Bid Tabulation dated 5/5/2019
Revised Form of Proposal Bid from George & Lynch, Inc.



To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: August 12, 2019
Subject: Award of Bid
ITB A-08-18 Wastewater Treatment Facility Polymer Chemical Supplier

In July 2018, the City of Salisbury awarded requirements contract A-08-18 to Polydyne, Inc. for the annual supply and delivery of polymer for rotary drum thickener and sludge belt processing at the wastewater treatment plant. Polydyne was one of two vendors that successfully completed the bid process that was a three (3) phase progression. Phases 1 & 2 consisted of Jar (bench) Tests and Full Plant Field Test Trials, which determined qualification to bid (Phase 3). Bid Documents submitted without completing Phases 1 & 2 successfully were not accepted.

The bid prices at the time of award were:

Item Description	Vendor	Bid Price
Polymer for Rotary Drum Thickener	Solenis	\$1.35 per pound
Polymer for Belt Filter Press	Solenis	\$1.35 per pound
Polymer for Rotary Drum Thickener	Polydyne	\$.97 per pound
Polymer for Belt Filter Press	Polydyne	\$1.05 per pound

Since the time of award, the plant operating processes have changed due to the upgrade, and the polymer has been unable to produce an acceptable cake solids concentration. In April 2019, the City terminated the contract with Polydyne and entered into an emergency procurement contract with the other bidder, Solenis, for polymer. This polymer has been able to meet an acceptable cake solids concentration, and the City wishes to award a contract to Solenis as the second bidder to the contract. The market pricing for this polymer has increased 22% since last year; however, the Department of Procurement has been able to negotiate a lesser market increase of just 4%, for a total of \$1.40 per pound. This contract would be awarded for a term of six months, with a month to month renewal of an additional six months. This should allow sufficient time for the engineering team to review the cake solids concentration target and provide updated polymer specifications for the City to rebid the contract.

There are sufficient funds budgeted in account 86083-546004 (WWTP Chemicals) to issue an FY20 PO for a projected 12 month supply of polymer in the amount of \$230,832.00.

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



solenis.com

July 24, 2019

Jennifer Miller, CPPO, CPPB
Director of Procurement
Department of Procurement
City of Salisbury
125 N. Division Street, Room 104
Salisbury, MD 21801

Dear Ms. Miller,

Per your request, we are providing justification for our recent price increase.

I've enclosed an illustration of the polymer raw material chain which shows that our key raw material is petroleum. Please see the BLS index below, which shows the increase of petroleum and coal-based products.

Additionally, our cost for acrylonitrile has increased over the past year by a minimum of 22% and typically much more.

The market for acrylonitrile has tightened dramatically due to the high demand for polymer in the oil industry, particularly in fracking applications. Also, one of the two main suppliers of acrylonitrile placed force majeure on three of their acrylonitrile sites due to production issues. Therefore, further limited availability has forced Solenis to purchase this material outside of its contracts on the open market to meet production requirements. Prices for these spot purchases versus contract prices can be up to an additional 20% higher.

Thank you very much for your consideration and understanding regarding these cost pressures. We highly value your business and the partnership we have built together.

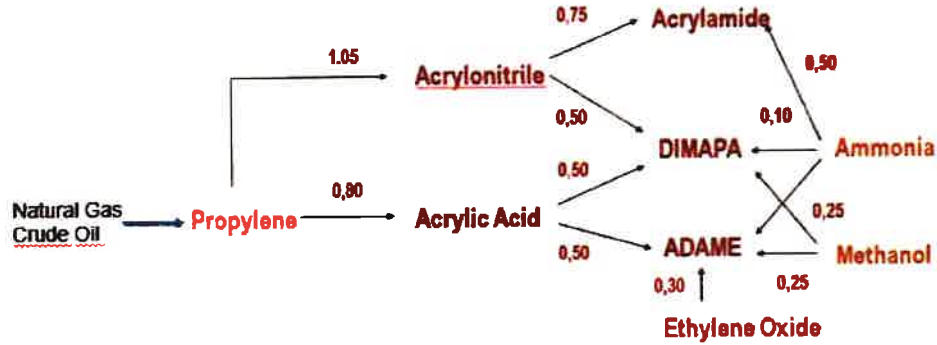
Sincerely,

Suzanne Brown
Business Support Analyst

Solenis LLC

3 Beaver Valley Road • Suite 500 • Wilmington, DE 19803

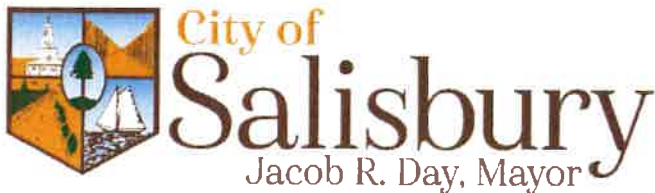
RAW MATERIAL CHAIN PAM



PPI Industry Data Original Data Value

Series Id: PCU324100324100
 Series Title: PPI industry data for All other petroleum and coal
 Industry: All other petroleum and coal products mfg.
 Product: All other petroleum and coal products mfg.
 Base Date: 200312
 Years: 2009 to 2019

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2009	203.8	203.8	203.8	203.8	193.7	193.7	193.7	179.4	179.4	181.2	181.2	183.5
2010	183.8	190.5	190.1	193.9	194.6	198.1	220.0	220.5	220.6	223.6	222.4	222.9
2011	238.0	238.2	241.6	263.3	265.0	260.3	260.5	263.6	263.2	259.6	264.4	265.1
2012	270.8	275.1	280.3	277.7	275.7	275.2	267.7	268.8	271.2	271.9	273.4	274.7
2013	268.3	268.1	263.3	264.7	263.2	260.6	261.9	262.6	259.9	259.2	250.4	247.1
2014	248.5	251.0	250.6	248.3	250.4	248.3	250.8	249.5	245.3	248.4	246.1	243.8
2015	243.6	241.2	240.8	241.1	237.6	239.6	236.7	236.3	234.1	233.2	234.2	232.6
2016	228.7	228.6	217.0	214.1	213.8	210.5	206.2	208.9	206.4	209.2	202.2	207.6
2017	202.6	210.9	211.5	215.2	219.5	219.5	218.4	216.1	218.8	217.3	222.2	223.6
2018	228.7	231.5	256.0	259.0	263.1	280.9	277.7	275.7	274.1	278.1	278.5	279.3
2019	278.7	293.1	282.2	302.4	306.1	310.2						



To: Mayor and City Council
From: Jennifer Miller
 Director of Procurement
Date: August 12, 2019
Subject: Award of Bid
 RFP 19-117 Fitzwater Street Lift Station Replacement Construction Administration and Inspection

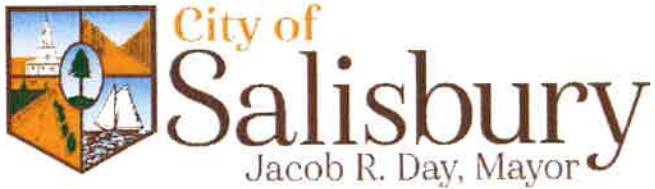
The Department of Procurement received a request from the Department of Infrastructure and Development to solicit proposals from qualified and experienced firms to provide Construction Administration and Inspection services for the construction of the new Fitzwater Street Lift Station. Construction Administration Services entail acting as the City of Salisbury representative during the construction phase by monitoring schedule, construction costs, and productivity, as well as compliance with permits, applicable regulations, City Standards, and contract requirements. Inspection Services conduct on-site observations of the Contractor's work in progress to assist the City of Salisbury in determining if the work is proceeding in accordance with the Contract Documents.

The Department of Procurement followed standard competitive bidding practices by advertising in the Daily Times and posting the solicitation on both the City of Salisbury's Procurement Portal and on the State of Maryland's website, eMaryland Marketplace. A total of three vendors submitted proposals by the due date and time of May 8, 2019 at 2:30 p.m. The vendors' technical proposals were evaluated by committee according to the criteria established in the solicitation document, and pricing was opened for those proposals that received a minimum qualifying score of at least 75% of the technical points available.

The evaluation criteria included the following:

<u>Criteria – Technical Proposal</u>	<u>Maximum Pts</u>
Expertise, experience and qualifications	35
Project approach as related to construction to be performed in the Scope of Services	25
Experience working with municipal governments and municipal projects	10
Geographic location relative to City	5
<u>Criteria – Price Proposal</u>	<u>Maximum Pts</u>
Price and billable rates	25

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



Composite scoring results are as follows:

Vendor	Composite Score	Price	Rank
George, Miles & Buhr, LLC	96	\$225,300	1
Whitman, Requardt & Associates, LLP	87	\$230,000	2
Barton & Loguidice	76	\$324,000	3

The Department of Procurement hereby requests Council approval to award contract RFP 19-117 in the amount of \$225,300 to George, Miles & Buhr, LLC., from Salisbury, MD. Funding is available in the account noted in the departmental memo.

Department of Procurement
125 N Division St., #104 Salisbury, MD 21801
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City of
Salisbury
Jacob R. Day, Mayor

To: Jennifer Miller, Director of Procurement
 From: Amanda H. Pollack, Director Infrastructure & Development *B for AHP*
 Date: July 29, 2019
 Re: RFP 19-117 Fitzwater Street CA & Inspection

Salisbury Department of Infrastructure and Development recently advertised a request for proposals for construction administration and inspection for Fitzwater Street Lift Station Replacement. The construction administration and inspection scope was bid as one phase consisting of replacement the existing Fitzwater Lift Station with a new lift station, install a new force main, rerouting the existing sewer to new lift station, demolition of the old lift station and cured in place plastic pipe (CIPP) lining of the existing gravity sewer in Fitzwater Street and West Main Street.

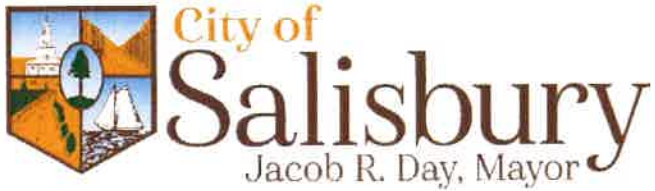
Bids were opened on May 8, 2019, three technical proposals with associated cost proposals were received. The Department of Infrastructure and Development scored the technical proposals and forwarded results to the Procurement Department. Cost proposals were then opened by Procurement, scored, and those results added to the technical review. The rating is based on a composite of technical review scores and scoring of cost proposals with a maximum available score of 100.

Consultant	Bid	Rating	Rank
Barton & Loguidice	\$324,000.00	76.05	3
George, Miles & Buhr, LLC	\$225,300.00	96.34	1
Whitman, Requardt & Assoc.	\$230,000.00	87.47	2

After the cost proposals were opened the Procurement Department notified Infrastructure and Development that GMB was the highest ranked vendor and Infrastructure and Development concurred with the result. Release of Fitzwater Street Construction Administration and Inspection was held pending successful resolution of revised scope and pricing for Fitzwater Street Pump Station Replacement (ITB 19-121)

Please issue a Purchase Order to George Miles in the amount of \$225,300.00 for the work specified in request for proposal 19-117 scope of Work. Funds are available in the accounts:

96112-513020-55011 \$225,300.00



To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: August 12, 2019
Subject: Declaration of Surplus

The Department of Procurement received a request from the Salisbury Fire Department to declare two vehicles as surplus. These vehicles have high mileage and are in poor condition. 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, they will be sold locally as salvage.

Department of Procurement
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