CITY OF SALISBURY, MARYLAND

REGULAR MEETING

JANUARY 13, 2020

PUBLIC OFFICIALS PRESENT

President John "Jack" R. Heath Councilwoman Angela M. Blake Councilwoman April Jackson Vice-President Muir Boda Councilwoman Michele Gregory

PUBLIC OFFICIALS ABSENT

Mayor Jacob R. Day

IN ATTENDANCE

Deputy City Administrator Andy Kitzrow, Procurement Director Jennifer Miller, Infrastructure and Development Director Amanda Pollack, Water Works Director Cori Cameron, Fire Chief John Tull, Deputy Chief James Gladwell, Housing and Community Development Director Everett Howard, Planning and Permits Coordinator Beverly Tull, Assistant City Clerk Diane K. Carter, City Attorney Mark Tilghman, and interested citizens.

<u>CITY INVOCATION – PLEDGE OF ALLEGIANCE</u>

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 Reverend Norman Hancock of St. Thomas Anglican Church to the podium to provide the City Invocation, followed by the Pledge of Allegiance to the flag of the United States of America.

<u>ADOPTION OF LEGISLATIVE AGENDA</u>

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve the legislative agenda as presented.

CONSENT AGENDA – presented by Assistant City Clerk Diane K. Carter

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

- December 2, 2019 Closed Session Minutes (separate envelope)
- December 2, 2019 Work Session Minutes
- December 9, 2019 Legislative Session Minutes
- December 16, 2019 Special Meeting Minutes
- December 16, 2019 Work Session Minutes
- January 6, 2020 Closed Session Minutes (separate envelope)
- January 6, 2020 Work Session Minutes

- <u>Resolution No. 2985</u>- to amend the Disclaimer and Chapter 3 of the Employee Handbook to update the Employee Handbook
- <u>Resolution No. 2986</u>- approving the reappointment of Brian Soper to the Board of Zoning Appeals for term ending December 2022
- <u>Resolution No. 2987</u>- accepting the donation of free library stands from Sean Fahey of Peninsula Roofing Company for the City of Salisbury in support of a free City library project
- Approving the Manufacturing Exemption Request for Spartech LLC
- Approving the Manufacturing Exemption Request for LWRC International LLC

<u>AWARD OF BIDS</u> – presented by Director of Procurement Jennifer Miller

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

- Award of Bid- ITB 20-112, Paleo Well #3 Construction \$2,437,899.60
- Award of Bid- ITB A-20-106, Magnesium Hydroxide \$ 294,555.00 (approx. 1 yr. use)
- Award of Bid- ITB A-20-105, City-wide Electrical Services \$ 100,000.00 (3 yr. contract est.)
- Change Order #1, ITB 19-124, Town Square Phase 1 \$ 11,851.33

RESOLUTIONS – presented by Deputy City Administrator Andy Kitzrow

• <u>Resolution No. 2988</u>- authorizing the Capacity Fee of the City's Comprehensive Connection Charge to be waived for the development of 144 East Main Street

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Resolution No. 2988.

• Resolution No. 2989- authorizing the Mayor to enter into an agreement with First Move Properties, LLC to allow the use of soil located at the City's Wastewater Treatment Plant for the redevelopment of 130 East Main Street, 132 East Main Street and 144 East Main Street

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Resolution No. 2989.

• Resolution No. 2990- authorizing the Mayor to enter into an agreement with First Move Properties, LLC for the purchase of parking permits in the Downtown Parking Garage, to grant a Temporary Construction Easement and Perpetual Maintenance Easement, and to grant a Deed of Easement to First Move Properties, LLC.

Ms. Blake moved and Ms. Jackson seconded to approve Resolution No. 2990. Ms. Blake moved and Mr. Boda seconded to amend Resolution No. 2990 as read by Mr. Boda as follows:

- Line 6- strike ", to grant a temporary construction easement and perpetual maintenance easement, and to grant a deed of easement to First Move Properties, LLC."
- Line 16- strike "Whereas, First Move Properties, LLC requires easements across real property owned by the City of Salisbury in order to improve the properties identified as 130 E. Main Street and 132 E. Main Street, City of Salisbury, to create a walkway from the property to the City of Salisbury Parking Garage; and"
- Line 21- strike "WHEREAS, the attached Deed of Easement and the attached Temporary Construction Easement and Perpetual Maintenance Easement detail the aforementioned easement areas and agreement between the City of Salisbury and First Move Properties, LLC."
- Line 27- strike "and easements" and "are", and insert "is" before "substantially"
- Line 28- strike "Temporary Construction and Perpetual Maintenance Easement and Deed of Easement,"
- Line 29- insert "may be" before "required"

The amendment was approved by unanimous vote in favor. Resolution No. 2990, as amended, was unanimously approved on a 5-0 vote.

ORDINANCES – presented by City Attorney Mark Tilghman

• <u>Ordinance No. 2570</u>- 2nd reading- approving an amendment of the FY20 Budget to appropriate a developer contribution for pedestrian improvements

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2570 for second reading.

• Ordinance No. 2571 - 2nd reading- approving an amendment of the City's Capital Project Fund Budget to reallocate funding for the Roof Replacement Fire Station 1 Project

Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2571 for second reading.

• <u>Ordinance No. 2572</u>- 2nd reading- approving an amendment of the FY20 General Fund to appropriate an additional position allocation for the hiring of a Volunteer Recruitment Coordinator for the Fire Department

Mr. Boda moved, Ms. Jackson seconded, and vote was unanimous to approve Ordinance No. 2572 for second reading.

- <u>Ordinance No. 2573</u>- 2nd reading- approving a budget amendment of the FY2020 General Fund Budget to appropriate funds for the purchase of Self-Contained Breathing Apparatus
 - Ms. Blake moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2573 for second reading.
- Ordinance No. 2575- 1st reading- approving a budget amendment of the City's Special Revenue Fund Budget and to accept and appropriate funds from the Bless Our Children Campaign for the Santa's Workshop Program
 - Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2575 for first reading.
- <u>Ordinance No. 2576</u>- 1st reading- to reallocate Bond and Lawsuit proceeds to fund projects previously authorized in FY20 Budget Ordinance Schedule B

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2576 for first reading.

PUBLIC COMMENTS

There were no requests for Public Comments.

MOTION TO CONVENE IN CLOSED SESSION

At 6:35 p.m. Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to convene in Closed Session as permitted under the Annotated Code of Maryland General Provisions Article § 3-305(b)(7).

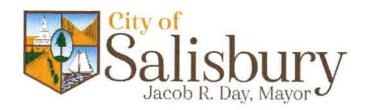
RECONVENE IN OPEN SESSION, REPORT TO PUBLIC, ADJOURNMENT

At 6:50 p.m., upon a motion and seconded by Mr. Boda and Ms. Blake, respectively, and approved by unanimous vote in favor, the Closed Session was adjourned.

Council immediately convened in Open Session whereby President Heath reported that Council had discussed an annexation and received an update on an easement. The meeting was then adjourned.

Drin K-Carle
Assistant City Clerk

Council President



COUNCIL AGENDA – Award of Bids

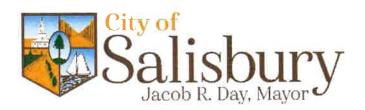
January 13, 2020

1. Award of Bid ITB 20-112 Paleo Well #3 Construction \$2,437,899.60

2. Award of Bid ITB A-20-106 Magnesium Hydroxide \$ 294,555.00 (approx. 1 yr use)

3. Award of Bid ITB A-20-105 City-wide Electrical Services \$ 100,000.00 (3 yr contract estimate)

4. Change Order #1 ITB 19-124 Town Square Phase 1 \$ 11,851.33



Mayor and City Council

From:

Jennifer Miller

Director of Procurement

Date:

January 13, 2020

Subject:

Award of Bid

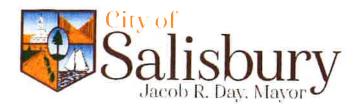
ITB 20-112 Paleo Well #3 Construction

The Department of Procurement received a request from the Department of Infrastructure and Development to solicit bids for qualified and experienced contractors to furnish all labor, material and equipment necessary to construct a new production well and raw water main for connection to the existing raw water main located along Naylor Mill Road.

The City followed standard bidding practices by advertising in the Daily Times, posting the solicitation on the City of Salisbury's Procurement Portal and advertising on the State of Maryland's website, eMaryland Marketplace Advantage. Two (2) vendors submitted a bid by the due date and time of December 4, 2019, at 2:30 p.m., with Chesapeake Turf, LLC. submitting the lowest responsible and responsive bid:

Vendor	Total Bid (including contingent items)
Chesapeake Turf (Salisbury, MD)	\$2,437,899.60
Somerset Well Drilling Co., Inc. (Westover, MD)	\$2,769,904.00

The Department of Procurement hereby requests Council's approval to award Contract ITB 20-112 to Chesapeake Turf, LLC. in the amount of \$2,437,899.60. Funding is available in the Paleo Well #3 project account 97010-513026-49040.



To: Jennifer Miller, Director of Procurement

From: Amanda H. Pollack, Director of Infrastructure & Development

Date: December 23, 2019

Re: Contract ITB 20-112 – Award of Bids Paleo Well Number 3 Construction

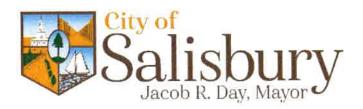
The Department of Infrastructure and Development recently worked with the Procurement Department to advertise a bid Construction of Paleo Well Number 3. The construction involves Well drilling, tree removal and grading for an access road, well house and site improvements, well pump, piping, valves, and instrumentation within the well house, raw water main and interconnections, electrical and mechanical installations for the well house and pump to include a backup generator, SCADA, electrical service to the building and clearing and grubbing. The Bid also included several contingent items in relation to excavation, furnishing of gravel bedding, fill, and concrete, proctor and density testing, chain link fencing, and miscellaneous DI fittings.

Bids were opened on Wednesday, December 4, 2019 at 2:30 PM for Contract ITB 20-112. Two bids were received. Chesapeake Turf, LLC was determined to be the lowest responsive and responsible bidder with a total base bid of \$2,327,749.60 and Contingent Items totaling \$110,150.00. The total bid amount including the Contingent Items is \$2,437,899.60. The bid was reviewed in detail and items such as the pricing, well drilling and installation, clearing and grubbing and were all found to be consistent with the project estimate.

The Department of Infrastructure and Development reviewed the bid in accordance with the contract documents. Staff called references for Chesapeake Turf and their key subcontractors and each was complementary of the work performed and would hire the contractor again. The Department of Infrastructure and Development recommends awarding the contract to Chesapeake Turf, LLC for \$2,437,899.60 for the work specified in the Invitation to Bid 20-112. Funds are available in account 97010-513026-49040.

Amanda H. Pollack, P.E.

Director of Infrastructure & Development



Mayor and City Council

From:

Jennifer Miller

Director of Procurement

Date:

January 13, 2020

Subject:

Award of Bid

ITB A-20-106 Liquid Magnesium Hydroxide

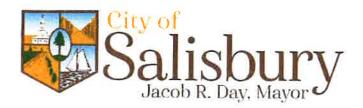
The City of Salisbury Department of Procurement received a request from the Department of Water Works to solicit bids for ITB A-20-106 Liquid Magnesium Hydroxide. This solicitation sought bids from qualified and experienced firms to furnish and deliver liquid magnesium hydroxide to the Waste Water Treatment Plant at 1142 Marine Road.

This award will constitute a "Requirements" contract. While the City has attempted to identify an estimated amount of liquid magnesium hydroxide to cover its processing requirements, the quantity of chemical ordered may be different than that submitted for bidding. No minimum purchase was implied or guaranteed; thereby, the City reserves the right to decrease or increase the quantity acknowledged in the solicitation document, and said modifications do not constitute a change order. Additionally, the solicitation included a Contract Extension clause. This provides the City with the option to renew this contract with the same terms and conditions as the original contract for two, (1) one-year terms, contingent upon sufficient budget appropriations and mutual agreement between the City and the Vendor.

The Department of Procurement followed standard bidding practices by advertising in the Daily Times and posting the solicitation on both the City of Salisbury's Procurement Portal and the State of Maryland's website, eMaryland Marketplace Advantage. One (1) vendor submitted a bid by the due date and time of December 16, 2019 at 2:30 p.m.

Vendor	Estimated Usage	Unit Price	Total Bid
Premier Magnesia, LLC	128,000 gallons	\$2.69/gal	\$344,320.00

Premier Magnesia, LLC was deemed responsive and responsible, and the Department of Procurement hereby requests Council's approval to award Contract ITB A-20-106 to said vendor, with subsequent annual renewals processed by the Department of Procurement. Supply orders will be issued by the Waste Water Treatment Plant as needed from account 86083-546004.



Jennifer Miller, Director of Procurement

From:

Connie Luffman, Superintendent - Wastewater Treatment Plant

Date:

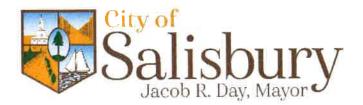
December 24, 2019

12/24/19

Re:

WWTP Magnesium Hydroxide

Salisbury Water Works recently advertised a bid for Magnesium Hydroxide for the Wastewater Treatment Plant, ITB A-20-106. Only one (1) response was received which was from Premier Magnesia with a cost of \$2.69 per gallon. The Wastewater Treatment Plant requests that this bid be awarded to Premier Magnesia. Funding is available from account number 86083-546004. Please let me know if you need any additional information or have any questions. Thank you.



Mayor and City Council

From:

Jennifer Miller

Director of Procurement

Date:

January 13, 2020

Subject:

Award of Bid

ITB A-20-105 City-wide Electrical Services

The Department of Procurement solicited bids for all labor, materials and equipment necessary for the routine maintenance, emergency repair and minor upgrades to the electrical systems supporting City facilities. In the last three calendar years (including 2019 YTD), the City has expended approximately \$106,000 on miscellaneous electrical services under the previous contract.

This award will constitute an Indefinite Delivery, Indefinite Quantity contract. The services provided to the City will be of an on-call nature, with no minimum purchase implied or guaranteed. Additionally, the solicitation included a Contract Extension clause. This provides the City with the option to renew all or portions of this contract with the same terms and conditions as the original contract for two, (1) one-year terms, contingent upon sufficient budget appropriations and mutual agreement between the City and the Vendor.

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 Advantage. The attached bid tab shows pricing from the three (3) vendors that submitted bids by the due date and time of November 27, 2019 at 2:30 p.m.

Two vendors were deemed responsive and responsible, and the Department of Procurement hereby requests Council's approval to award Contract ITB A-20-105 to Carter's Electrical Services, Inc., with subsequent annual renewals processed by the Department of Procurement. Purchase orders for specific tasks will be issued as needed by the department requesting contract services.



Department of Procurement 125 N. Division St., #104, Salisbury, MD 21801 PH: 410-548-3190 FX: 410-548-3192 www.salisbury.md

BID TABULATION SHEET FOR CONTRACT NUMBER: ITB A-20-105

Contract Name: City Wide Electrical Services Bid opening 11/27/2019 @ 2:30 p.m.

VEND	Carter's Electrical Services, Inc. PO Box 410 Pittsville, MD 21850			vices, Inc.		AET Electric PO Box 177 Parsonsburg			
Item #	Description	Routine	Urgent	Emergency	After Hours	Routine	Urgent	Emergency 2 hr callout	After Hours
101A	Principle	\$ 50/hr	\$65/hr	\$65/hr	\$65/hr	\$65/hr	\$75/hr	\$ N/A	\$ N/A
101B	Master Electrician	\$50 /hr	\$65/hr	\$65/hr	\$65/hr	\$55/hr	\$67/hr	\$ 67/hr	\$75/hr
101C	Journeyman Electrician	\$ 40 /hr	\$55/hr	\$55/hr	\$55/hr	\$50/hr	\$65/hr	\$65/hr	\$70/hr
101D	Apprentice Electrician	\$ 25 /hr	\$35/hr	\$35/hr	\$35/hr	\$38/hr	\$48/hr	\$48/hr	\$50/hr
101E	Laborer	\$ 20 /hr	\$30/hr	\$30/hr	\$30/hr	\$29/hr	\$35/hr	\$35/hr	\$40/hr
101F	Administrative	\$40 /hr	\$40/hr	\$40/hr	\$40/hr	\$20/hr	\$ N/A	\$N/A	\$ N/A
102	Travel Time Cost			\$0/hr	\$0/hr			\$50/hr	\$ 50/hr
103	Mileage Cost/Mile			\$0/mi	\$0/mi			\$ N/A	\$N/A
104	Parts and Material Cost Plus Percentage			8 %				%	7.47
105	Minimum Cost for Service call	\$0	\$0	\$0	\$0	\$ 55	\$ 67	\$ 67	<i>\$ 75</i>

This is a bid opening tally only and are not to be considered results. Bid submissions and numbers must still be verified for accuracy, responsiveness and responsibility.



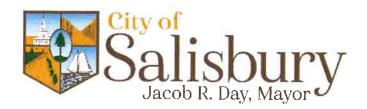
Department of Procurement 125 N. Division St., #104, Salisbury, MD 21801 PH: 410-548-3190 FX: 410-548-3192 www.salisbury.md

BID TABULATION SHEET FOR CONTRACT NUMBER: ITB A-20-105

Contract Name: City Wide Electrical Services Bid opening 11/27/2019 @ 2:30 p.m.

VEND	OR INFORMATION		ectric Inc. ingdale Ave urg, MD 2163						
Item #	Description	Routine	Urgent	Emergency	After Hours	Routine	Urgent	Emergency	After Hours
101A	Principle	\$110/hr	\$ 110/hr	\$110/hr	\$165/hr				
101B	Master Electrician	\$90/hr	\$ 90/hr	\$100/hr	\$135/hr				
101C	Journeyman Electrician	\$65/hr	\$65/hr	\$72/hr	\$97/hr				
101D	Apprentice Electrician	\$55/hr	\$55/hr	\$61/hr	\$82/hr				
101E	Laborer	\$50/hr	\$50/hr	\$55/hr	\$75/hr				
101F	Administrative	\$45/hr	\$45/hr	\$50/hr	\$67/hr				
102	Travel Time Cost			\$65/hr	\$97/hr				
103	Mileage Cost/Mile			\$50/mi	\$50/mi		<u> </u>		
104	Parts and Material Cost Plus Percentage			15 %					,
105	Minimum Cost for Service call	\$120	\$240	\$ 480	\$ 700				

This is a bid opening tally only and are not to be considered results. Bid submissions and numbers must still be verified for accuracy, responsiveness and responsibility.



Mayor and City Council

From:

Jennifer Miller

Director of Procurement

Date:

January 13, 2020

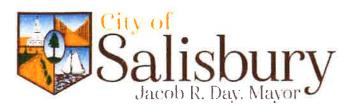
Subject:

Change Order #1 to ITB 19-124

Town Square Phase 1

The Department of Procurement received a request from the Department of Infrastructure & Development to process Change Order #1 in the amount of \$11,851.33 for Invitation to Bid (ITB) 19-124 Town Square Phase 1. This change order is the net result of deductions and additions to the scope of work, commonly referred to as a "balancing change order". Funds are available in the Streetscaping project account 98118-513026-48043.

The Department of Procurement requests Council's approval to process Change Order #1 as noted above to Barker's Landing Excavation, LLC.



To: Jennifer Miller, Director of Internal Services-Procurement & Parking

From: Amanda Pollack, P.E., Director of Infrastructure and Development

Date: November 7, 2019

Re: Change Order No. 1, ITB 19-124, Town Square Phase 1

The Town Square Phase 1 project included the construction of a food truck pad complete with electrical hook-up for food trucks, storm water management, the closure of the Circle Ave turn lane onto S. Division St, replacement of sidewalk with pavers, and the addition of a seat wall.

Change Order No.1 for Contract No. ITB 19-124, Phase 1 Town Square enclosed for review. This is a final balancing change order incorporating credits for unused unit quantities and additional work completed under force account. The credits were associated with bid items 103-Demolition, 108-Pavement Demarcation, 109-Site Furnishings and 202-Electrical Lighting, and totaled \$19,970.56. The Force Account work consisted of the addition of three street lights and helical bases, moving two existing street lights and adding two helical bases, upgrade electric sub panel from 100 amps to 200 amps, up grading panel wiring and breakers, resetting the (storm water) Filterra unit, and adding an additional bollard. The force account work totaled \$31,821.89.

Please process Change Order No. 1 which results in a net increase of \$11,851.33. Funding is available in project account 98118-513026-48043. The change order does not include a time extension so the date of Substantial Completion is unchanged. Work is complete on this contract.

Amanda H. Pollack, P.E.

Director of Infrastructure and Development

		Attachman	A Towns	,			381
Bid Items			IMO - X	organient A Town Square Phase 1			
Item NO.	Bid Task	OTV	- Inite	Linit Daine			Albanian c
101	Mobilization/Demobilization	5		C 13 440 00	schedul	otalC	Credits
102	Maintenance of Traffic	-	ا ا	¬		\$ 13,440.00	\$
103	Demolition	- ,	<u>.</u>	\$ 9,744.00	\$ 9,744.00	\$ 9,744.00	٠,
101	ייייים אייים	-	r.S.	\$ 30,604.00	\$ 30,604.00	\$ 25,563.55	\$ 5,040.45
101	curb and butter	195	L.F.	\$ 22.00	\$ 4,290.00		1
102	venicular Concrete Pavers	4525	S.F.	\$ 25.45	11	11	
901	Seat Wall	140	L.F.				
107	Filterra	1	L.S.	\$ 69,888.00			
108	Pavement demarcation	1	L.S.	\$ 11,704.00			20407
109	Site furnishings	1	L.S.	\$ 4,234.00	\$ 4 234 00	1 000 00	\$ 277.00
110	ESC	ı	LS				3 3,220.00
202	Electrical Lighting	1	LS	10	1		
Total						1	
Force Account Work	unt Work				\$ 299,814.25	\$ 279,843.69	\$ 19,970.56
							No.
	Polly Sand	1	L.S.	\$ 1,191.75	\$ 1,191.75	\$ 1,191.75	\$
	lider Materials & Equipment, Labor	1	L.S.	\$ 22,339.95	\$ 22,339.95	7	
	Barkers Landing Materials & Equipment	П	L.S.	\$ 6,191.03	\$ 6,191.03		- S
	Aerial Services (Crane)	1	L.S.	\$ 2,099.16	\$ 2,099.16		
rotal					\$ 31,821.89	"	,
Work Complete	plete						
					CONTRACT VALUE	\$ 299,814.25	S
					WORK COMPLET		\$
					CREDITS	\$ 19,970.56	\$
				FOR	FORCE ACCOUNT WORK	\$ 31,821.89	
				NE	NET CHANGE ORDER #1		
				REVISE	REVISED CONTRACT TOTAL	\$ 311,665.58	