

CITY OF SALISBURY, MARYLAND

REGULAR MEETING (VIA ZOOM MEETING)

JANUARY 11, 2021

PUBLIC OFFICIALS PRESENT

*President John “Jack” R. Heath
Councilwoman Angela M. Blake
Councilwoman April Jackson*

*Council Vice-President Muir Boda
Councilwoman Michele Gregory*
arrived at 6:50 p.m.

PUBLIC OFFICIALS ABSENT

Mayor Jacob R. Day

IN ATTENDANCE

City Administrator / Acting Mayor Julia Glanz, Deputy City Administrator Andy Kitzrow, Finance Director Keith Cordrey, Procurement Director Jennifer Miller, Water Works Director Cori Cameron, City Planner Anne Roane, Housing and Community Development Ron Strickler, Housing and Homelessness Manager Christine Chestnutt, Transportation Superintendent Bill Sterling, Senior Buyer Michael Lowe, City Attorney Mark Tilghman, City Clerk Kimberly Nichols, members of the press and Public.

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. via a Zoom Meeting. Council President John R. Heath called the meeting to order and called for a moment of silent meditation.

ADOPTION OF LEGISLATIVE AGENDA

Ms. Jackson moved, Ms. Blake seconded, and the vote was 4-0 to approve the legislative agenda as presented.

CONSENT AGENDA – presented by City Clerk Kimberly Nichols

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

- *November 16, 2020 Work Session Minutes*
- *November 23, 2020 Council Meeting Minutes*
- *December 7, 2020 Work Session Minutes*
- *December 7, 2020 Special Meeting Minutes*
- *December 14, 2020 Council Meeting Minutes*
- **Resolution No. 3084**- *approving the reappointment of Bryan Raygor to the Salisbury Zoo Commission for the term ending December 2023*
- **Resolution No. 3085**- *approving the reappointment of John Wright to the Human Rights Advisory Committee for the term ending December 2022*

AWARD OF BIDS – presented by Procurement Director Jennifer Miller

The following Award of Contracts and Change Order were unanimously approved on a 4-0 vote on a motion and seconded by Ms. Blake and Mr. Boda, respectively:

Award of Contract(s)

- | | |
|---|--------------------|
| 1. ITB 21-117 Park Plant Flow Meter Replacement | \$ 269,793.00 |
| 2. ITB A-21-103 Various LED Replacement Lights | \$ 218,376.01 est. |

Change Order(s)

1. RFP 19-117 \$ 18,775.00

Engineering & Construction Services for Fitzwater Street Lift Station
Change Order #2

PUBLIC HEARINGS- presented by City Attorney Mark Tilghman

- **Ordinance No. 2639**- 2nd reading- pursuant to Chapter 17.228 of Title 17, Zoning of the Salisbury Municipal Code and Section 4-102 of the Land Use Article of the Annotated Code of Maryland for the purpose of amending Section 17.28.020, to allow a Single-Family Dwelling Unit in Light Business and Institutional Zones

Mr. Boda moved and Ms. Blake seconded to approve Ordinance No. 2639 for second reading. Mr. Tilghman presented the ordinance.

Ms. Blake moved to amend Ordinance No. 2639 by striking 4-102 and inserting 4-101 on Line 5. Mr. Boda seconded, and the amendment was unanimously approved on a 4-0 vote.

President Heath opened the Public Hearing at 6:13 p.m., and as no one requested to speak, immediately closed the Public Hearing.

Ordinance No. 2639, as amended for second reading, was approved by unanimous vote in favor on a 4-0 vote.

- **Ordinance No. 2640**- 2nd reading- pursuant to Chapter 17.228 of Title 17, Zoning of the Salisbury Municipal Code and Section 4-102 of the Land Use Article of the Annotated Code of Maryland for the purpose of amending Section 17.212.030, to allow a Medical Office/Clinic as a permitted use with a Shopping Center

Mr. Boda moved and Ms. Jackson seconded to approve Ordinance No. 2640 for second reading. Mr. Tilghman presented the ordinance.

Ms. Blake moved to amend Ordinance No. 2640 by striking 4-102 and inserting 4-101 on Line 5. Mr. Boda seconded, and the amendment was unanimously approved on a 4-0 vote.

President Heath opened the Public Hearing at 6:18 p.m., and as no one requested to speak, immediately closed the Public Hearing.

Ordinance No. 2640, as amended for second reading, was approved by unanimous vote in favor on a 4-0 vote.

ORDINANCES – presented by City Attorney Mark Tilghman

- **Ordinance No. 2633-** 2nd reading- to accept grant funds from the Somerset County Health Department in the amount of \$2,000.00, and to approve a budget amendment to the FY21 Homeless Solutions Program Grant Fund to appropriate funds for Coronavirus Response Hazard Pay

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous (4-0 vote) to approve Ordinance No. 2632 for second reading.

- **Ordinance No. 2634-** 2nd reading- approving an amendment of the City's General Capital Project Fund Budget to reallocate funding for the GOB Roof Project

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (4-0 vote) to approve Ordinance No. 2634 for second reading.

- **Ordinance No. 2635-** 2nd reading- approving an amendment of the City's Water and Sewer Capital Project Fund Budget to reallocate funding for the Structural Study and the Park Water Treatment Plant Interior Improvements Projects

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (4-0 vote) to approve Ordinance No. 2635 for second reading.

- **Ordinance No. 2642-** 1st reading- authorizing the Mayor to sign the Supplemental Agreement and Cost Share Agreement and accept a grant from the Maryland Department of Transportation State Highway Administration and approving an amendment of the Grant Fund Budget to allocate said funds for purposes of implementation

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous (4-0 vote) to approve Ordinance No. 2642 for first reading.

- **Ordinance No. 2643-** 1st reading- to create Bicycle Facilities on Wayne Street, Milford Street, Power Street, Avery Street, Bateman Street, West Road, Lake Street, Isabella Street, Delaware Avenue, Cypress Street and West Main Street in accordance with MDMUTCD, Chapter 9, as designated by the 2017 Salisbury Bicycle Network Plan

Ms. Blake moved, Mr. Boda seconded, and the vote was unanimous (4-0 vote) to approve Ordinance No. 2643 for first reading.

- **Ordinance No. 2644-** 1st reading- to eliminate 16 parking spaces on Fitzwater Street from Fitzwater Street to the main gate of Chesapeake Shipbuilding approximately 310 feet east in order to prevent traffic crashes and accommodate a previously approved safe bicycle facility on Fitzwater Street

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (4-0 vote) to approve Ordinance No. 2644 for first reading.

- **Ordinance No. 2645**- 1st reading- to eliminate parking spaces on Power Street, from South Division Street to Wayne Street, and to eliminate the parking spaces on Wayne Street, from Milford Street to Power Street, in order to prevent traffic crashes and accommodate safe bicycle facilities around the East Campus of Salisbury University

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous (4-0 vote) to approve Ordinance No. 2645 for first reading.

- **Ordinance No. 2646**- 1st reading- to eliminate parking spaces on West College Avenue from Lorecrop Drive to Camden Avenue in order to prevent traffic crashes and accommodate a previously approved safe bicycle facility on West College Avenue

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous (4-0 vote) to approve Ordinance No. 2646 for first reading.

- **Ordinance No. 2647**- 1st reading- approving a budget amendment of the City's Special Revenue Fund Budget and to accept and appropriate donated funds from the Bless Our Children Campaign for the Santa's Workshop Program

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (4-0 vote) to approve Ordinance No. 2647 for first reading.

(Ms. Gregory joined the Zoom meeting around 6:50 p.m.)

- **Ordinance No. 2648**- 1st reading- allocation of FY16 Bond proceeds for GOB Roof Improvements and WWTP HVAC

Mr. Boda moved, Ms. Blake seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2648 for first reading.

- **Ordinance No. 2649**- 1st reading- allocation of FY18 Bond proceeds for GOB Roof Improvements and (2) dump trucks

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2649 for first reading.

- **Ordinance No. 2650**- 1st reading- to authorize the Mayor to enter into a contract with the Salisbury Wicomico Metropolitan Planning Organization for the purpose of accepting grant funds in the amount of \$7,000.00, and to approve a budget amendment to the FY 2021 Grant Fund to appropriate funds for offsetting RFP 21-101 Port Feasibility Study

Mr. Boda moved, Ms. Blake seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2650 for first reading.

- **Ordinance No. 2651**- 1st reading- approving an amendment of the City's Water Sewer Capital Project Fund budget to reallocate funding for the Waste Water Treatment Plant HVAC Project

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous (5-0 vote) to approve Ordinance No. 2651 for first reading.

PUBLIC COMMENTS

There were no requests for public comments.

COUNCIL COMMENTS

Ms. Glanz wished everyone a Happy New Year. She said the COVID vaccine was very safe and hoped everyone would take it once it became more available. The City was working with the Health Department and Tidal Health to ensure that the City staff received vaccines as soon as possible. She discussed the fire on First Street in which two lives were lost. The City was waiting on the Fire Marshal's investigation to learn what happened and was looking how to improve the current codes.

Mr. Boda expressed his condolences to the family members of the two who died in the fire, and if there were needs, he asked they be made known, as the community takes care of its own. He said the events that occurred at the Capital last week were wrong.

Ms. Jackson was devastated about the fire, and asked for a Work Session with HCDD on permits and inspections. She had questions regarding what happened including how often inspections were done and how long had it been since the Housing Code was revised. The deaths should not have happened. The events at the Capital were a nightmare and she prayed it never happened again. Wear masks, social distance, and get tested for COVID.

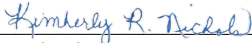
Ms. Blake concurred it was a significant tragedy with the loss of life in the house fire. Once the investigation was completed and the City examined the outcome, she hoped the Housing Code would be discussed. If anyone had information on where to help those displaced, please pass the information to Council. If healthy enough, please give blood, as the Shore was very low on blood.

Ms. Gregory was very sad about the loss of life and hoped the City could do something about it not happening again. Regarding the events at the Capital, it was difficult for many people. America had to find a way to move forward and work together. What happened at the Capital was pure hatred.

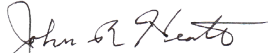
President Heath expressed his condolences to the families of the two people who lost their lives in the fire. Regarding the events last week at the Capital, he said we were better than this, and had to ensure this did not happen again. Please wear masks, social distance, and take care of yourselves.

ADJOURNMENT

With no further business to discuss, the Legislative Session adjourned at 7:18 p.m.



City Clerk



Council President



COUNCIL AGENDA – Department of Procurement

January 11, 2020

Award of Contract(s)

- | | |
|---|--------------------|
| 1. ITB 21-117 Park Plant Flow Meter Replacement | \$ 269,793.00 |
| 2. ITB A-21-103 Various LED Replacement Lights | \$ 218,376.01 est. |

Change Order(s)

- | | |
|---|--------------|
| 1. RFP 19-117
Engineering & Construction Services for Fitzwater Street Lift Station
Change Order #2 | \$ 18,775.00 |
|---|--------------|



City of
Salisbury
Jacob R. Day, Mayor

To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: January 11, 2021
Subject: Award of Bids

The Department of Procurement received requests from the Department of Water Works and the Department of Field Operations, respectively, to solicit bids from qualified vendors for the following procurements:

ITB 21-117 Park Plant Flow Meter Replacement

- Scope of Work: Installation of a 16" magnetic flow meter and precast concrete vault at the Park Water Treatment Plant
- Bid date: 11/19/2020
- Bid opening: 12/22/2020
- Total bids received: 8
- Lowest responsive & responsible bidder: Johnston Construction Company (Dover, PA)
- Cost: \$269,793.00
- GL Account(s): 97010-513026-50039 @ \$250,000 and 96113-513026-50039 @ \$19,793.00
- Notes: N/A

ITB A-21-103 Various LED Replacement Lights and Components

- Specifications: Cobra head and decorative LED replacement lights and/or kits
- Bid date: 10/19/2020
- Bid opening: 11/18/2020
- Total bids received: 3
- Lowest responsive & responsible bidder: E.D. Supply Co., Inc. (Salisbury, MD)
- Est. cost: \$218,376.01
- GL Account(s): 98119-513026-43023
- Notes:
 - Indefinite Delivery, Indefinite Quantity contract including a renewal clause (up to two additional 1-yr. terms); orders placed as needed

The City followed required bidding practices by publicly posting all solicitations on the City of Salisbury's Procurement Portal and the State of Maryland's procurement website, eMaryland Marketplace Advantage. The departmental memos provide further details.

The Department of Procurement hereby requests Council's approval to award these contracts to the lowest responsive and responsible bidders as indicated.



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Jennifer Miller, Director of Procurement
From: Cori Cameron, Director of Water Works
Subject: Recommendation for Awards Contract No. ITB 21-117 Park Plant Flow
Meter Replacement
Date: January 4, 2021

Bids for the Park Plant Flow Meter Replacement for the Department of Water Works were opened on December 22, 2020 at 2:30pm for contract number ITB21-117. Eight bidders responded with bids from \$269,793. to \$444,000.

Upon review and evaluation of the bids submitted, the Department recommends the contract be awarded to **Johnston Construction Company** for the amount of \$269,793.

Funds are available in the Water Works Project Accounts#9701-97010-513026-50039 for \$250,000.00 and 9613-96113-513026-50039 \$19,793.00

Please reach out to me with any questions you may have regarding these bid awards.


Cori Cameron, Director



City of
Salisbury
Jacob R. Day, Mayor

To: Jennifer Miller, Director Department of Procurement
From: Billy Lewis, Traffic Systems Manager
Subject: ITB A-21-103 Various LED Replacement Lights and Components Contract
Date: December 3, 2020

Please process the Award of Bids for the ITB A-21-103 Various LED Replacement Lights and Components Contract. The main function of this contract will be to provide materials for LED streetlight conversions throughout the City.

Bids were opened on Wednesday, November 18, 2020 at 2:30 p.m. Three vendors responded as follows to provide the materials to convert streetlights to LED at various street locations within the City Limits of Salisbury, Maryland.

E.D. Supply Co.	\$218,376.01
Capital Electric	\$228,538.38
C.N. Robinson Lighting Supply Co.	\$223,034.00

E.D. Supply Co. has been a reputable vendor for the City of Salisbury and other state and local municipalities for many years. The City of Salisbury has an excellent experience with E.D. Supply Co. and have found their service to be reliable. Contract prices are in line with similar vendor quotes for the City of Salisbury, thereby demonstrating price reasonableness for bid items.

The City of Salisbury, upon review and evaluation of the bid submitted, recommends this contract be awarded to E.D. Supply Co., in the amount of \$218,376.01. The bid submitted by E.D. Supply Co. is financially-feasible and cost-effective.

Funds are available in account number 98119-513026-43023.



City of
Salisbury
Jacob R. Day, Mayor

To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: January 11, 2021
Subject: Change Order #2 to RFP 19-117
Engineering and Construction Services for Fitzwater Street Lift Station

The Department of Procurement received a request from the Department of Infrastructure & Development to process Change Order #2 in the amount of \$18,775.00 for Request for Proposal (RFP) 19-117. This Change Order provides for additional Engineering and Construction Services to see the construction project through to its anticipated completion in January 2021. The departmental memo and change order are attached for reference.

The Department of Procurement request Council's approval to process Change Order #2 as noted above to the original awarded contractor, George, Miles & Buhr, LLC.



City of
Salisbury
Jacob R. Day, Mayor

To: Jennifer Miller, Director of Procurement
From: Amanda H. Pollack, Director of Infrastructure & Development *AP*
Date: December 22, 2020
Re: Contract RFP 19-117 Engineering and Construction Services for Fitzwater Street Lift Station

GMB, LLC was contracted through RFP 19-117 to provide Construction Administration & Inspection Services for Fitzwater Street Lift Station project. The current contract completion date is December 28, 2020. The pump station start up and other critical construction items will not be completed until January 2021, therefore an extension of services is requested. A letter from GMB dated December 21, 2020 is attached.

Change Order No. 2 adds \$18,775.00 in funding for additional Construction Administration and Inspection services and adds 30 days to the contract duration. The contract Final Acceptance date will be extended from December 28 2020 to January 27, 2021. Services provided under this change order include construction administration services, full time inspection services, and close-out services.

Please process Change Order No. 2. This is a Tier 6 change order. Funding in the amount of \$18,775.00 is available in account number 96112-513020-55011.



TIER 6 CHANGE ORDER
 Original PO \$100,000.01+
 Cumulative Increase ≥ 20.01%

Contract #: RFP 19-117
Contract Name: Engineering and Construction Services for Fitzwater Street Lift Station
Change Order #: 2
P.O. #: 2200163
Initiation Date: December 22, 2020
Contract Date: October 29, 2019
Account #: 96112-513020-55011

TO: George, Miles & Buhr, LLC
 206 West Main Street
 Salisbury, MD 21801

You are directed to make the following changes in this contract:

1. Additional Construction Administration and Inspection Services
2. Increase contract duration by 30 days

Signature of the Contractor indicates their agreement herewith, including any adjustment in the Contract Sum or Contract Time. The terms and conditions of the original contract shall prevail; no other terms and conditions accompanying this charge order shall be valid or enforceable unless specifically acknowledged by written contract amendment issued by the City of Salisbury. Not valid until signed by all parties indicated below.

The original Contract Sum was.....	\$225,300.00
Net change by previously authorized Change Orders.....	\$ 37,550.00
The Contract Sum prior to this Change Order was.....	\$262,850.00
The Contract Sum will be (increased), (decreased), (unchanged) by.....	\$ 18,775.00
The Cumulative Contract Sum including this Change Order will be.....	\$281,625.00
Therefore, the Cumulative Contract Sum will be (increased), (decreased), (unchanged) by....	25%
The Contract Time will be (increased), (decreased), (unchanged) by.....	(30) days or (4) weeks
Therefore, the revised date of Substantial Completion is.....	<u>January 27, 2021</u>
Therefore, the revised date of Final Acceptance is.....	<u>January 27, 2021</u>

AUTHORIZED:

<u>Printed Name</u>	<u>Title</u>	<u>Signature</u>	<u>Date</u>
Amanda Pollack, P.E.	Director of Infrastructure & Development	<i>Amanda H Pollack</i>	12/22/2020
Jennifer Miller, CPPO, CPPB	Director of Procurement		
Keith Cordrey	Director of Finance		
Andy Kitzrow	Deputy City Administrator		
Mark Tilghman, P.A.	City Solicitor		
Julia Glanz	City Administrator		
John R. Heath	President, City Council		

VENDOR ACKNOWLEDGEMENT (Please sign and return two originals):

<u>Printed Name</u>	<u>Title</u>	<u>Signature</u>	<u>Date</u>
James C. Hoageson	Sr. Vice President	<i>James C Hoageson, P.E.</i>	12/22/2020



GEORGE, MILES & BUHR, LLC

■ ■ ■ ■

ARCHITECTS
ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
FAX: 410.548.5790

SALISBURY
BALTIMORE
SEAFORD

www.gmbnet.com

■ ■ ■ ■

December 21, 2020

City of Salisbury
Department of Infrastructure and Development
125 N. Division Street, Suite 202
Salisbury, Maryland 21801

Attn: Mr. Richard Baldwin

Re: Engineering Construction Services for Fitzwater Street Lift Station
RFP 19-117
Amendment No. 2

Dear Mr. Baldwin:

George, Miles & Buhr, LLC (GMB) respectfully submits for the City of Salisbury's (CoS) consideration and approval additional Contract Administration and Inspection Services.

GMB is contracted with the CoS for services mentioned above for a term of 420 calendar days commencing on the date of the Contractor's Notice to Proceed, November 4, 2020, and extending until December 28, 2020. As we discussed, it is the desire of GMB and CoS to extend these services. Based on the Contractor's latest construction schedule and the amount of work remaining to complete the lift station, it is our best estimation, at this time, that an additional thirty (30) days of engineering services is necessary at this critical stage of the project.

Accordingly, GMB requests an additional thirty (30) days and additional fee to provide engineering services commencing on December 29, 2020, and extending to January 27, 2021.

Additional Construction Administration:	\$8,375.00
Additional Inspection Services:	\$10,400.00

Total Lump Sum Amendment Request for Engineering Services: **\$18,775.00**

If additional services are requested outside of the timeline established, GMB reserves the right to request additional fee.

GMB appreciates your consideration of Amendment No. 2, and we look forward to continuing working with the City of Salisbury to make this project a success. To avoid any disruption in services, GMB respectfully requests an approved amendment prior to January 12, 2021. Please do not hesitate to contact me with any questions.

Sincerely,

James C. Hoageson, P.E.
Senior Vice President

JCH/slh

JAMES H. WILLEY, JR., PE
PETER A. BOZICK, JR., PE
JUDY A. SCHWARTZ, PE
CHARLES M. O'DONNELL, III, PE
W. BRICE FOXWELL, PE
A. REGGIE MARINER, JR., PE
JAMES C. HOAGESON, PE
STEPHEN L. MARSH, PE
DAVID A. VANDERBEEK, PE
ROLAND E. HOLLAND, PE
JASON M. LYTLE, PE
CHRIS B. DERBYSHIRE, PE
W. MARK GARDOCKY, PE
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, PE

JOHN E. BURNSWORTH, PE
VINCENT A. LUCIANI, PE
ANDREW J. LYONS, JR., PE
W. NICHOLAS LLOYD
AUTUMN J. WILLIS