

**THE TOWN OF FOREST HEIGHTS  
RESOLUTION 29- 23**

**A RESOLUTION TO APPROVE A MAXIMUM SPENDING CAPACITY FOR THE TOWN OF FOREST HEIGHTS BLACK HISTORY MONTH PARADE AND AUTHORIZE STAFF TO EXPEND YOUTH PROGRAM FUNDING AND YOUTH GRANT PROGRAM FUNDING IN SUPPORT OF THE TOWN OF FOREST HEIGHTS, MNCPP-PG, AND PRINCE GEORGE'S COUNTY COUNCIL DISTRICT 8 YOUTH AND COMMUNITY PROGRAMMING**

Introduced by: Council President Troy Lilly

Co-Sponsor: Mayor Calvin Washington, Councilmember Paula Noble

**WHEREAS**, the Town Charter, § 33-63(f) authorizes the Town to forego the normal procurement process through cooperative purchasing in certain cases where another government entity has already made a competitive purchase of said item and therefore the Mayor and Council may, without soliciting bids, purchase the item in question at the bid price from the successful bidder, if the Mayor and Council determines that the bid price is competitive, and

**WHEREAS**, the Town Charter, § 33-63(g) further authorizes the Mayor and Council by a two-thirds vote to waive the competitive bidding requirements of said Charter section for good cause shown for sole source procurements of unique products and services, and that written findings as to the basis of such waiver shall be placed in the journal of the Council's proceedings, and

**WHEREAS**, the Town Ordinance Code, § 20-4(a)(6) states that upon written findings entered into the journal, the Mayor and Council may exempt the purchase of a good or service from competitive selection processes when the purchase qualifies as a sole source procurement as a result of several circumstances including: One vendor is the only one qualified or eligible or is quite obviously the most qualified or eligible to provide the good or service or the procurement is of such a specialized nature or related to a specific geographic location that only a single source, by virtue of experience, expertise, proximity, or ownership of intellectual property rights, and could most satisfactorily provide the good or service, and

**WHEREAS**, the Council finds that it is prudent and necessary to prepare for the Town of Forest Heights Black History Month Parade in support of Community Youth Programming; and

**WHEREAS**, the Charter, Section 33-66(g) (Purchases and contracts) states that the Mayor and Council by a two-thirds vote may waive the competitive bidding requirements of said section for good cause shown for sole source procurements of unique products and services provided written findings are made as to the basis of such waiver shall be placed in the journal of the Council's proceedings; and

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**WHEREAS**, the Council finds that some of the rationale for waiving Town competitive procurement requirements are as follows: (i) the bidding process would add at least 30 days to the procurement process and the event is scheduled for February 25<sup>th</sup>, 2023

**WHEREAS**, the Council further finds that time is of the essence and suppliers will need to be utilized and funded within the expedited timeframe; and

**WHEREAS**, the Staff recommends that in order to complete the project services will be provided by Vendors approved by the Town Administrator which should be businesses in good standing with the State and, as stated, having performed numerous contracts with the Town; and

**WHEREAS**, the Mayor and Town Council authorizes the Town Administrator to enter into agreements with suppliers, vendors, with a total project amount not to exceed \$25,000.00

**NOW, THEREFORE BE IT RESOLVED** that the Town Council by a two-thirds vote hereby waives the competitive bidding requirements of Section 33-66 of the Town Charter for good cause shown for sole source procurements of unique products and services.

**AND, BE IT FURTHER RESOLVED** that the Town Council by a two-thirds vote hereby waives the competitive bidding requirements of Section 33-66 of the Town Charter for good cause shown for sole source procurements of unique products and services.

**AND, BE IT FURTHER RESOLVED** that the Town Administrator and Town Treasurer shall ensure that the Annual Budget Ordinance, as amended, and any duly authorized amendatory budget resolutions, and the detailed line-item budget/quarterly financial reports are properly introduced, enumerated and amended to accommodate, validate and reflect the intent of this Resolution.

**AND, BE IT FURTHER RESOLVED** that the Mayor and Town Administrator is authorized on behalf of the Town, is hereby authorized to enter into the subject Proposal/Contracts and execute any other necessary documents needed to carry out the intent of this Resolution prior to the commencement of any work and the Town Administrator is authorized to execute any related documents; and

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**AND BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon its passage.

PASSED this 10 day of January 2023.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

LILLY

Yea

KENNEDY II

Yea

NOBLE

Yea

BARNES

ABSENT

HINES

Yea

WASHINGTON

Yea

ATKINSON

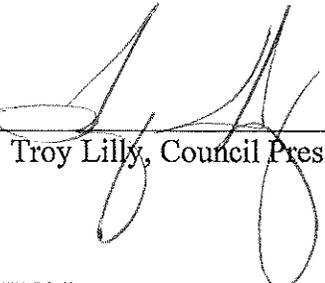
ABSENT

ATTEST:

THE TOWN OF FOREST HEIGHTS,  
MARYLAND

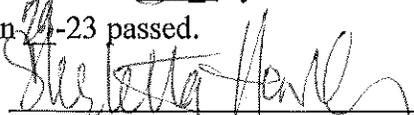
  
\_\_\_\_\_  
Sherletta Hawkins, Town Clerk

By:   
\_\_\_\_\_  
Calvin Washington, Mayor

By:   
\_\_\_\_\_  
Troy Lilly, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 6 day of January 2023 with 5 Aye votes and 0 Nay (2/3rds supermajority) votes the aforesaid Resolution 29-23 passed.

  
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Sherletta Hawkins, Town Clerk