

**THE TOWN OF FOREST HEIGHTS  
RESOLUTION 21-24**

**A RESOLUTION TO APPROVE A CONTRACT WITH HARBORSIDE HOTEL FOR CATERING AND ASSOCIATED SERVICES RELATED TO THE 75<sup>TH</sup> ANNIVERSARY GALA**

Introduced by: Mayor Troy Lilly

**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, necessary, and a public safety necessity to purchase Two pick-up trucks, two snowplows, and

**WHEREAS**, the Mayor and Council desire to enter into a contract in the amount of \$13,542 with Harborside Hotel for catering services directly related to the 75<sup>th</sup> Anniversary of the Town Gala. As such, Harborside Hotel is hereby considered to be quite obviously the most qualified or eligible vendor to provide the good or service, and/or the procurement is of such a specialized nature or related to a specific geographic location that only a single source is reasonably available, by virtue of experience, expertise, and proximity, Venue requirements as detailed in **Exhibit A**, 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

**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

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**WHEREAS**, the Council further finds that time is of the essence and only one named supplier(s) can meet the needs for the specific venue for the 75<sup>th</sup> Anniversary within the expedited timeframe; and

**NOW, THEREFORE BE IT RESOLVED** that the Town Council hereby accepts the contract, which has been reviewed for legal sufficiency, and further approves and authorizes the Town to proceed with the said purchases with certain terms and conditions enumerated therein contained in Exhibit A.

**AND, BE IT FURTHER RESOLVED**, that the Town Council hereby authorizes the payment to be made according to FY24 Budget Line Item(s) for the 75<sup>th</sup> Anniversary Gala with any proofs of insurance and indemnifications deemed necessary by the Town Administrator to protect the Town and carry out the performance of the project described herein.

**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, on behalf of the Town, is hereby authorized to enter into the subject Proposal/Contract/Purchase and execute any other necessary documents needed to carry out the intent of this Resolution; and

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

PASSED this 1 day of April 2024.

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

LITTLE

Abstain

HINES

Yea

MCDONALD

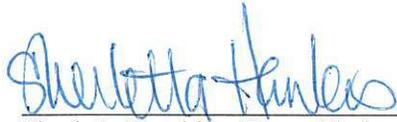
Abstain

BROWNSON

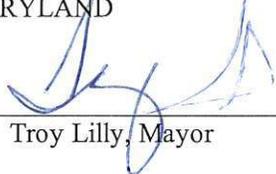
Yea

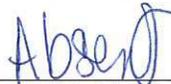
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ATTEST:

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

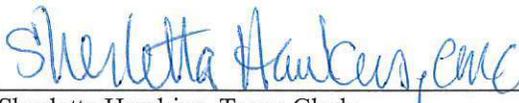
THE TOWN OF FOREST HEIGHTS,  
MARYLAND

By:   
\_\_\_\_\_  
Troy Lilly, Mayor

By:   
\_\_\_\_\_  
Jamilah McDonald, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 11 day of April 2024 with 5 Aye votes and 0 Nay (2/3rds supermajority) votes the aforesaid Resolution 21-23 passed.

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

[Exhibit A – Harborside Contract]