

**CITY COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND**

**RESOLUTION NO. R-16-13**

**Introduced By**                      **City Council**

**Date Introduced:**                      **May 16, 2016**

**Amendments Adopted:**

**Date Adopted:**                      **May 16, 2016**

**Date Effective:**                      **May 16, 2016**

**A RESOLUTION concerning**

**WAIVER OF COMPETITIVE BIDDING FOR  
SMART CITY PROJECT FEASIBILITY STUDY**

**WHEREAS**, the City is in the initial phases of renovating City Hall and the City's Public Works Facility to improve governmental services provided to the citizens of the City of Seat Pleasant (the "City") as part of the City's Smart City Project (the "Project"), which will materially benefit the City and its citizens; and

**WHEREAS**, the City recently utilized its competitive bidding procedures to obtain an environmental assessment from Eureka Facts, LLC ("Eureka"), in which Eureka recommended that the City obtain a professional feasibility study for the Project as required by the U.S. Department of Agriculture ("USDA"); and

**WHEREAS**, Eureka proposes to perform the feasibility study for the sum of \$25,000; and

**WHEREAS**, the City Council of the City of Seat Pleasant (the "City Council") is concerned that any delay in obtaining a feasibility study that will be occasioned by complying with the competitive bidding procedures set forth in Chapter 39 of the Code of the City of Seat Pleasant (the "City Code") would, in turn, delay the City's submission of its loan application to USDA for funding for the Project and, as such, could jeopardize the City's receipt of the same, which would be detrimental to the public health and welfare; and

**WHEREAS**, the City Council desires to exempt the City from the competitive bidding procedures set forth in Chapter 39 of the City Code for obtaining a feasibility study and authorize the Acting City Administrator to obtain the same from Eureka Facts, LLC, subject to and to the extent of the availability of funds in the City's budget for such purpose and provided that the cost of the feasibility study shall not exceed \$25,000.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT** that, pursuant to § 39-3.A. of the City Code, the City Council finds that any delay that would be occasioned by complying with the formal competitive bidding procedures set forth in Chapter 39 of the City Code for obtaining a feasibility study for the Project would, in turn, delay the City's submission of its loan application to USDA for funding for the Project and, as such, could jeopardize the City's receipt of the same, which would be detrimental to the public health and welfare.

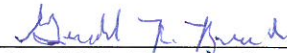
**AND BE IT FURTHER RESOLVED** that the City Council, acting by the affirmative vote of at least a majority of the whole Council and for the reasons set forth herein, hereby exempts the City from the formal competitive bidding procedures set forth in Chapter 39 of the City Code for obtaining a feasibility study for the Project.


**AND BE IT FURTHER RESOLVED** that the City Council hereby authorizes the Acting City Administrator to obtain a feasibility study from Eureka Facts LLC, subject to and to the extent of the availability of funds in the City's budget for such purpose and provided that the cost of the feasibility study shall not exceed \$25,000.


**AND BE IT FURTHER RESOLVED** that this Resolution be and is hereby enacted this 16<sup>th</sup> day of May, 2016, to take effect immediately.

**CITY COUNCIL OF THE CITY OF SEAT PLEASANT**

  
\_\_\_\_\_  
Kelly Porter, Councilmember


  
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Gerald R. Raynor, Sr., Councilmember

  
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Elenora Simms, Councilmember

  
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Aretha A. Stephenson, Councilmember

  
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Reveral L. Yeargin, Councilmember

**ATTEST:**

  
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Dashaun N. Lanham, CMC  
City Clerk