

CITY OF SALISBURY, MARYLAND

REGULAR MEETING

FEBRUARY 26, 2018

PUBLIC OFFICIALS PRESENT

*Council President John "Jack" R. Heath
Council Vice-President Muir Boda
Councilwoman April Jackson*

*Mayor Jacob R. Day
Councilman James Ireton, Jr.
Councilman R. Hardy Rudasill*

IN ATTENDANCE

Deputy City Administrator Alison Pulcher, Procurement Director Jennifer L. Miller, City Attorney Mark Tilghman, City Clerk Kimberly R. Nichols, and interested citizens.

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:02 p.m. in Council Chambers. Council President John R. Heath called the meeting to order and invited Pastor Robert C. Reinert forward to the podium to provide the City Invocation, followed by the pledge of allegiance to the flag of the United States of America.

PRESENTATION

Mayor Jacob R. Day invited United Way of the Lower Eastern Shore Executive Director Kathleen Mommé, Resource Development Manager Stacey McMichael and Board of Directors' Rep. Laura Rodriguez forward to the podium. He reported the organization, now 74 years old, has helped many local people and families. With 19% overhead compared to the 34% national non-profit average overhead, the United Way supports many important local programs.

Mayor Day presented the check for \$8828.00 to the United Way of the Lower Eastern Shore from the Mayor, Council and employees of the City of Salisbury through their payroll deductions. Ms. Mommé thanked the City of Salisbury employees for their generous donations and Executive Office Associate Donna Haag for her time and efforts to coordinate the drive.

ADOPTION OF LEGISLATIVE AGENDA

Mr. Rudasill moved, Mr. Ireton seconded, and the vote was unanimous to approve the legislative agenda as presented.

CONSENT AGENDA – presented by City Clerk Kim Nichols

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

- **February 5, 2018** Work Session Minutes

- February 12, 2018 Regular Meeting Minutes
- Resolution No. 2815- approving the appointment of Terri Gladus to the Sustainability Advisory Committee for term ending February 2021

AWARD OF BIDS – presented by Director of Procurement - Jennifer L. Miller

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

- Change Order #1, RFP 11-17, Riverwalk Amphitheater \$379,738.00

ORDINANCES – presented by City Attorney Mark Tilghman

- Ordinance No. 2474- 2nd reading - to establish a fee schedule for renting City facilities, amenities and public spaces

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2474 for second reading.

- Ordinance No. 2475- 2nd reading - amending and supplementing Ordinance No. 2223 to authorize the City of Salisbury to use and apply a portion of the principal amount of the \$6,041,000 Taxable Public Improvements Bond of 2012 to the projects identified

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Ordinance No. 2475 for second reading.

- Ordinance No. 2476- 1st reading - approving an amendment of the FY 2018 General Fund Budget to appropriate additional position allocations for Fire Department personnel

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2476 for first reading.

RESOLUTION – presented by Deputy City Administrator Alison Pulcher

- Resolution No. 2816 - to amend Resolution No. 2236 authorizing the City to use and apply a portion of the principal amount of the \$6,041,000 Taxable Public Improvements Bond of 2012 to various projects (sewer infiltration and inflow remediation, replace distribution piping and valves, restore Park Well Field, tank and reservoir mixing system, Paleo Water Treatment Plant roof improvements, Pump Station building improvements, Park Water Treatment electrical gear replacement, Glen Avenue Lift Station and sewer extension in Mt. Herman Road) in addition to the projects originally identified and identify the sources from which Debt Service on the 2012 taxable bond allocable to such additional projects will be payable in the first instance; authorizing City officials and employees to take certain actions with respect to the 2012 Taxable Bond; providing that the provisions of this resolution shall be liberally construed; and relating to the use of proceeds of the 2012 Taxable Bond

Ms. Jackson moved, Mr. Ireton seconded, and the vote was unanimous to approve Resolution No. 2816.

PUBLIC COMMENTS

One member of the public provided the following comments:

- Discussed the technical and STEM resources in our area that would support companies such as Amazon Web Services, Apple, and Northrup Grumman.*
- We are able to support such companies and industries because of the following: 1) our power grid (can support multiple IT facilities), 2) we have some of the best bandwidth in the world thanks to MD Broadband, 3) there is plenty of commercial space available, and 4) our cost of living is over 30% less than NOVA.*
- Our problem is people – our major employers are the government, health care, education, and manufacturing. Training is another major issue.*
- He suggested incentives such as recognizing K-12 graders for STEM excellence and offering incentives for taking Gage Courses.*
- Suggested we need an advocate to let these companies know that we have what they need.*
- Provided a report containing data and ideas, and suggested listening to Dr. Memo Diriker's "Eastern Shore High Tech & High Impact Region" brief included on CD in the report.*
- Asked that the conversation begin now so that when IT companies come looking for a new home, Salisbury will be in their conversation.*

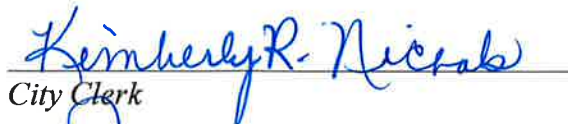
Mayor Day asked that the speaker discuss his ideas with SWED Director Dave Ryan.

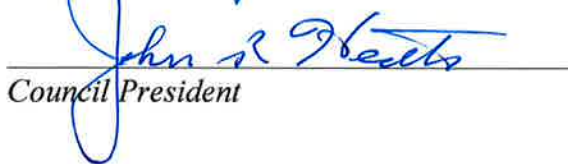
COUNCIL DISCUSSION

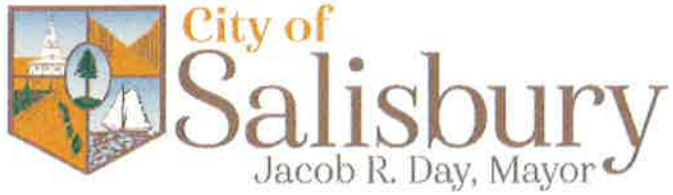
Councilman Ireton recognized Margaret Selser in the audience attending with her son, a Boy Scout, working towards his Communications Badge.

ADJOURNMENT

With nothing further to discuss, the legislative session adjourned at 6:30 p.m.


City Clerk

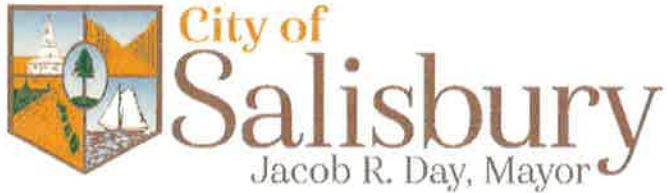

Council President



COUNCIL AGENDA – Award of Bids

February 26, 2018

- | | |
|------------------------|--------------|
| 1. Change Order #1 | \$379,738.00 |
| RFP 11-17 | |
| Riverwalk Amphitheater | |



To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: February 26, 2018
Subject: Change Order #1
RFP 11-17 Riverwalk Amphitheater

On September 11, 2017, the City of Salisbury awarded Contract RFP 11-17 to Delmarva Veteran Builders to design, permit and construct a Riverwalk Amphitheater ("Project"). Having now completed the pre-construction phase and achieving the 90% design plans, a Guaranteed Maximum Price (GMP) of \$379,738.00 has been negotiated for construction of the project. Additional details regarding the GMP can be found in the attached documentation.

Funding is available in the following accounts:

95001-513026-48031	Stormwater Utility	\$ 25,000.00
98118-513026-48031	Donation	\$354,738.00

The Department of Procurement hereby requests Council's approval to award Change Order #1 to Delmarva Veteran Builders in the amount of \$379,738.00 for construction of the amphitheater.



City of
Salisbury
Jacob R. Day, Mayor

To: Jennifer Miller, Director of Procurement
From: Amanda Pollack, P.E., Director of Infrastructure and Development *AP*
Date: February 14, 2018
Re: RFP 11-17 Construction of the Riverwalk Amphitheater– Change Order No. 1

Through RFP 11-17, the City contracted with Delmarva Veteran Builders for Pre-Construction services associated with the Riverwalk Amphitheater project, including design and obtaining subcontractor bids. Change Order No.1 provides for the construction of the Riverwalk Amphitheater. Initial construction of the Amphitheater will focus on a 650 person seating bowl, performance area, stormwater management, and electric service for the performance area and vendor spaces. The specific scope of work for Construction Services was included in the original RFP 11-17 contract.

A future phase of the Amphitheater may include a performance area canopy, pending funding availability.

Attached is a letter from Delmarva Veteran Builders which clarifies the breakdown for unused contingency funds. Additionally, attached is the construction schedule of values. Please note that the Field Operations Department is able to perform the demolition work, which results in a cost savings of \$19,050.00. This is accounted for in the Guaranteed Maximum Price.

Please process Change Order No. 1 which results in an increase of \$379,738.00. The contract end date of July 31, 2018 remains unchanged. Funding is available in the following accounts:

95001-513026-48031	\$25,000.00	Stormwater construction from the Stormwater Utility
98118-513026-48031	\$354,738.00	Donation (State of Maryland)

Amanda Pollack

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

Delmarva Veteran Builders, LLC

	Job Name	Salisbury Amphitheater Cost Schedule
	Location	Salisbury, MD
	Date	14-Feb-18
	Architect	Vista Design
Activity	Description	Total
1000	General Requirements	\$ 67,294.00
2000	Sitework	\$ 130,775.00
2100	Stormwater management	\$ 25,000.00
3000	Concrete	\$ 12,379.00
4000	Masonry	\$ 57,870.00
5000	Metals	\$ 3,240.00
6000	Specialties	\$ 7,440.00
7000	Electrical	\$ 24,306.00
8000	Contingency (7%)	\$ 22,981.00
9000	Construction Management Fee (8%)	\$ 28,102.00
10000	DVB Folk Festival Donation	\$ (10,000.00)
11000	LED Lights	\$ 15,228.00
12000	Replace City Light Poles	\$ 7,344.00
13000	Credit for City to perform demolition work	\$ (19,050.00)
14000	Bonding Costs	\$ 6,829.00
	TOTAL	\$ 379,738.00



▼ "A Service to Service Initiative"

DELMARVA VETERAN BUILDERS, LLC

PO Box 621 • Salisbury, Maryland 21803 • 443.736.1584

February 13, 2018

Mr. Charles Kulp
Project Engineer
Department of Infrastructure and Development
City of Salisbury
125 N. Division Street
Salisbury, MD 21801

RE: Contract No. RFP 11-17
Riverwalk Amphitheater

This is in reference to the contingency line item within the schedule of values. Any money not used in the contingency line will be split between the City of Salisbury (60%) and Delmarva Veteran Builders (40%). Please let me know if you have any questions.

Thank you,



Chris Eccleston