



100 West Washington Street, Suite 1101 | Hagerstown, MD 21740-4735 | P: 240.313.2200 | F: 240.313.2201
WWW.WASHCO-MD.NET

BOARD OF COUNTY COMMISSIONERS
November 17, 2020
OPEN SESSION AGENDA

The meeting of the Board of County Commissioners of Washington County will be held at 100 West Washington Street, Suite 1113, Hagerstown. Due to Governor Hogan's Executive Order and gathering restrictions, Board members will be practicing social distancing. County buildings remain closed to public access except by appointment. Therefore, there will be no public attendance in the meeting chambers, unless previously scheduled. The meeting will be live streamed on the County's YouTube and Facebook sites.

- 10:00 AM** **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
CALL TO ORDER, *President Jeffrey A. Cline*
APPROVAL OF MINUTES: *November 3, 2020*
- 10:05 AM** **COMMISSIONERS' REPORTS AND COMMENTS**
- 10:10 AM** **STAFF COMMENTS**
- 10:15 AM** **CITIZEN PARTICIPATION** (*citizens are required to submit a request to khart@washco-md.net or by calling 240.313.2204 at least 24 hours in advance of the meeting*)
- 10:20 AM** **SECOND AMENDMENT RESOLUTION** – *Timothy & Rebecca Hafer*
- 10:25 AM** **ABANDONMENT OF RIGHT OF WAY** – *Todd Moser, Real Property Administrator*
- 10:30 AM** **PUBLIC HEARING: SOLID WASTE MANAGEMENT AND RECYCLING PLAN**
TEXT AMENDMENT (SW-20-001) – *Jill Baker, Director, Planning & Zoning*
- 10:40 AM** **APPOINTMENT OF BOARD OF EDUCATION MEMBER** – *Marilee Kerns, Chair, School Board Nominating Commission*
- 10:45 AM** **FY2021 BUDGET ADJUSTMENTS TO THE WASHINGTON COUNTY BOARD OF**
EDUCATION'S GENERAL FUND BUDGET – *Jeffrey Proulx, Chief Operating Officer;*
David Brandenburg, Executive Director of Finance, Washington County Public Schools
- 10:50 AM** **PRESENTATION OF THE JUNE 30, 2020 AUDITED FINANCIAL STATEMENTS** –
Chris Lehman, Partner, SB&Company
- 10:55 AM** **FY2020 YEAR END REPORT**- *Sara Greaves, CFO*
- 11:00 AM** **ENVIRONMENTAL MANAGEMNT ADVISORY COMMITTEE**
RECOMMENDATIONS – *Brock Shriver, Chair; Randall Morin, Vice-Chair; Dave Mason,*
Deputy Director, Solid Waste
- 11:05 AM** **KRAFT RURAL LEGACY PROGRAM EASEMENT** – *Chris Boggs, Land Preservation*
Planner, Planning & Zoning

- 11:10 AM HAGERSTOWN COMMUNITY COLLEGE / DIVISION OF EMERGENCY SERVICES PARAMEDIC PROGRAM UPDATE** – *Dave Hays, Director, and Kevin Lewis, Director of Training/Quality Assurance, Emergency Services; Dr. James Klauber, President, Hagerstown Community College*
- 11:15 AM INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0051) PERSONAL PROTECTIVE EQUIPMENT** – *Brandi Naugle, Buyer, Purchasing; Dave Hays, Director, Emergency Services*
- 11:20 AM CONTRACT AWARD (PUR1476) GASOLINE AND DIESEL FUEL DELIVERIES** – *Brandi Naugle, Buyer, Purchasing; Zane Rowe, Deputy Director, Highways*
- 11:25 AM BID AWARD (PUR1475) SWIMMING POOL AND WATER/WASTEWATER TREATMENT CHEMICALS** – *Brandi Naugle, Buyer, Purchasing; Davina Yutzy, Deputy Director, Water Quality; Mark Bradshaw, Deputy Director, Engineering*
- 11:30 AM ENHANCED NUTRIENT REMOVAL AT WASHINGTON COUNTY'S WASTEWATER TREATMENT PLANT** – *Mark Bradshaw, Deputy Director, Engineering*
- 11:35 AM INTERGOVERNMENTAL COOPERATIVE PURCHASE (INTG-20-0052) e-PLAN SOFTWARE FOR PLAN REVIEW & PERMITTING** – *Joshua O'Neal, Director, Information Systems; Rich Eichelberger, Director, Construction; Ashley Holloway, Director, Permitting*
- 11:40 AM RENEWAL OF MICROSOFT OFFICE 365 LICENSING** – *Joshua O'Neal, Director, Information Systems; Rick Curry, Director, Purchasing*
- 11:45 AM PURCHASE OF MICROSOFT TEAMS TELEPHONY INTERGRATION LICENSING** – *Joshua O'Neal, Director, Information Systems; Rick Curry, Director, Purchasing*
- 11:50 AM BID AWARD – PUR1482 DELL POWEREDGE R740XD SERVER PRODUCT** – *Joshua O'Neal, Director, Information Systems; Rick Curry, Director, Purchasing*
- 11:55 AM BID AWARD – PUR1483 POLY TELPHONY** – *Joshua O'Neal, Director, Information Systems; Rick Curry, Director, Purchasing*
- 12:00 PM BRUCE BEREANO LETTER OF SERVICES** – *Kirk Downey, County Attorney / Interim County Administrator*
- 12:05 PM CONVENE AS THE BOARD OF HEALTH**
- 12:10 PM APPROVE A CONTRACT AMENDMENT FOR THE GRANT TO REIMBURSE MERITUS HEALTH USING FUNDS PROVIDED THROUGHT THE CARES ACT 2020**– *Earl Stoner, Health Officer; Daniel Triplett, Administrator*
- 12:20 PM RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS**
- 12:25 PM CLOSED SESSION** (*To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals*)
- 1:30 PM ADJOURNMENT**



Agenda Report Form

Open Session Item

SUBJECT: Second Amendment Resolution

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Timothy Hafer

RECOMMENDED MOTION: Move to approve and adopt the Resolution Expressing Support of the Second Amendment of the United States Constitution and Declaring Washington County a Second Amendment Sanctuary.

REPORT-IN-BRIEF: The Second Amendment of the United States Constitution gives individuals the right to keep and bear arms. This right should be protected and promoted.

DISCUSSION: The proposed Resolution provides that the Board of County Commissioners support citizens' Second Amendment right and will not use public funds to restrict Second Amendment rights. The Resolution also declares the Board's intent to oppose unconstitutional restrictions on the right to bear arms, declares Washington County a Second Amendment Sanctuary, and avers the Board's commitment to preserve, protect, and defend the United States Constitution.

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Proposed Resolution

AUDIO/VISUAL NEEDS: N/A

RESOLUTION NO. RS-2020-____

(Expressing Support of the Second Amendment of the United States Constitution and Declaring Washington County a Second Amendment Sanctuary)

RECITALS

WHEREAS, the Second Amendment of the United States Constitution reads, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

WHEREAS, the members of the Board of County Commissioners of Washington County, as is the case for all elected officials in Maryland, are sworn to protect the Constitution of the United States and the laws thereof.

WHEREAS, the Board of County Commissioners of Washington County wishes to express its concern about the passage of any bill containing language that could be interpreted as infringing the Second Amendment rights of the citizens of Washington County to keep and bear arms.

WHEREAS, the Board of County Commissioners of Washington County wishes to express its intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitution of the United States, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the right of the citizens to keep and bear arms.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Washington County, Maryland, that:

1. The Board of County Commissioners of Washington County hereby expresses its intent to uphold the Second Amendment rights of the citizens of Washington County, Maryland and its intent that public funds of the County not be used to restrict Second Amendment rights or to aid in the unnecessary and unconstitutional restriction of the rights under the Second Amendment of the citizens of Washington County to bear arms;

2. The Board of County Commissioners of Washington County hereby declares its intent to oppose unconstitutional restrictions on the right to keep and bear arms through such legal means as may be expedient; and

3. Washington County is hereby declared a Second Amendment Sanctuary; and

4. We will preserve, protect, and defend the United States Constitution.

Adopted this ____ day of March, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Krista L. Hart, Clerk

Jeffrey A. Cline, President

Terry L. Baker, Vice President

Wayne K. Keefer, Commissioner

Cort F. Meinelschmidt, Commissioner

Randall E. Wagner, Commissioner

Concurrence:

Douglas W. Mullendore, Sheriff

Approved as to form
and legal sufficiency:

Kirk C. Downey
County Attorney

Mail to:
Office of the County Attorney
100 W. Washington Street, Ste. 1101
Hagerstown, MD 21740



Agenda Report Form

Open Session Item

SUBJECT: Abandonment of Right of Way

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Todd Moser, Real Property Administrator, Division of Engineering

RECOMMENDED MOTION: Move to approve the request to abandon a portion of right of way as presented.

REPORT-IN-BRIEF: The owner of Big Pool AC&T has requested the County abandon the unused right of way fronting the AC&T property in Big Pool.

DISCUSSION: A right of way consisting of a 25 feet wide strip of land formally known as Big Pool Road / Route 56 (also known as a portion of Tedrick Drive) has not been used as public access for over 20 years since the redevelopment of the land and construction of the entrance to the AC&T. The right of way serves no benefit to the County and abandonment of right of way does not impact access for others.

FISCAL IMPACT: N/A

CONCURRENCES: County Attorney's Office

ALTERNATIVES: N/A

ATTACHMENTS: Aerial Map

AUDIO/VISUAL NEEDS: Aerial Map

Proposed Abandonment of Right of Way



BSM Big Pool LLC
(AC&T)
11079 Big Pool Road

Civic Organization Dist 15. Inc.
(Community Center)
11411 Tedrick Drive

Legend

- BSM Big Pool LLC (AC&T)
- Civic Organization Dist 15. Inc.
- Proposed Abandonment of ROW
- Parcel Boundaries

0 50 100 150 200 Feet



Agenda Report Form

Open Session Item

SUBJECT: PUBLIC HEARING: Solid Waste Management and Recycling Plan Text Amendment (Sw-20-001)

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Jill Baker, Director, Department of Planning and Zoning

RECOMMENDED MOTION: No motion needed.

REPORT-IN-BRIEF: During the 2019 session of the Maryland General Assembly, legislation was passed that required Counties to include Office Recycling Plans into their Solid Waste Management and Recycling Plans. The purpose of the office recycling plan legislation is to require large office complexes (greater than 150,000 sq. ft.) to implement recycling plans and strategies to help divert recyclable waste from local landfills.

These amendments have been reviewed by the Maryland Department of the Environment and have been found consistent with the requirements of the legislation. These amendments have also been reviewed by the Planning Commission and gone through their public input process. No comments have been received from the general public and the Planning Commission has recommended approval of the amendments.

DISCUSSION: The Solid Waste Management and Recycling Plan is a policy document aimed at providing the County a plan for safe and adequate management of solid waste. The plan has a ten year horizon period that addresses the management of solid waste and recycling efforts in the County. The goal of this plan is to provide facilities that are adequate to treat, recover, dispose, and/or recycle solid waste to protect our environment and our citizens.

FISCAL IMPACT: n/a

CONCURRENCES: Washington County Recycling Coordinator, Washington County Planning Commission, Maryland Department of the Environment

ALTERNATIVES: n/a

ATTACHMENTS: Staff Report and Analysis (including the proposed amendments)
Planning Commission Recommendation
MDE Tentative Approval of amendments

AUDIO/VISUAL NEEDS: n/a



DEPARTMENT OF PLANNING & ZONING
COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

SW-20-001

September 2020

**WASHINGTON COUNTY SOLID WASTE MANAGEMENT
AND RECYCLING PLAN
TEXT AMENDMENT
STAFF REPORT AND ANALYSIS**

Chapter 5 - Section 5.1.8

Proposal: Application is being made to amend the Solid Waste Management and Recycling Plan to include an Office Building Recycling Plan in accordance with new legislation passed by the Maryland General Assembly in 2019.

Purpose: The purpose of these amendments is to establish a plan that requires office building owners to be responsible for fulfilling recycling requirements throughout their buildings. This plan will apply to office building located in the County that contain 150,000 square feet or greater of office space.

Proposed Amendments:

5.1.8.1 Office Building Recycling Plan

Collection and Marketing

In accordance with Section 9-1714 of the Environment Article of the Annotate Code of Maryland passed in 2019 by the Maryland State Legislature, office building owners will be responsible for providing all containers necessary to fulfill recycling requirements throughout their buildings that have 150,000 square feet or greater of office space, as well as determining the collection schedule directly with the collection contractor. Each owner of the participating office building must provide by October 1, 2021 recycling receptacles for the collection of paper and cardboard, metals, and plastic materials and for the removal for further recycling of recyclable materials deposited into the recycling receptacles. Distinctive colors and/ or markings of recycling containers should be provided to avoid cross contamination. Office building owners must ensure collection and transportation of recyclable materials from office building locations to markets or tipping as commercial recycling at a processing and transfer station at the prevailing tipping fee rate. Owners and/or tenants will be responsible for placing recyclables in building recycling bins prior to their removal on the scheduled pick up day.

Stakeholders

Stakeholders include the owners and tenants of applicable office buildings, and Washington County, Maryland.

Required Participants

At the time of the implementation of this requirement, the following properties were identified through SDAT records that met the 150,000 square-foot or greater area of office space:

- Citibank Complex; 14625 Citicorp Drive, Hagerstown; approx. 441,000 sq. ft.
- First Data; 1 Western Maryland Parkway, Hagerstown; approx. 248,000 sq. ft.
- Robinwood Medical Campus; 11110 Medical Campus Road, Hagerstown; approx. 294,000 sq. ft.

Schedule of Implementation

By October 1, 2021:

- Washington County will post literature about the office building recycling program on the County webpage. Office building owners will begin to educate workers/tenants (as applicable) about the program and the requirements of the law.
- Office building owners will coordinate with tenants (as applicable) to reach agreement as to which entity will be responsible for carrying out the office building recycling program.
- Office building owners will provide recycling receptacles for the collections of recyclable materials.
- On or before October 1, 2021, office building owners meeting the required participant level, must have recycling services in place and operational in order to meet the requirements of the office building recycling program. Owners of all size office buildings are encouraged to voluntarily participate in this recycling effort.

Program Monitoring:

Monitoring of recyclable materials bins will be carried out by office building owners and/or tenants.

Washington County may require the office building owner and/or tenant to report to the County metrics associated with the office building recycling program.

Enforcement:

The County is not required to manage or enforce the recycling activities of an office building located within the boundaries of one of its municipalities; however, an enforcement agent of the County or municipality may conduct inspections in order to enforce this program.

The Department of Solid Waste and Recycling will notify the office building owners of the implementation requirements in accordance with Sections 9-1703 and 9-1714 of the Environment

Article, Annotated Code of Maryland. The County Attorney's Office will determine if a County should enforce the law and what level of enforcement actions should be used.

Analysis: In 2019, the Maryland General Assembly passed Senate Bill 370, Environmental-Recycling – Office Buildings requiring all office buildings that have 150,000 square feet or greater of office space provide separate collection of recyclable materials by October 1, 2021. The law became effective on October 1, 2019 amends Sections 9-1703 and 9-1714 of the Environmental Article, Annotated Code of Maryland. Section 9-1703 (b) (15) of the Environment Article, Annotated Code of Maryland requires Washington County to revise its recycling plan within the Solid Waste Management Plan by October 1, 2020.

There are currently three (3) properties that have been identified through State Department of Tax Assessment records as having office space greater than 150,000 square feet. They included the Citibank Complex located at 14625 Citicorp Drive, First Data located at 1 Western Maryland Parkway, and Robinwood Medical Campus located at 11110 Medical Campus Road. It will be the responsibility of these building owners to coordinate with tenants on the implementation of the recycling program. Monitoring of the programs will be carried out by the building owners/tenants and may be required to report their recycling metrics to the County.

The proposed amendments have been reviewed by Maryland Department of the Environment and have been found to be consistent with the requirements of the Environmental Article of the Annotated Code of Maryland.

Staff Recommendation: Based upon feedback and comments from other government agencies, developers, property owners, and the general public, Staff recommends approval of these amendments in order to provide consistent implementation of our land use policies and regulations.

Respectfully submitted,

Jill L. Baker
Director



DEPARTMENT OF PLANNING & ZONING
COMPREHENSIVE PLANNING | LAND PRESERVATION | FOREST CONSERVATION | GIS

SW-20-001

October 8, 2020

**WASHINGTON COUNTY SOLID WASTE MANAGEMENT
AND RECYCLING PLAN
TEXT AMENDMENT**

PLANNING COMMISSION RECOMMENDATION

A public input meeting was held by the Washington County Planning Commission on Monday, October 5, 2020 at 7:00 p.m. to consider a text amendment application to amend the Solid Waste Management and Recycling Plan to include an Office Building Recycling Plan in accordance with new legislation passed by the Maryland General Assembly in 2019. The purpose of these amendments is to establish a plan that requires office building owners to be responsible for fulfilling recycling requirements throughout their buildings. This plan will apply to office buildings located in the County that contain 150,000 square feet or greater of office space. No written public comments were received and no citizens were present to speak during the meeting.

Following the Staff's presentation and consideration of the proposed language, the Planning Commission voted unanimously to recommend approval of the proposed text amendments to the Board of County Commissioners.

Sincerely,

Jill L. Baker, Director
Washington County Department of Planning
& Zoning

JLB/dse



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

August 27, 2020

Ms. Jill Baker, Director
Washington County Department of Planning and Zoning
100 W. Washington Street, Suite 2600
Hagerstown, Maryland 21740

Dear Ms. Baker:

The Maryland Department of the Environment (“MDE”) has completed its review of Washington County’s (the “County”) draft text of the office building recycling plan (OBR plan) for the County’s 2011-2021 Solid Waste Management Plan (the “Plan”). The County submitted the OBR plan to MDE for its review in response to the requirement of Section 9-1703 of the Environment Article, Annotated Code of Maryland that requires the County to include the OBR plan in the County’s Plan by October 1, 2020. MDE received the draft OBR plan on August 25, 2020.

Based on the review, MDE determined that the draft text of the OBR plan will meet the requirements of Section 9-1714 of the Environment Article, Annotated Code of Maryland provided that the following changes are made:

1. Under Section “Collection and Marketing”, in the first line, include “Environment Article,” before “Annotated Code of Maryland”. In the third line, include “that have 150,000 square feet or greater of office space” before comma. In the fifth line, include “by October 1, 2021” after “provide”.
2. Under Section “Enforcement”, replace “9-1711” with “9-1714”.

In accordance with Section 9-507(a) of the Environment Article, Annotated Code of Maryland, the draft text of the OBR plan, with edits specified, is tentatively approved.

Be advised that before the County adopts the revised OBR plan, the County is required to comply with the requirements of Section 9-506(a) of the Environment Article, Annotated Code of Maryland, regarding submittal of the OBR plan to the County’s planning agency for its certification of the OBR plan. The County must also comply with the public hearing requirements of Section 9-503(d) of the Environment Article, Annotated Code of Maryland, and Code of Maryland Regulations 26.03.03.05C prior to the adoption of the OBR plan. Once the OBR plan has been adopted by the County Commissioners, the County must submit the adopted OBR plan to MDE for its review and final approval by no later than **November 27, 2020**. The

Ms. Jill Baker

Page 2

plan must be accompanied by a discussion of substantive issues raised at the public hearing and how they were resolved.

Thank you for your continuing interest and cooperation in providing sound and long-term solid waste management planning for the County. If you have questions on these matters, please contact Mr. Tariq Masood at 410-537-3326 or tariq.masood@maryland.gov or you may contact me, at 410-537-3314 or dave.mrgich@maryland.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'DMRGICH', is written over a light blue rectangular background.

David Mrgich, Chief
Waste Diversion Division

cc: Tariq Masood, Project Manager, MDE, Waste Diversion Division



Agenda Report Form

Open Session Item

SUBJECT: Appointment of Board of Education Member

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Marilee Kerns, Chair; School Board Nominating Commission

RECOMMENDED MOTION: I move to appoint _____ to the Washington County Board of Education.

REPORT-IN-BRIEF: Pursuant to the provisions of Md. Code, Education Art., § 3-1301, the School Board Nominating Commission has recommended to the Board of County Commissioners the following nominees to fill the vacancy that currently exists on the Board of Education: Darrell Evans and Doris Nipps.

DISCUSSION: The Board of County Commissioners is required to select an individual to fill a vacancy on the Washington County Board of Education within fifteen (15) days after receiving the names of the nominees from the Nominating Commission.

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Email from Nominating Commission

AUDIO/VISUAL NEEDS: N/A

From: [Downey, Kirk](#)
To: [Hart, Krista](#)
Subject: FW: Nominating Commission Recommendation
Date: Thursday, November 12, 2020 1:59:14 PM
Attachments: [Board Of Ed Cover Letter Evans.docx](#)
[D. Evans Resume 10212020.docx](#)
[Candidate Essay Evans.docx](#)
[WCPSFinancialDisclosureDEvans.pdf](#)
[BOE Application-D Nipps.pdf](#)

From: marileekerns@myactv.net <marileekerns@myactv.net>
Sent: Wednesday, November 4, 2020 8:28 PM
To: &County Commissioners <contactcommissioners@washco-md.net>; Cline, Jeff <jcline@washco-md.net>
Cc: Downey, Kirk <kdowney@washco-md.net>; Hart, Krista <khart@washco-md.net>
Subject: Nominating Commission Recommendation

WARNING!! This message originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.
Any claims of being a County official or employee should be disregarded.

The Nominating Commission met today for their final meeting

The decision of the commission was to forward two names for consideration for the Washington County Board of Education vacancy:

1. Darrell Evans
2. Doris Nipps

I have attached the application packet each submitted.

Darrell Evan's packet (4 attachments)

Doris Nipps packet (1 attachment)

Best wishes in the decision making to fill the vacancy

It's been a pleasure to serve as chair of the commission and serve my community.

The County staff was very helpful in facilitating our meetings and the challenges due to covid – please express mine and the commission's thanks

Sincerely,

Marilee E. Kerns

301-964-7047



Open Session Item

SUBJECT: FY21 Budget Adjustments to the Washington County Board of Education's General Fund Budget

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Mr. Jeffrey Proulx, Chief Operating Officer, WCPS
Mr. David Brandenburg, Executive Director of Finance, WCPS

RECOMMENDED MOTION: Move to approve the requested adjustments to the Board of Education's FY2021 General Fund Budget.

REPORT-IN-BRIEF: The Annotated Code of Maryland requires local school systems to periodically re-forecast their financial needs and make necessary changes to their budgets. To that end, the Washington County Board of Education approved the attached list of changes to its FY2021 General Fund Budget at its November 3, 2020 meeting.

DISCUSSION: The changes that the Board of Education approved on November 3, 2020 cross major categories. Therefore, these requested adjustments must also be approved by the Board of County Commissioners. The Board of Education has asked its Finance staff to review the requested budget changes with the Commissioners and answer any questions that they may have.

FISCAL IMPACT: None. These proposed modifications merely adjust various categories of the budget to reflect updated information on revenue and spending trends.

CONCURRENCES: The Board of Education's Finance Committee reviewed the proposed adjustments at their meeting on October 27, 2020, and recommended them for approval by the full Board. The Board of Education unanimously approved these changes at their November 3, 2020 meeting.

ALTERNATIVES: None

ATTACHMENTS:

- FY2021 general fund budget adjustments

AUDIO/VISUAL NEEDS: None

**Washington County Public Schools
Requested FY2021 Budget Adjustments**

	Value	The primary reason for variance is:
Instructional Salaries	233,000	Estimated savings in substitutes and lunch assistants
Other Instructional Costs	179,658	Redeployments requested by instructional supervisors and directors
Student Health Services	200,000	Savings in contracted nurses from summer and early part of school year
Pupil Transportation	215,000	Savings in fuel and contracted services from summer and early part of school year
Total Expense Reductions/Additional Revenue	<u>827,658</u>	
Revenue	220,000	Reduced interest income due to rates near zero
Instructional Textbooks and Supplies	162,658	Redeployments requested by instructional supervisors and directors
Operation of Plant	445,000	PPE purchases , net of utilities savings
Total Expense Increases/Reduced Revenue	<u>827,658</u>	
Net Effect on Fund Balance	0	



Agenda Report Form

Open Session Item

SUBJECT: Presentation of the June 30, 2020 audited financial statements

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Chris Lehman, Partner, SB&Company

RECOMMENDED MOTION: The presentation is for informational purposes.

REPORT-IN-BRIEF: General discussion by external auditor.

DISCUSSION: The external independent auditors will review the scope of services, the audit process, and required communications. They will also report the results of the audit.

FISCAL IMPACT: The audit report updates the fiscal condition of the County as of the fiscal year ending June 30, 2020.

CONCURRENCES: Not applicable

ALTERNATIVES: Not applicable

ATTACHMENTS: Financial statements (www.washco-md.net); Power point

AUDIO/VISUAL NEEDS: The auditors have a slide presentation.



Open Session Item

SUBJECT: FY2020 Year End Report

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Sara Greaves, Chief Financial Officer

RECOMMENDATION: For informational purposes.

REPORT-IN-BRIEF: FY2020 year-end summary will be provided.

DISCUSSION: The County ended the year in a positive position.

Discussion to include an overview of the following:

General Fund
Highway Fund
Solid Waste Fund
Golf Fund
Water Fund
Sewer Fund

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Power Point Presentation FY2020

AUDIO/VISUAL NEEDS: None

Budget & Finance

FY2020 Year End Review



Washington County

M A R Y L A N D

FY2020 General Fund

Revenues

\$245,801,421

Expenditures

\$236,221,886

Reserves

\$9,579,535

Note - Includes Grants and Billables

FY2020 Unusual Circumstances



Larger Income Tax distributions

- State and other Counties in Maryland experienced the same
- Stimulus for unemployment – Additional \$600 per week



Delays to Health Care procedures

- Delay of appointments and surgeries
- Incurred but not reported Claims (IBNR)
- Future increases expected



Unemployment

- Feb – 4.2%
- April – 11.4%
- June – 8.2%
- Sep – 6.4%



FY2020 Revenue Highlights

Significant Revenues over/(under) budget (In Millions)

Property Tax	1.1
Income Tax	4.2
Recordation Tax	0.9
Speed Camera	(1.0)
Investment Income	1.1
Total	6.3

FY2020 Expenditure Highlights

Significant Expenditures (over)/under budget (In Millions)

Fire and EMS catch up payments	(2.5)
Wage savings	0.8
Benefit Savings	5.0
Operating savings	2.6
Additional Capital Transfer	(2.7)
Total	3.2

Deferred Expenses



General Fund Cash Reserve

FY19

\$42.7M or
17.92%

FY20

\$52.3M or
20.49%

Significant Highlights of Other Funds

Highway



Solid Waste



Golf



Water



Sewer



FY2020 Highway

Highway



Highway revenue under budget by \$0.4M

Expenditures under budget by \$1.2M

*General Fund appropriations - \$9,038,250

FY2020 Solid Waste

Solid Waste



Tipping fees exceeded budget by \$0.8M

Expenditures in line with budget

*General Fund appropriations - \$598,340

Golf



Revenues: under budget
by \$75K

Expenditures: under
budget by \$88K

FY2020 Water



Revenues: true to budget

Expenditures: \$126K
under budget*

* Mainly due to wages and benefits.

*No FY2020 General Fund appropriations, however, will need appropriation in future (FY21 assumes \$107,370)

FY2020 Sewer

Sewer



Revenue: over budget by
\$0.8M*

Expenditures: under
budget by \$1.0M**

* Additional connection fees and utility revenue from commercial customers.

** mainly as a result of wage and benefit savings



Maintain Flexibility in Budget

- State cuts to local governments are unknown
- Legislative changes that could increase costs are unknown
- Duration of Virus and potential shutdowns unknown
- Increase in healthcare costs as a result of delays is expected
- Potential commercial assessment appeals and reductions in property tax
- Other unknown impacts

Requests/Feedback



- **Commissioner Requests**
- **Feedback**



Washington County

M A R Y L A N D

Thank you

Sara Greaves, C.P.A.
Chief Financial Officer
Washington County, MD
(240) 313-2303

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Agenda Report Form

Open Session Item

SUBJECT: EMAC Recommendations for Waste Management Alternatives

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Brock Shriver, Chair – Environmental Management Advisory Committee; Randall Morin, Vice Chair; David A. Mason, P. E., Deputy Director – Department of Solid Waste

RECOMMENDED MOTION: Motion to accept the recommendation of the Environmental Management Committee for further exploration Waste Management Alternatives.

REPORT-IN-BRIEF: Over a period of eighteen months, the EMAC has taken on the task of exploring more viable long-term solutions for waste disposal in Washington County. The EMAC met with representatives and experts from a variety of companies offering several different solutions. Based on this information the EMAC recommends that the BOCC conduct further inquiry into the following three-pronged strategy: 1) Expand Washington County's current recycling program, 2) Expand Washington County's current composting program, and 3) Explore pelletization options, particularly Regreen, Allirun, Entsorga, and several other competitors.

DISCUSSION: See attached report.

FISCAL IMPACT: Unknown. This will vary depending on the combination of solutions utilized and contractual relationships established.

CONCURRENCES: The EMAC deliberated options and the recommendation presented represents a consensus of the voting members.

ALTERNATIVES: N/A

ATTACHMENTS: Memorandum, Re: Recommendations for Waste Management Alternatives dated 10/6/20.

AUDIO/VISUAL NEEDS: N/A

To: The Board of County Commissioners of Washington County (BOCC)
From: The Environmental Management Advisory Committee (EMAC)
Date: October 6, 2020
Re: EMAC Recommendations for Waste Management Alternatives

Dear Commissioners:

Over a period of eighteen months, the EMAC has taken on the task of exploring more viable long-term solutions for waste disposal in Washington County. The EMAC met with representatives and experts from a variety of companies offering several different solutions. Based on this information the EMAC recommends that the BOCC conduct further inquiry into the following three-pronged strategy: 1) Expand Washington County's current recycling program, 2) Expand Washington County's current composting program, and 3) Explore pelletization options, particularly Regreen, Allirun, Entsorga, and several other competitors.

State of the County

Currently, the majority of solid waste in Washington County is disposed of at the 40 West Landfill. This is the only landfill used by the County. This landfill has a fifteen-cell capacity, but currently, five of the cells are operational. The Landfill accepted 111,466 tons of solid waste in 2018. At the current rates, it is estimated that 40 West will reach its capacity around 2070. The lifetime cost of operation will be approximately \$315,000,000. Building a new landfill through the completion of the first cell is estimated to cost \$390,000,000. This includes the cost of purchasing more land to use for the landfill.

The County also has a recycling program. Recycling in the County is by permit only and can be done at 40 West and several transfer stations throughout the County. The County accepts paper, aluminum, plastic, and glass. With a separate permit, the County will also accept tires and electronics. Three local companies recycle as well. Washington County recycled 678 tons of waste in 2018.

The third waste disposal solution implemented by the County is the composting and mulch program. Presently, this is limited to yard debris due to Maryland permitting requirements. In 2018, the County generated 1,565 tons of mulch and 887 tons of compost. The county sells these products as fast as they can be generated.

Governor Hogan's Executive Order

The Governor in Executive Order 01.01.2017.13, dated June 27, 2017, and titled Waste Reduction and Resource Recovery Plan for Maryland set forth his plan to reduce and reuse waste in Maryland. The Governor directs the Maryland Department of the Environment to do four things:

- 1) Minimize the environmental impacts of materials management over their entire life cycles including product design to production, consumption and end-of-life management,
- 2) Conserve and extend existing in-State disposal capacity through source reduction, reuse, and recycling,
- 3) Capture and make optimal use of recovered resources, including raw materials, water, energy, and nutrients, and
- 4) Work toward a system of materials management that is both environmentally and economically sustainable in the long term.

The EMAC has sought to work toward achieving the Governor's plan in formulating its recommendation to the BOCC.

Waste Reduction and Reuse Solutions Explored by the EMAC

Over the course of eighteen months, the EMAC investigated and heard from numerous companies selling various landfill alternatives.

A. COMPOSTING

One of the first areas the EMAC explored was composting. This is the natural aerobic decomposition of organic material into fertilizer. It is estimated that Washington County (including Hagerstown) generates 51,745 tons of organic waste per year. The EMAC heard a presentation from Compost Crew, based out of Silver Spring, Maryland. Compost Crew estimates that 10,000 to 25,000 tons of organic waste could be diverted. 11,000 tons could be diverted from 40 West landfill. As we stated above, the County currently sells its compost as fast as it can be generated.

Some of the potential problems identified with composting are a new permit would be required to expand our current composting operation. The County's current facility is only permitted for yard debris. The facility would require some upgrades to obtain permits to accept other types of organic waste. The facility would also need additional acreage to accept an increase in material. Another potential issue is that curbside pickup is likely necessary to make this a viable project. Educating the public to keep food scraps in a separate container may be a hurdle. Participation from the City of Hagerstown is also imperative to make this economically feasible.

B. RECYCLING

The County is still able to divert many of our recyclables with our current facilities. The County would be able to divert more recyclables with a fourth sorting facility. Additionally, there are more potential markets for recyclables that have not been explored. One example is in Fairfax County, VA. There, they have been very successful in using their recycled glass as aggregate in paving projects.

Almost all landfill alternatives are technically recycling. The inherent problem with any recycling is when landfill material is converted into new material, the material must go somewhere, or the County is still stuck with the problem of what to do with the new material. From this standpoint, recycling is a market problem. The biggest problem with recycling today is locating the markets to sell the recycled material. In most cases, manufacturing from raw materials is cheaper than creating a recycled product. However, potentially higher costs of recycling should be viewed through the lens of benefits gained from reduced landfill usage.

C. PELLETIZATION

Pelletization is the process of taking waste material and converting it into fuel pellets. The EMAC heard presentations from three companies, Regreen, Allirun, and Entsorga. All three provide some variation of this process. It is estimated that this process would divert over ninety percent of the solid waste from the 40 West landfill. Regreen is a newer company that offers what they call an “Improved” version of this 30-year-old technology. They currently operate two plants in California and a smaller scale plant is planned for the University of Maryland. It was hoped that the UMD facility would be operational by now, but permitting issues slowed by COVID-19 caused some delays. Those permitting issues have since been resolved and installation is expected to move forward. Entsorga also operates a similar type plant in Martinsburg, West Virginia that appears to run successfully. Members of the EMAC toured this facility and observed this plant to appear to operate as designed.

In Regreen’s proposed model, they offer to fund the entire project. They claim they would receive their return on investment through tipping fees and revenues from the sales of end products. They also propose a finance model where the County can contribute to the start-up costs and participate in the revenues. Regreen claims to have guaranteed markets for the 8,000 BTU pellet products their technology produces. However, Regreen would not divulge any further information to the EMAC this subject.

One potential problem identified by the EMAC with pelletization is that it is not widely used at this point. Concerning Regreen’s technology, Washington County would likely be the fourth site in the U.S. Another problem identified is the potential for the market for the pellets to saturate or collapse. This would result in the same problem inherent in all recycling. If the pellets are not sold, where would they go? Buyers are critical for the disposal process. Another question is what the cost would be to the County to start another alternative waste collection process if the market for these pellets were to fail. The BOCC should demand concrete answers to these questions.

D. ANAEROBIC DIGESTION

Bioenergy Development Company, Annapolis, MD presented to the EMAC with its technology for this process. In anaerobic digestion, micro-organisms breakdown biodegradable materials in the absence of oxygen-producing harvestable methane gas and compost. It is estimated that 11.4% of landfill material could be diverted through this process.

E. WASTE MANAGEMENT AND TECHNOLOGY OUTPUT BROKERS

There are also private companies that specialize in developing waste management solutions while acting as a broker for the sale of the production technology and the end products. One partnership that presented to the EMAC was Innovadigm and EBA Engineering.

Innovadigm purports to be a comprehensive waste management resource planner. They work closely with EBA in their planning. They offered to research and draft a plan for the County to determine the best landfill alternatives. As part of that plan, Innovadigm would be the middleman for locating front-end waste conversion technology and then locate buyers for end products. Their representative assured the EMAC that they already have buyers in place for the end-products but would not disclose them.

RECOMMENDATION

1) The BOCC should explore expanding current recycling and composting programs already in place.

2) The BOCC should explore pelletization technology and invite Regreen, Entsorga, and other pelletization companies to present a more financially oriented proposal to the BOCC. The BOCC should focus particularly on end-user markets, contingencies if market saturates in the future, and Regreen's guarantees.

3) The EMAC stresses that BOCC should solicit proposals from numerous pelletization companies.

4) This three-pronged approach will satisfy the directives in the Governors Executive Order in the following ways:

i. Washington County will minimize the environmental impacts of materials management over their entire life cycles including product design to production, consumption, and end-of-life management by composting, recycling more materials, and creating pelletized waste for fuel. The reduced waste materials will result in a far less impact on the environment than a landfill.

ii. Washington County will conserve and extend existing in-State disposal capacity through source reduction, reuse, and recycling. By utilizing a combination of composting, recycling and pelletization would divert virtually all of the waste currently filling the 40 West landfill.

iii. Washington County will capture and make optimal use of recovered resources, including raw materials, water, energy, and nutrients by composting. The entire purpose of the composting process is to create nutrient-rich soil and the Pelletization process creates an 8,000 BTU coal substitute.

iv. Washington County would be working toward a system of materials management that is both environmentally and economically sustainable in the long term. Washington County's current waste management strategy is not sustainable. As stated above, 40 West landfill has a projected capacity day of 2070 at a cost of \$315 million in

addition to another \$390 million just to get started with another landfill. The environmental impact from the breakdown of this refuse over time will present many more problems. By diverting most of the waste material, using what recycled materials that we can in Washington County, and exporting the rest out of the County as useful material, the County can create an environmentally and economically sustainable waste management program.

Respectfully,

Brock Shriver, on behalf of The Environmental Management Advisory Committee



Agenda Report Form

Open Session Item

SUBJECT: Nathaniel L. and Natalie B. Kraft Rural Legacy Program (RLP) Easement

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Chris Boggs, Land Preservation Planner, Dept. of Planning & Zoning

RECOMMENDED MOTION: Move to approve the Kraft RLP Easement project, in the amount of \$104,896.95 for 43.89 easement acres, paid for 100% by the Maryland Department of Natural Resources, and to adopt an ordinance approving the easement purchase and to authorize the execution of the necessary documentation to finalize the easement purchase.

REPORT-IN-BRIEF: The Kraft property is located on Mt. Carmel Church Rd., Keedysville, and the easement will serve to permanently preserve a valuable scenic, environmental and historic property in the County. The parcel is made up of cropland and borders Dog Creek on the north side of the property. It lies in a part of Washington County that was heavily trafficked during the Civil War and the Battle of Antietam.

The farm is in an area of the County close to thousands of acres of preserved farmland near Antietam Battlefield and will aid in expanding the current block of protected lands. Four (4) development rights will be extinguished with this easement. There is one dwelling on the property and a 5-acre Permitted Use Area will be included in the easement area.

DISCUSSION: Since 1998, Washington County has been awarded more than \$23 million to purchase Rural Legacy easements on more than 7,200 acres near Antietam Battlefield in the Rural Legacy Area. RLP is a sister program to the Maryland Agricultural Land Preservation Program (MALPP) and includes the protection of environmental and historic features in addition to agricultural parameters. RLP uses an easement valuation system (points) to establish easement value rather than appraisals used by MALPP. For FY 2020, Washington County was awarded RLP grants totaling \$1,502,982. The Kraft RLP Easement will use part those funds. Easement applicants were previously ranked based on four main categories: the number of development rights available, the quality of the land/land management (agricultural component), natural resources (environmental), and the historic value.

FISCAL IMPACT: RLP funds are 100% State dollars, mainly from DNR Open Space funds. In addition to the easement funds, we receive up to 3% of the easement value for administrative costs, a mandatory 1.5% for compliance/monitoring costs, and funds to cover all of our legal/settlement costs.

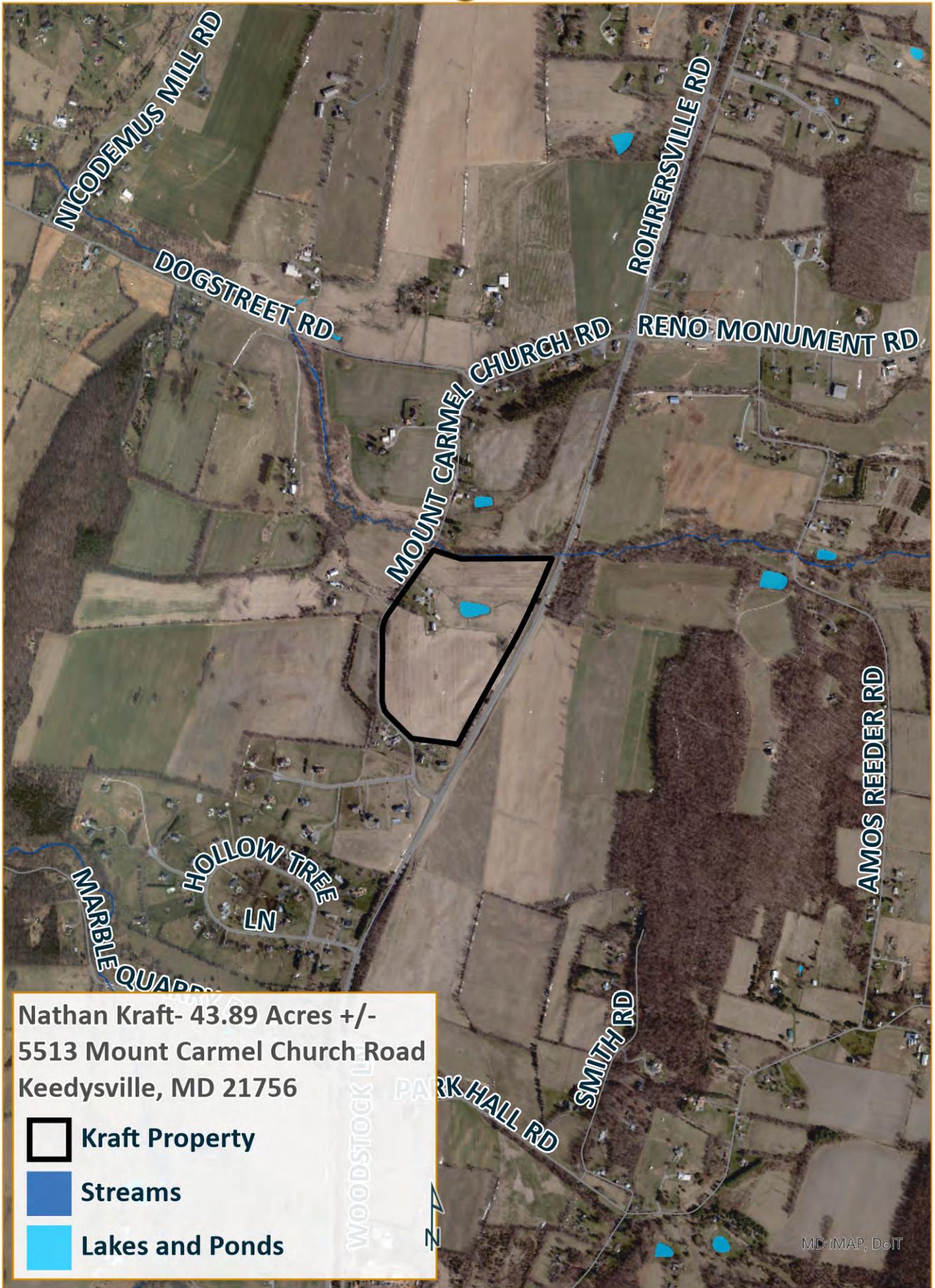
CONCURRENCES: Both the State RLP Board and the State Department of Natural Resources (DNR) staff have approved and support our program. A final money allocation will be approved by the State Board of Public Works.

ALTERNATIVES: If Washington County rejects State funds for RLP, the funds will be allocated to other counties in Maryland.

ATTACHMENTS: Aerial Map, Location Map, Ordinance

AUDIO/VISUAL NEEDS: N/A





Nathan Kraft- 43.89 Acres +/-
 5513 Mount Carmel Church Road
 Keedysville, MD 21756

-  Kraft Property
-  Streams
-  Lakes and Ponds

MD IMAP, DoIT





Open Session Item

SUBJECT: Hagerstown Community College/Division of Emergency Services Paramedic Program Update

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: R. David Hays - Director, Division of Emergency Services; Kevin Lewis - Director of Training/Quality Assurance, Division of Emergency Services; Dr. James Klauber, President, Hagerstown Community College

RECOMMENDATION: Discussion only.

REPORT-IN-BRIEF: The Hagerstown Community College (HCC) through fiscal and enrollment evaluations has determined that they would no longer provide paramedic level education as a primary component of the educational platform. In doing so, the HCC Administration has reached out to the Division of Emergency Services and other County Staff, seeking interest in partnering with HCC to continue providing paramedic level education here in the County. Initial thoughts are that the County (through the DES) would serve as the primary program host and deliver instructional programs, while the HCC serves as the academic credentialing platform.

DISCUSSION: Today's discussions are intended to provide information to the Commissioners that may help identify and evaluate future opportunities that are intended to continue providing paramedic level educational opportunities here in Washington County.

FISCAL IMPACT: N/A

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: None

Open Session Item

SUBJECT: Intergovernmental Cooperative Purchase (INTG-20-0051) – Personal Protective Equipment (PPE) for Division of Emergency Services

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Brandi Naugle, CPPB, Buyer, Purchasing Department and David Hays, Director, Division of Emergency Services

RECOMMENDED MOTION: Move to authorize by Resolution the approval of the purchase the following 50 sets of Personal Protective Equipment (PPE) - fifty (50) coats/pants (coats \$1,426.15/ea. and pants \$1,010.90/ea.), thirty-six (36) firefighter helmets (\$249/ea.), fifty (50) firefighter gloves (\$91/ea.), fifty (50) Majestic hoods (\$27/ea.) and fifty (50) pairs of boots (\$145/ea.) for the Division of Emergency Services from Witmer Public Safety Group, Inc. of Williamsport, MD at contracted unit prices totaling \$143,966.50 based on the contract awarded by the State of New Jersey (Solicitation #17DPP00100; New Jersey Contract T0790).

REPORT-IN-BRIEF: Section 106.3 of the Public Local Laws of Washington County grants authorization for the County to procure goods or services under contracts entered into by other government entities. On items over \$50,000, a determination to allow or participate in an intergovernmental cooperative purchasing arrangement shall be by Resolution and shall indicate that the participation will provide cost benefits to the county or result in administrative efficiencies and savings or provide other justification for the arrangement.

The County will benefit with the direct cost savings in the purchase of PPE (pants and coat) because of economies of scale this contract has leveraged. Additionally, the County will realize savings through administrative efficiencies as a result of not preparing, soliciting and evaluating a bid. Acquisition of the equipment by utilizing the State of New Jersey contract and eliminating our County's bid process would result in an administrative and cost savings for the Division of Emergency Services in preparing specifications and the Purchasing Department.

DISCUSSION: This structural-firefighting turn-out gear will be purchased to outfit the thirty-three (33) newly hired Firefighter/Fire Apparatus Operators, and the three (3) newly hired Captains (PM/Firefighters) who will be hired in February. The order is for fifty (50) sets because we will need to order enough gear for all of the candidates that go through the physical agility testing (when they will be measured) because it takes three (3) months for the gear to be made/delivered and we do not know which of the fifty (50) candidates will be hired. The additional fourteen (14) sets of turn-out gear, hoods, boots, and gloves will go into the spare gear inventory for the volunteer turn-out gear program, which is depleted at this time. We are getting the exact number of helmets, thirty-six (36) because helmets are not provided through the volunteer turn-out gear program.

FISCAL IMPACT: Funding is in the department's FY'21 operating budget account 599999-10-11525.

CONCURRENCES: N/A

ALTERNATIVES: If the county decides not to purchase the turnout gear, the newly hired Firefighters will not have turn-out gear.

ATTACHMENTS: Quote No. 664054 (dated 10/20/2020); Quote No. 386952 (dated 10/21/2020) based on State of New Jersey contract pricing.



Witmer Public Safety Group

104 Independence Way
 Coatesville, PA 19320
 Phone: (610) 857-8070
 Fax: (888) 335-9800

Quote ID: 386952
 Date: 10/21/2020
 Sales Person: JOHN S

Proposal To:

Washington Co. Emergency Services
 16232 Elliot Pkwy
 Williamsport, MD 21795

Proposal ID 386952
 Date 10/21/2020
 Sales Person JOHN S

Phone: (240) 313-2900
 Fax: () -

Quantity	Item ID	Description	Unit	Amount
"New Jersey State Contract Pricing"				
1.00	CVBM-WASHCO	Janesville V-Force Coat, Armor AP Gold CVBM-WASHCO Janesville V-Force Coat, Armor AP Gold, K4 Liner, Washington Co. Specs, Ref: PSGQ22981-B List Price \$2593.00 45% Discount From List	1,426.15	1,426.15
1.00	PVFM-WASHCO	Janesville V-Force Pant w/Belt, Armor AP Gold PVFM-WASHCO Janesville V-Force Pant w/Belt, Armor AP Gold, K4 Liner, Washington Co. Specs. Ref: PSGQ22981-B List Price \$1838.00 45% Discount From List	1,010.90	1,010.90

ACCEPTANCE OF PROPOSAL		Subtotal	2,437.05
The above prices, specifications, and conditions are satisfactory and are hereby accepted.	Signature _____	Tax	0.00
Proposal is valid until November 20, 2020	Date _____	Total	2,437.05





June 28th, 2019

To whom it may concern,

This letter serves as confirmation that New Jersey State contract number T0790 for Firefighter Protective Clothing and Equipment is now in effect and active. Start date of this contract is 6/15/2019, with an end date of 6/14/2022.

In addition, Witmer Public Safety Group, with headquarters located at 104 Independence Way, Coatesville, Pennsylvania 19320, is authorized to distribute LION PPE products. Witmer has been a distributor with LION for more than 10 years and is a valued LION partner in the US.

Should you have any questions, please contact the undersigned.

Sincerely,

Dennis Magill

A handwritten signature in black ink that reads "Dennis Magill".

National Account Director
Lion Safety Resource Group

State of New Jersey
Division of Purchase and Property
Master Blanket Purchase Order
 T0790 Firefighter Protective Clothing and Equipment

Blanket Order Number
17-FLEET-00837

SHOW THIS NUMBER ON ALL
 PACKAGES, INVOICES AND
 SHIPPING PAPERS.

**V
E
N
D
O
R**
 Vendor Number: V00028813
 LION FIRST RESPONDER PPE INC
 7200 POE AVE
 SUITE 400
 DAYTON, OH 45414
 insidesales@lionprotects.com
 937-415-2829

INVOICES: Direct Invoices in DUPLICATE to the address shown above. TERMS AND CONDITIONS set forth in our Bid or Quotation, on the reverse side hereof or incorporated herein by reference become a part of this order.

Master Blanket/Contract Begin Date: 06/15/2019

Master Blanket/Contract End Date: 06/14/2022

ATTN:

Solicitation (Bid) No.: 17DPP00100	Payment Terms: Shipping Terms: F.O.B., Destination Freight Terms: Delivery Calendar Day(s) A.R.O.: 0																		
Item # 1 Class-Item 340-94 Category 1 - Turnout Gear Price Line 1 from Bid Solicitation State-Supplied Price Sheet Brand: Lion First Responder PPE Inc. Delivery days ARO: 60 Please refer to the manufacturers price list located in the Blanket P.O. Attachments Tab for pricing.																			
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Quantity</th> <th>Unit Price</th> <th>UOM</th> <th>Discount %</th> <th>Total Discount Amt.</th> <th>Tax Rate</th> <th>Tax Amount</th> <th>Freight</th> <th>Total Cost</th> </tr> </thead> <tbody> <tr> <td align="center">1.00</td> <td align="center">\$ 0.00</td> <td align="center">EA</td> <td align="center">25.00 %</td> <td align="center">\$ 0.00</td> <td></td> <td align="center">\$ 0.00</td> <td align="center">\$ 0.00</td> <td align="center">\$ 0.00</td> </tr> </tbody> </table>		Quantity	Unit Price	UOM	Discount %	Total Discount Amt.	Tax Rate	Tax Amount	Freight	Total Cost	1.00	\$ 0.00	EA	25.00 %	\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00
Quantity	Unit Price	UOM	Discount %	Total Discount Amt.	Tax Rate	Tax Amount	Freight	Total Cost											
1.00	\$ 0.00	EA	25.00 %	\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00											

Item # 2
 Class-Item 340-34

Category 1 - Turnout Gear

Price Line 1 from Bid Solicitation State-Supplied Price Sheet

Brand: Lion First Responder PPE Inc. (In stock)

Delivery days ARO: 30

Please refer to the manufacturers price list located in the Blanket P.O. Attachments Tab for pricing.

Quantity	Unit Price	UOM	Discount %	Total Discount Amt.	Tax Rate	Tax Amount	Freight	Total Cost
1.00	\$ 0.00	EA	25.00 %	\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00

Item # 3
 Class-Item 345-56

Category 2 - Helmets

Price Line 2 from Bid Solicitation State-Supplied Price Sheet

Brand: Lion First Responder PPE Inc.

Delivery days ARO: 30

Please refer to the manufacturers price list located in the Blanket P.O. Attachments Tab for pricing.

Quantity	Unit Price	UOM	Discount %	Total Discount Amt.	Tax Rate	Tax Amount	Freight	Total Cost
1.00	\$ 0.00	EA	25.00 %	\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00

Item # 4
 Class-Item 340-34

Category 4 - Boots

Price Line 4 from Bid Solicitation State-Supplied Price Sheet

Brand: Lion First Responders PPE Inc.

Delivery days ARO: 30

Please refer to the manufacturers price list located in the Blanket P.O. Attachments Tab for pricing.

Quantity	Unit Price	UOM	Discount %	Total Discount Amt.	Tax Rate	Tax Amount	Freight	Total Cost
1.00	\$ 0.00	EA	15.00 %	\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00

Item # 5
 Class-Item 340-34

Category 5 - Gloves

Price Line 5 from Bid Solicitation State-Supplied Price Sheet

Brand: Lion First Responders PPE Inc.

Delivery days ARO: 30

Please refer to the manufacturers price list located in the Blanket P.O. Attachments Tab for pricing.

Quantity	Unit Price	UOM	Discount %	Total Discount Amt.	Tax Rate	Tax Amount	Freight	Total Cost
1.00	\$ 0.00	EA	15.00 %	\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00

TAX: \$ 0.00
 FREIGHT: \$ 0.00
 TOTAL: \$ 0.00

APPROVED

By: Katherine Popco

Phone#: (609) 292-7776

BUYER



Witmer Public Safety Group

10228 Governor Lane Boulevard
 Suite 3012
 Williamsport, MD 21795
 Phone: (888) 560-3473
 jshipley@thefirestore.com

Quote ID: 664054
 Date: 10/20/2020
 Sales Person: JOHN S
 Customer Id: WASCOU15

Bill To:

ATTN:
 Washington County DES
 16232 Elliott Pkwy
 Williamsport MD 21795

 Phone:
 E-Mail:

Ship To:

ATTN:
 Washington County DES
 16232 Elliott Pkwy
 Williamsport MD 21795

Boots, Helmets, Gloves and Hoods

Quantity	Item ID	Description	Unit	Amount
50	BD-699-9451-095M	Black Diamond 16" Comfort Fit Rubber Boot w/ Lug Sole, Kevlar Lined, Insulated, Size 9.5 Med	145.00	7,250.00
36	1044TSY	Cairns 1044 with Defender Visor, Standard, Yellow Includes Standard Flannel Liner, Black Nomex Earlaps, 6" Maltese Cross Front Holder, & Tuffshield Defender Visor	249.00	8,964.00
50	LPG928BK-L	Lion Commander ACE Structural Firefighting Gauntlet Leather Glove, Black, Large	91.00	4,550.00
50	PACII-NOMEX	Majestic PACII Nomex Hood, White	27.00	1,350.00

ACCEPTANCE OF QUOTATION

The above prices, specifications, and conditions are satisfactory and are hereby accepted.

Signature: _____

Date: _____

Quotation is valid until November 19, 2020

Subtotal: 22,114.00
 Freight:
 Tax: 0.00
 Total: 22,114.00



OfficerStore



theEMSstore



GIDEON TACTICAL



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GALL'S

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ITEMS

UNIT PRICE	QTY	TOTAL PRICE



BLACK DIAMONO RUBBER FIRE BOOT

Item#: FW652 |
Mfg#: 6999451 BLK 115 W

Color: BLACK Size: 11.5
Width: Wide

\$179.99
\$154.99
1
\$154.99

4 in stock may take 1-2 additional days to ship

[ADD TO LIST](#) [EDIT ITEM](#)

[REMOVE](#)

[UPDATE CART](#)

[CHECKOUT](#)

— or —

Checkout With **PayPal**

PRICING

Savings: \$25.00

Subtotal: \$154.99 (1)

COUPON OR PROMO CODE

enter code

[APPLY](#)

YOU MAY ALSO LIKE

EMERGENCY RESPONDER PRODUCTS



BLACK DIAMOND 16" COMFORT FIT RUBBER BOOT, INSULATED

[No Reviews](#)

Item #: 699-9451

\$174.99 ~~\$184.99~~

4 interest-free payments of \$43.74. **Klarna.**

[Learn more](#)

Size

3



Open Session Item

SUBJECT: Contract Award (PUR-1476) for Gasoline and Diesel Fuel Deliveries

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Brandi Naugle, CPPB, Buyer – Purchasing Department, and Zane Rowe, Deputy Director, Washington County Highway Department.

RECOMMENDED MOTION: Move to award the bids for gasoline and diesel fuel transport deliveries and gasoline and diesel fuel tank-wagon deliveries under Option No. 1, four (4) separate contracts to the responsive, responsible bidders who submitted the lowest bids.

1. Contract for **gasoline tank-wagon deliveries** to **A. C. & T. Company, Inc** of **Hagerstown, MD** at the unit prices stated in its bid dated October 20, 2020.
2. Contract for **gasoline transport deliveries** to **Petroleum Traders Corporation** of **Fort Wayne, IN.** at the unit prices stated in its bid dated October 19, 2020.
3. Contract for **diesel tank-wagon deliveries** to **A. C. & T. Company, Inc** of **Hagerstown, MD** at the unit prices stated in its bid dated October 20, 2020.
4. Contract for **diesel transport deliveries** to **Mansfield Oil Company of Gainesville, Inc.** of Gainesville, GA. at the unit prices stated in its bid dated October 19, 2020.

REPORT-IN-BRIEF: The following tabulations listed below were made from the bids received on October 21, 2020 based on estimated quantities for the contract period that is tentatively to begin on December 1, 2020 and end November 30, 2021. The contracts are for a one (1) year term with no option to renew. These are requirements contracts and the County guarantees neither a maximum nor a minimum quantity.

The bid was advertised on the State of Maryland's eMMA "eMaryland Marketplace Advantage" web site, on the County's web site, and in the local newspaper. Thirty (30) persons/companies registered/downloaded the bid document on-line and six (6) bids were received. The bids were evaluated based on the Oil Price Information Service (OPIS) pricing index publication and the bidder's bid factor; bids were submitted as follows:

GASOLINE: OPTION NO. 1 (multiple contract award)

<u>Vendor</u>	<u>Transport Loads Total Bid</u>	<u>Tank-wagon Loads Total Bid</u>
A, C & T Co., Inc. Hagerstown, MD	\$539,558.41	\$ 108,772.80
Colonial Oil Industries, Inc. Savannah, GA	\$524,982.21	NO BID
Mansfield Oil Company Gainesville, GA	\$516,533.60	NO BID
PAPCO, Inc. Aston, PA	\$509,345.06	NO BID
Petroleum Traders Corporation Fort Wayne, IN	\$505,518.99	NO BID

DIESEL: OPTION 1 (multiple contract award)

<u>Vendor</u>	<u>Transport Loads Total Bid</u>	<u>Tank-wagon Loads Total Bid</u>
A, C & T Co., Inc. Hagerstown, MD	\$808,603.00	\$89,982.50
Colonial Oil Industries, Inc. Savannah, GA	\$800,323.788	NO BID
Mansfield Oil Company Gainesville, GA	\$ 783,326.32	NO BID
PAPCO, Inc. Aston, PA	\$1,414,992.53	NO BID
Petroleum Traders Corporation Fort Wayne, IN	\$787,779.53	NO BID

GASOLINE & DIESEL: OPTION II *(single contract award)*

<u>Vendor</u>	<u>Transport/Tankwagon Loads Total Bid</u>
A, C & T Co., Inc. Hagerstown, MD	\$1,542,371.9036
Colonial Oil Industries, Inc. Savannah, GA	NO BID
Mansfield Oil Company Gainesville, GA	NO BID
PAPCO, Inc. Aston, PA	NO BID
Petroleum Traders Corporation Fort Wayne, IN	\$1,552,296.41

DISCUSSION: The contract requirements for the City of Hagerstown, Washington County Public Schools and Hagerstown Community College are also included in the above recommendations. Those entities will also make their own formal contract awards.

FISCAL IMPACT: Funds are available in various departmental operating budgets for fuels.

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: The complete Bid Tabulation may be viewed on-line at:
<https://www.washco-md.net/wp-content/uploads/purch-pur-1476-bidtab.pdf>

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Bid Award (PUR-1475) Swimming Pool and Water/wastewater Treatment Chemicals

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Brandi Naugle, CPPB, Buyer – Purchasing Department, Davina Yutzy, Deputy Director of Water Quality Operations Division of Environmental Management and Mark Bradshaw, Deputy Director Engineering Services.

RECOMMENDED MOTION: Move to award the bids for Swimming Pool and Water/Wastewater Treatment Chemicals to the responsive, responsible bidders with the lowest bids for each item.

Product/ (Estimated Annual Usage)	Vendor	Unit Price	Unit of Measure
Item #10B – Sulfuric Acid (110 Gallons)	George S. Coyne Co. Croydon, PA	\$6.0281	55-Gallon Drum
Item #10B – Sulfuric Acid (Gallon Bulk)	NO BID	\$/gal.	Gallon Bulk
Item #12 - Sodium Hypochlorite (6,050 Gallons)	Chemstream, Inc. Homer City, PA	\$1.98/gal.	55-Gallon Drum
Item #14 – Caustic Soda (Sodium Hydroxide) (11,935 Gallons)	Chemstream, Inc. Homer City, PA	\$1.45/gal.	55-Gallon Drum
Item #16A – Hydrofluosilic Acid (H ₂ SiF ₆) (75 Gallons)	George S. Coyne Co. Croydon, PA	\$9.0429/gal.	15-Gallon Pail
Item #16B – Hydrofluosilic Acid (H ₂ SiF ₆) (165 Gallons)	George S. Coyne Co. Croydon, PA	\$4.9149/gal.	55-Gallon Drum
Item #17A – DelPac 2000 (Polyaluminum Chloride Hydroxide Sulfate Solution) (144,000 Pounds)	USALCO Baltimore, MD	\$0.1448/lb.	Bulk Pounds

Product/ (Estimated Annual Usage)	Vendor	Unit Price	Unit of Measure
Item #19 – Sodium Hypochlorite (2,585 gallons)	Chemstream, Inc. Homer City, PA	\$1.85/gal.	55-Gallon Drum
Item #20 – Cyanuric Acid (100-200 pounds)	Amato Industries Inc. Silver Spring, MD	\$1.50/lb.	Pound
Item #21 – Calcium Chloride (500 – 600 pounds)	Amato Industries Inc. Silver Spring, MD	\$0.48/lb.	Pound
Item #22 – Muriatic Acid (20-40 Pounds)	Amato Industries Inc. Silver Spring, MD	\$20.00/lb.	Pound
Item #24 – DelPAC 2020 (Polyaluminum Hydroxychlorosulfate Solution) (990 Gallons)	Chemstream, Inc. Homer City, PA	\$4.15/lb.	55-Gallon Drums
Item #29 – Bacterial Enzymatic Powder (1,500 pounds)	Maryland Chemical Company, Inc. Baltimore, MD	\$9.18/lb.	Pound
Item #32 – DelPAC 2000 (Aluminum Chloride Hydroxide Sulfate) (220 gallons)	Chemstream, Inc. Homer City, PA	\$4.15/gal.	55-Gallon Drum
Item #33 – Liquid Aluminum Sulfate (8,000 gallons)	Thatcher Company of Ne York, Inc Salt Lake City, UT	\$1.64/gal.	Gallon Bulk
Item #34 - MicroC 2000 (11,520 pounds)	George S. Coyne Co. Croydon, PA	\$3.6403/lb	Pound Bulk
Item #37 – Magnetite (210,000 pounds)	Gasochem International LLC Houston, TX Non-Responsive (Did not meet specification)	\$0.45/lb.	Pound Bulk

REPORT-IN-BRIEF: The County accepted bids on October 21, 2020 for the swimming pool and water/wastewater treatment chemical requirements for County using departments as well as for the City of Hagerstown and the Town of Boonsboro. The Invitation to Bid was advertised on the State of Maryland's "eMMA *eMaryland Marketplace Advantage*" website, on the County's website and in the local newspaper. Forty-Seven (47) persons/companies registered/downloaded the bid, and twenty-one (21) bids were received. The term of this contract is for a one (1) year period tentatively beginning December 1, 2020 and ending November 30, 2021 with no options for renewal. The above recommendations are for the County's requirements only; the City of Hagerstown and the Town of Boonsboro shall make its awards independently from the County.

DISCUSSION: N/A

FISCAL IMPACT: Funds are available in various accounts for chemicals for the Department of Water Quality facilities and Parks and Facilities Department.

CONCURRENCES: County using departments.

ALTERNATIVES: N/A

ATTACHMENTS: The complete Bid Tabulation may be viewed on-line at: <https://www.washco-md.net/wp-content/uploads/purch-pur-1475-bidtab.pdf>

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Enhanced Nutrient Removal @ Washington County's WwTP

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Mark D Bradshaw, P.E., Deputy Director of Engineering Services

RECOMMENDED MOTION: Approve Change Order for Buchart-Horn, Inc. in the amount of \$355,974.00.

REPORT-IN-BRIEF: Buchart Horn prepared and submitted the 90% design drawing utilizing a denitrification filter based on MDE criteria. The County has since worked with MDE to reducing the more stringent design requirement that required the denitrification filter. With the reduced design limits, we requested Buchart Horn to evaluate the need for the denitrification filter. Buchart Horn's evaluation indicated the discharge limits can be obtained by eliminating the denitrification filter and install an equalization basin.

Buchart Horn has estimated that the capital saving associated with using the equalization basin over the denitrification filter is \$2,100,000. Another advantage is the new influent EQ tank is that it will be converted to a post EQ tank when the plant is expanded to 0.6 MGD.

DISCUSSION: The original plan was to upgrade the Smithsburg WwTP to 0.60 MGD at an estimated cost of \$14,000,000.00. At the direction of the administrator, Water Quality was instructed to evaluate alternative interim upgrades. An upgrade to 0.45 MGD will meet the Town's current demand and the future demand of annexing the Cloverly development into the Town. The proposed upgrade, to 0.45 MGD, can be completed for approximately \$6,000,000.00.

FISCAL IMPACT: The proposed Capital Improvement Budget has money programed to complete the 0.45 MGD upgrade but not for the 0.60 MGD upgrade.

CONCURRENCES: Mark Bradshaw, Interim DEM Director

ALTERNATIVES: Complete the design that utilizes the denitrification filters.

ATTACHMENTS: Change Order #16 and Buchart-Horn's letters dated 9/28/20.

AUDIO/VISUAL NEEDS: N/A

**BOARD OF COUNTY COMMISSIONERS OF
WASHINGTON COUNTY MARYLAND
100 WEST WASHINGTON STREET, HAGERSTOWN, MARYLAND 21740-4735
CHANGE ORDER**

TO: Buchart Horn, Inc.
 Consultant: PO Box 15040
 Contractor: York, PA 1705
 Vendor:

Change Order No. 16 Purchase Order No. Washco 26809

Contract No. PUR-977 Oracle Account No. 515000-32-42010-TRP021-DSGN00000

Project Title: Enhanced Nutrient Removal @ Washington County's WwTP Date: Nov 5, 2020

The contract time will: increase decrease remain the same by: 150 calendar days working days

Description of Change:

Redesign the Smithsburg WwTP upgrade from utilizing denitrification filter to utilize an influent equalization basin (EQ).

Reason for Change:

Buchart Horn prepared and submitted the 90% design drawing utilizing a denitrification filter based on MDE criteria. The County has since worked with MDE to reducing the more stringent design requirement that required the denitrification filter. With the reduced design limits, we requested Buchart Horn to evaluate the need for the denitrification filter. Buchart Horn's evaluation indicated the discharge limits can be obtained by eliminating the denitrification filter and install an equalization basin.

Buchart Horn has estimated that the capital saving associated with using the equalization basin over the denitrification filter is \$2,100,000. Another advantage is the new influent EQ tank is that it will be converted to a post EQ tank when the plant is expanded to 0.6 MGD.

Increase contract amount by \$355,974.00 and 150 calendar day. For me detailed information please refer Buchart Horn's proposal dated September 28, 2020.

The completion date, incorporating the changes included in this change order, is:	Mar 5, 2021
The original contract sum was:	\$3,638,300.00
Net changes by previous change orders:	\$875,604.63
Contract sum prior to this change order:	\$4,513,904.63
By this Change Order, the contract sum will be changed by:	\$355,974.00
The new contract sum including this change order will be:	\$4,869,878.63

The Consultant/Contractor/Vendor shall not commence with the work described hereon until this form is executed by all agents.

Consultant:

Finance:

Contractor/Vendor:

Purchasing:

Approving Agency: County Administrator:

Outside County Entities: Please email the signed form to ChangeOrder@washco-md.net.

Open Session Item

SUBJECT: Intergovernmental Cooperative Purchase (INTG-20-0052) e-PlanSoftware for Plan Review and Permitting Department

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Josh O'Neal, Division Director of Information Systems, Rich Eichelberger, Director of Construction and Ashley Holloway, Director of Permitting

RECOMMENDED MOTION: Move to authorize by Resolution, a purchase of software and technical services in the amount of \$117,360 from e-PlanSoft of Irvine, CA for the County's Plan Review and Permitting Department. This award would be contingent upon the successful award of a contract by the city of Chula Vista, CA (Solicitation #P03-20/21 - Electronic Plan Review Software Solution) to e-PlanSoft.

REPORT-IN-BRIEF: The e-PlanReview product will allow for digital review of permitting applications, reducing the amount of in-person contact associated with the permit review process.

Section 106.3 of the Public Local Laws of Washington County grants authorization for the County to procure goods or services under contracts entered into by other government entities. On items over \$50,000, a determination to allow or participate in an intergovernmental cooperative purchasing arrangement shall be by Resolution and shall indicate that the participation will provide cost benefits to the county or result in administrative efficiencies and savings or provide other justification for the arrangement.

The County will benefit with the direct cost savings in the purchase of the software because of economies of scale this contract has leveraged. Additionally, the County will realize savings through administrative efficiencies as a result of not preparing, soliciting and evaluating a bid. Acquisition of the equipment by utilizing Chula Vista's contract and eliminating our County's bid process would result in an administrative and cost savings for the Plan Review and Permitting Department in preparing specifications and the Purchasing Department.

DISCUSSION: Washington County Information Systems is requesting this purchase on behalf of the Plan Review and Permitting Department in order to more efficiently handle permitting approvals with the added goal of minimizing in person interaction in consideration of COVID-19.

FISCAL IMPACT: Funds are available from the CARES grant, specifically set aside for improvements to teleworking infrastructure and improvements to online citizen services.

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: e-PlanSoft's proposal dated October 21, 2020



Agenda Report Form

Open Session Item

SUBJECT: Renewal of Microsoft Office 365 licensing

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Joshua O'Neal, Division Director of Information Systems, Rick Curry, Director of Purchasing

RECOMMENDED MOTION: Motion to authorize the sole source procurement of licensing in the amount of \$127,807.17 from **Software House International of Somerset, NJ** based on its quote dated 11/03/20 utilizing CIP funds reserved for this purpose.

REPORT-IN-BRIEF: The Office 365 suite of products offered by Microsoft supplies the County with its email services, document editing software suite, and cloud storage of documents and data used by all County departments.

DISCUSSION: Washington County Information Systems is requesting this purchase in order to renew the licensing contract for a continued year of service.

FISCAL IMPACT: Funds are from the CIP budget approved for this expenditure.

CONCURRENCES:

ALTERNATIVES: N/A

ATTACHMENTS: SHI Quote 19643909

AUDIO/VISUAL NEEDS: N/A



Pricing Proposal
 Quotation #: 19643909
 Reference #: EA# 6281801
 Created On: 11/3/2020
 Valid Until: 11/30/2020

MD-WASHINGTON COUNTY

Public Sector Senior Account Executive

Doug Oliver

Washington County
 100 W. Washington St, RM 334
 Hagerstown, MD 21740
 UNITED STATES
 Phone: (240) 313-2270
 Fax:
 Email: doliver@washco-md.net

Erik Michael Schroeder

290 Davidson Avenue
 Somerset, NJ 08873
 Phone: 804-379-8157
 Fax: 732-652-0810
 Email: erik_schroeder@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 AudioConfGCC ShrdSvr ALNG SubsVL MVL PerUsr Microsoft - Part#: LK3-00001 Contract Name: Open Market Contract #: Open Market Coverage Term: 12/1/2020 – 11/30/2021	10	\$42.24	\$422.40
2 CommonAreaPhoneGCC ShrdSvr ALNG SubsVL MVL PerDvc Microsoft - Part#: KXJ-00001 Contract Name: Open Market Contract #: Open Market Coverage Term: 12/1/2020 – 11/30/2021	1	\$71.76	\$71.76
3 CoreCALBridgeO365 ALNG SubsVL MVL PerUsr Microsoft - Part#: AAA-12414 Contract Name: Open Market Contract #: Open Market Coverage Term: 12/1/2020 – 11/30/2021	739	\$19.23	\$14,210.97
4 O365GCCE3 ShrdSvr ALNG SubsVL MVL PerUsr Microsoft - Part#: AAA-11894 Contract Name: Open Market Contract #: Open Market Coverage Term: 12/1/2020 – 11/30/2021	389	\$215.82	\$83,953.98
5 O365GCCE1 ShrdSvr ALNG SubsVL MVL PerUsr Microsoft - Part#: U4S-00002 Contract Name: Open Market Contract #: Open Market Coverage Term: 12/1/2020 – 11/30/2021	350	\$78.48	\$27,468.00
6 PhoneSysGCC ShrdSvr ALNG SubsVL MVL PerUsr Microsoft - Part#: LK9-00003 Contract Name: Open Market Contract #: Open Market Coverage Term: 12/1/2020 – 11/30/2021	22	\$71.76	\$1,578.72

7	VisioPro ALNG SA MVL Microsoft - Part#: D87-01159 Contract Name: Open Market Contract #: Open Market Coverage Term: 12/1/2020 – 11/30/2021	1	\$101.34	\$101.34
			Total	\$127,807.17

Additional Comments

***Payment Schedule:**

Year 1 of 3 - Billed Upfront - \$127,807.17
 Year 2 of 3 - Billed 12/1/2021 - \$127,807.17
 Year 3 of 3 - Billed 12/1/2022 - \$127,807.17

Totaling: \$383,421.51

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date listed above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. For any additional information including Hardware, Software and Services Contracts, please contact an SHI Inside Sales Representative at (888) 744-4084. SHI International Corp. is 100% Minority Owned, Woman Owned Business. TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

Microsoft Licenses will typically be available 24-72 hours after receiving order confirmation from SHI. Please note that for new Microsoft GOV Cloud (GCC) products being added on to your agreement, licenses will be available estimated 4-8 days after processing at SHI.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

The products offered under this proposal are Open Market and resold in accordance with the terms and conditions at [SHI Online Customer Resale Terms and Conditions](#).



Agenda Report Form

Open Session Item

SUBJECT: Purchase of Microsoft Teams telephony integration licensing

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Joshua O'Neal, Division Director of Information Systems, Rick Curry, Director of Purchasing

RECOMMENDED MOTION: Motion to authorize the sole source procurement of licensing in the amount of \$50,488.00 from **Software House International of Somerset, NJ** based on its quote dated October 27, 2020 utilizing CARES act grant funds.

REPORT-IN-BRIEF: The licensing will allow Microsoft Teams users to make and receive phone calls at their desk phone numbers via the Teams application available on computers, tablets, and smart phones, increasing the ability of County staff to conduct business while teleworking.

DISCUSSION: Washington County Information Systems is requesting this purchase to allow for the integration of Microsoft Teams with the County phone system.

FISCAL IMPACT: Funds are to be allocated from CARES act grant amounts set aside for telework improvements.

CONCURRENCES:

ALTERNATIVES: N/A

ATTACHMENTS: SHI Quote 19611689

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: PUR-1482 – Dell PowerEdge R740xd Server Product

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Joshua O’Neal, Division Director of Information Systems, Rick Curry, Director of Purchasing

RECOMMENDED MOTION: Motion to award the procurement of (10) Dell 740xd servers to the low responsive bidder, **MNJ Technologies Direct, Inc. of Buffalo Grove, IL** based on their proposal to the published request for bids in the amount of \$348,006.40 utilizing CARES grant funding set aside for the purpose of improving telework infrastructure.

REPORT-IN-BRIEF: The Dell 740xd servers supply the computing power that runs all local County server applications, as well as providing virtual workstation access to staff, enabling easy transitioning between the office and telework. These additional servers will allow us to support more staff in telework, and improve speed for all existing users.

DISCUSSION: Washington County Information Systems is requesting this purchase in order to increase the number of staff that can be supported for telework, as well as provide an improved environment for existing teleworkers.

FISCAL IMPACT: Funds are from the CARES grant allocated for improvements to telework and remote citizen access.

CONCURRENCES:

ALTERNATIVES: N/A

ATTACHMENTS: PUR1482 - Dell Servers - MNJ Technologies Direct, Inc

AUDIO/VISUAL NEEDS: N/A

**BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND
WASHINGTON COUNTY PURCHASING DEPARTMENT**

PROVISIONS FOR OTHER AGENCIES

All items, conditions and pricing shall be made available to the entities listed below if authorized by the Bidder. Authorization is to be indicated by a check mark in the appropriate column. A negative reply will not adversely affect consideration of the bid. Any jurisdiction using this contract shall place its own order with the successful Bidder(s). There is no obligation on the lead jurisdiction for agreements made with other jurisdictions.

<u>YES</u>	<u>NO</u>	<u>JURISDICTION</u>
<u> x </u>	_____	WASHINGTON COUNTY PUBLIC SCHOOLS
<u> x </u>	_____	WASHINGTON COUNTY HEALTH DEPARTMENT
<u> x </u>	_____	OTHER WASHINGTON COUNTY MUNICIPALITIES
<u> x </u>	_____	HAGERSTOWN COMMUNITY COLLEGE
<u> x </u>	_____	CITY OF HAGERSTOWN
<u> x </u>	_____	FREDERICK COUNTY COMMISSIONERS
<u> x </u>	_____	OTHER FREDERICK COUNTY MUNICIPALITIES
<u> x </u>	_____	ALLEGANY COUNTY COMMISSIONERS
<u> x </u>	_____	BOARD OF EDUCATION OF ALLEGANY COUNTY
<u> x </u>	_____	OTHER ALLEGANY COUNTY MUNICIPALITIES
<u> x </u>	_____	ALLEGANY COMMUNITY COLLEGE
<u> x </u>	_____	CITY OF FROSTBURG
<u> x </u>	_____	CITY OF CUMBERLAND
<u> x </u>	_____	GARRETT COUNTY - GENERAL SERVICES
<u> x </u>	_____	BOARD OF EDUCATION OF GARRETT COUNTY
<u> x </u>	_____	OTHER GARRETT COUNTY MUNICIPALITIES
<u> x </u>	_____	GARRETT COUNTY COMMUNITY COLLEGE
<u> x </u>	_____	WASHINGTON COUNTY VOLUNTEER FIRE & RESCUE COMPANIES

SIGNATURE TO BIDS

NOTE: Bidders shall use this page as a cover page when submitting his/her bid.

Each bid must show the full business address and telephone number of the Bidder and be signed by the person legally authorized to sign contracts. All correspondence concerning the bid and contract, including notice of award, copy of contract and purchase order, will be mailed or delivered to the address shown on the bid in the absence of written instructions from the Bidder to the contrary. Bids by partnerships must be signed in the partnership name by one of the members of the partnership or by an authorized representative, followed by the signature and designation of the person signing, who shall also state the names of the individuals composing the partnership. Bids by corporations must be signed with the name of the corporation, followed by the signature and designation of the officer having authority to sign. When requested, satisfactory evidence of authority of the officer signing in behalf of the corporation shall be furnished. Anyone signing the bid as agent shall file satisfactory evidence of his/her authority to do so.

All documents, materials, or data developed as a result of this contract are the County's property. The County has the right to use and reproduce any documents, materials, and data, including confidential information, used in or developed as a result of this contract. The County may use this information for its own purposes or use it for reporting to Federal agencies. The Bidder warrants that it has title to or right of use of all documents, materials, or data used or developed in connection with this contract. The Bidder must keep confidential all documents, materials, and data prepared or developed by the Bidder or supplied by the County. All erasures and/or changes shall be initialed by the individual making modifications to the proposal.

BIDDER MUST SIGN HERE AND RETURN THIS PAGE AND THE PROPOSAL FORM IN ADDITION TO SUBMITTING ANY DOCUMENTS CALLED FOR BY THE GENERAL CONDITIONS AND INSTRUCTIONS TO BIDDERS, SPECIFICATIONS, AND ANY OTHER DOCUMENTS HEREIN CONTAINED.

By signing here, Bidder does hereby attest that he/she has read fully the general conditions and instructions, specifications, and any other documents herein contained, and does understand them and will furnish and deliver all labor and materials in accordance with the specifications for the price as listed on the proposal form.

Bidder acknowledges receipt of Addenda by initialing the following:

Addendum No. 1 <u>BP</u>	Addendum No. 2 <u>BP</u>	Addendum No. 3 <u>BP</u>
Addendum No. 4 <u>BP</u>	Addendum No. 5 _____	Addendum No. 6 _____

AFFIRMATION REGARDING COLLUSION

I AFFIRM THAT:

Neither I nor, to the best of my knowledge, information, and belief, the below stated business has:

- (a) Agreed, conspired, connived, or colluded to produce a deceptive show of competition in the compilation of the accompanying bid or offer that is being submitted;

Signature to Bids

PUR-1482

Dell PowerEdge R740XD Server Product

- (b) In any manner, directly or indirectly, entered into any agreement of any kind to fix the bid price or price proposal of the Bidder or Offeror or of any competitor, or otherwise taken any action in restraint of free competitive bidding in connection with the contract for which the accompanying bid or offer is submitted.

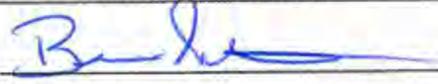
AFFIRMATION REGARDING BRIBERY CONVICTIONS

I FURTHER AFFIRM:

Neither I nor, to the best of my knowledge, information, and belief, the below business (as is defined in Section 16-101 (b) of the State Finance and Procurement Article of the Annotated Code of Maryland), or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies (as is defined in Section 16-101(f) of the State Finance and Procurement Article of the Annotated Code of Maryland), has been convicted of, or has had probation before judgment imposed pursuant to Criminal Procedure Article, Section 6-220 of the Annotated Code of Maryland, or has pleaded nolo contendere to a charge of, bribery, attempted bribery, or conspiracy to bribe in violation of Maryland law, or of the law of any other State or federal law, **except as follows** (indicate the reasons why the affirmation cannot be given and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of person(s) involved, and their current positions and responsibilities with the business):

BIDDER'S COMPANY/FIRM: MNJ Technologies Direct, Inc.

ADDRESS: 1025 Busch Parkway Buffalo Grove, IL 60089

AUTHORIZED SIGNATURE: 

NAME AND TITLE PRINTED: Brian Pletsch Director of Contract Management

TELEPHONE & FAX NUMBER: 847-876-8818 847-634-0702

E-MAIL ADDRESS: brian@mnjtech.com

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION (SDAT) NO. 5000550255

DATE: 10/23/2020 FEDERAL EMPLOYER'S IDENTIFICATION NO. 01-0560518

For Informational Purposes Only: Has your company/firm been certified by the State of Maryland as a Minority Business Enterprise? (Please check below.)

Yes No



MNJ Technologies Direct, Inc.
 1025 Busch Pkwy
 Buffalo Grove, IL 60089-4504
 (847) 634-0700

QUOTE

Dear Janie Thompson,

Thank you for contacting MNJ Technologies and allowing us the opportunity to provide a best-in-class solution based on your technology needs. Please feel free to reach out with any questions you may have.

QUOTE DATE	QUOTE NO	PO	ORDERED BY	PRINTED ON	ORDER BALANCE
10/16/2020	0001297342		Janie Thompson	Oct 23, 2020 12:37 pm	\$368,886.78

BILL TO: (6031261)

Commissioners of Washington County
 100 West Washington Streey
 Suite 3200
 Hagerstown, MD 21740

SHIP TO: (9999)

Commissioners of Washington County
 100 West Washington Streey
 Suite 3200
 Hagerstown, MD 21740

ATTENTION TO:

NAME: Janie Thompson

PHONE:

EMAIL: jthomspson@washco-md.net

CONFIRM TO:
 ATTN:

ACCOUNT MANAGER: Nick Viola
EMAIL: nviola@mnjtech.com
PHONE:

COMMENTS: Dell Powerdge R740XD

LN	PRODUCT	DESCRIPTION	QUANTITY	PRICE (\$)	AMOUNT (\$)
1	MNJ14824652	Powerdge R740XD MFG PART NO: DELL-SERVER	10	34,800.64	348,006.40
SHIP VIA: FEDEX GROUND		PLEASE REMIT TO:		NET ORDER: \$348,006.40	
TERMS: Credit Card		MNJ Technologies Direct, INC.		ESTIMATED SALES TAX: \$20,880.38	
		Department #10444		SHIPPING CHARGES: \$0.00	
		PO Box : 87618		TOTAL: \$368,886.78	
		Chicago, IL 60680-0618		ORDER BALANCE: \$368,886.78	
		FEIN: 01-0560518			

Thanks for the opportunity. We appreciate all your business.

PUR-1482
DELL POWEREDGE R740XD SERVER PRODUCT

REVISED SPECIFICATIONS

INTENDED USE OF EQUIPMENT: The server is being purchased for use by the Washington County Information Technology Department to support the County's data functions.

DELL POWEREDGE R740XD SERVER PRODUCT		Remarks / Exceptions	Qty
GENERAL:			
1	PowerEdge R740XD	PowerEdge R740XD Server (#210-AKZR)	1
2	Trusted Platform Module	Trusted Platform Module 2.0 (#461-AAEM)	1
3	Chassis Configuration	Chassis with up to 24 x 2.5 Hard Drives for 2CPU, GPU Capable Configuration - (#321-BDHZ)	1
4	Regulatory	PowerEdge R740 CE and BIS Marking, No CCC Marking (#389-DSWO)	1
5	Processor	Intel® Xeon® Platinum 8268 2.9G, 24C/48T, 10.4GT/s, 35.75M Cache, Turbo, HT (205W) DDR4-2933 - (#338-BRVJ)	1
6	Additional Processor	Intel® Xeon® Platinum 8268 2.9G, 24C/48T, 10.4GT/s, 35.75M Cache, Turbo, HT (205W) DDR4-2933 - (#338-BRVJ, 379-BDCO)	1
7	Processor Thermal Configuration	Heatsink Install Kit for GPU Config, EPS12V Cable (#750-AAXX)	1
8	Memory DIMM Type and Speed	3200MT/s RDIMMs - (#370-AEVN)	1
9	Memory Configuration Type	Fault Resilient Memory-VMware (#379-BBGK)	1
10	Memory Capacity	32GB RDIMM, 2933MT/s, Dual Rank (#370-AEQH)	24

REVISED – Specifications (10/20/2020 via Addendum No. 4)

PUR-1482

Dell PowerEdge R740XD Server Product

Page 1

DELL POWEREDGE R740XD SERVER PRODUCT			Remarks / Exceptions	Qty
11	RAID Configuration	C7, Unconfigured RAID for HDDs or SSDs (Mixed Drive Types Allowed) (#780-BCDS)		1
12	RAID/Internal Storage Controllers	PERC H740P RAID Controller, 8GB NV Cache, Adapter, Full Height (#405-AANR)		1
13	Hard Drives	480GB SSD SATA Read Intensive 6Gbps 512 2.5in Hot-plug AG Drive, 1 DWPD, 876 TBW (#400-AXTV)		1
14	Boot Optimized Storage Cards	BOSS controller card + with 2 M.2 Sticks 480GB (RAID 1), FH (#403-BCHJ)		1
15	Operating System	No Operating System (#619-ABVR)		1
16	OS Media Kits	No Media Required (#421-5736)		1
17	Embedded Systems Management	iDRAC9, Express (#385-BBKS)		1
18	Group Manager	iDRAC Group Manager, Disabled (#379-BCQY)		1
19	Password	iDRAC, Factory Generated Password (#379-BCSF)		1
20	PCIe Riser	Riser Config 4, 3x8, 4 x16 slots, Double-Wide GPU compatible (#330-BBHH)		1
21	Network Daughter Card	Intel X710 Quad Port 10GbE SFP+, rNDC (#555-BCKP)		1
22	Fibre Channel Adapters	Dell Recommended Emulex LPE 35002 Dual Port 32Gb Fibre Channel HBA, PCIe Full Height (#406-BBMP)		2
23	GPU/FPGA/ Acceleration Card	NVIDIA Quadro RTX 8000 48 GB, 250W, Dual Slot, PCIe x 16 Passive Cooled, Full Height GPU (#490-BFSG)		1
24	Fans	6 Performance Fans for R740/740RXD (#384-BBPZ)		1
25	Power Supply	Dual, Hot-plug, redundant Power Supply (1+1), 1600W, 250 Volt Power Cord (#450-AFMQ)		1

REVISED – Specifications (10/20/2020 via Addendum No. 4)

PUR-1482

Dell PowerEdge R740XD Server Product

Page 2

DELL POWEREDGE R740XD SERVER PRODUCT			Remarks / Exceptions	Qty
26	Power Cords	C13 to C14, PDU Style, 12 AMP, 2 Feet (.6m) Power Cord, North America2 (#492-BBDH)		2
27	Bezel	PowerEdge 2U LCD Bezel (#325-BCHV, #389-BTTO)		1
28	Quick Sync 2 (at box mgmt.)	No Quick Sync (#350-BBJV)		1
29	BIOS and Advanced System Configuration Settings	Performance BIOS Setting (#384-BBBL)		1
30	Advanced System Configuration	UEFI BIOS Boot Mode with GPT Partition (#800-BBDM)		1
31	Rack Rails	ReadyRails Sliding Rails with Cable Management Arm (#770-BBBR)		1
32	System Documentation	No Systems Documentation, No Open Manage DVD Kit (#631-AACK)		1
33	Remote Consulting Services	Decline Remote Consulting Service (#973-2426)		1
34	Dell Services: Hardware Support	5 Years ProSupport and Mission Critical 4Hr Onsite Service (#813-6068, #813-6072, #813-6073, #813-6081, #975-3462, #989-3439)		1
35	Deployment Services	No Installation (#900-9997)		1

REVISED – Specifications (10/20/2020 via Addendum No. 4)

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Dell PowerEdge R740XD Server Product

Page 3

PUR-1482
DELL SERVER PRODUCT
REVISED FORM OF PROPOSAL

Item	Description	Unit	Qty	Unit Price	Total Price	Remarks/Exceptions
1	Dell PowerEdge R740XD Server Configured per Specifications <u>Thirty four thousand eight hundred & sixty four cents Dollars</u> (Unit Price Written)	ea.	10	<u>\$ 34,800.64</u> (Figures)	<u>\$ 348,006.40</u> (Figures)	
TOTAL LUMP SUM						
<u>Three hundred fourty eight thousand six dollars and fourty cents</u> (Written)					<u>\$ 348,006.40</u> (Figures)	

REVISED - Form of Proposal (10/20/2020 via Addendum No. 4)

PUR-1482

Dell PowerEdge R740XD Server Product

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Agenda Report Form

Open Session Item

SUBJECT: PUR-1483 Poly Telephony

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Joshua O'Neal, Division Director of Information Systems, Rick Curry, Director of Purchasing

RECOMMENDED MOTION: Motion to award the procurement of Poly telephony products to the lowest responsive bidder, **TBD**, based on their proposal to the published request for bids in the amount of **TBD** utilizing CARES grant funding set aside for the purpose of improving telework infrastructure.

REPORT-IN-BRIEF: The Poly telephony devices integrate with Microsoft Teams software and the County's phone system, serving as a modern replacement for existing handsets. The new devices can be moved to staff homes for telework applications, and provide easier integration to conferencing options available through Teams.

DISCUSSION: Washington County Information Systems is requesting this purchase in order to facilitate better communication between telework staff and citizens.

FISCAL IMPACT: Funds are from the CARES grant allocated for improvements to telework and remote citizen access.

CONCURRENCES:

ALTERNATIVES: N/A

ATTACHMENTS: TBD

AUDIO/VISUAL NEEDS: N/A



Agenda Report Form

Open Session Item

SUBJECT: Bruce Bereano letter of services

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Kirk Downey, Interim County Administrator / County Attorney

RECOMMENDED MOTION: For consideration of Mr. Bereano's request

REPORT-IN-BRIEF: Correspondence sent to the Board of County Commissioners by Mr. Bereano for consideration to represent and serve the Commissioners as their government relations consultant and lobbyist in Annapolis during the upcoming 2021 session of the General Assembly.

DISCUSSION: N/A

FISCAL IMPACT: \$10,000

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Letter from Bruce Bereano

AUDIO/VISUAL NEEDS: None

THE OFFICE OF
BRUCE C. BEREANO
191 DUKE OF GLOUCESTER STREET
ANNAPOLIS, MARYLAND 21401
410-267-0410 ANNAPOLIS AREA
410-269-5330 BALTIMORE AREA
301-261-1100 WASHINGTON D.C. AREA
410-267-0177 FAX
BRUCE@LOBBYANNAPOLIS.NET

October 26, 2020

The Honorable Jeff Cline
President
Washington County Commissioners
100 West Washington Street, Room 226
Hagerstown, Maryland 21740

Dear President Cline:

In preparation for the upcoming 2021 Session of the Maryland General Assembly which convenes January 13, 2021, and for calendar year 2021, I write to propose to the Washington County Commissioners to represent and serve the Commissioners as their government relations consultant and lobbyist in Annapolis during the upcoming 2021 session of the General Assembly and before the Executive Branch of State Government. The term of my representation would be the calendar year of 2021.

I have appreciated and enjoyed representing the County for the past 4 years and I would be happy and willing to continue to act in such a capacity for the proposed same fee of \$10,000 plus reimbursement for any reasonable and necessary expenses such as mileage and travel, lobbying registration fee, duplication costs, etc.

The scope and nature of the government relations and lobbying services I would provide the Washington County Commissioners would include the following:

1. Making available the depth and breadth of my relationships and network, and experience developed over the past 49 years in government and politics in Maryland;
2. Provide government and political strategic advice and counsel concerning relationships with government elected and appointed officials;
3. Arrange and attend meetings for the County Commissioners with key legislative and executive branch officials;

4. Advise and inform the County Commissioners of particular events and functions which are good networking opportunities and ways to increase the presence and involvement in relationship development for the County;
5. Focus my efforts and attention on areas of interest and agenda of the County with the legislature and executive branches of government as requested;
6. Meet and work with Washington County Commissioners as and when requested concerning issues, problems and assistance I can render with State government officials, agencies;
7. Register as a lobbyist for the Washington County Commissioners as required by law and comply with all legal requirements;
8. Customary and usual professional lobbying and government relations activities and efforts on behalf of the Washington County Commissioners;
9. Assist in advocating and representing Washington County on legislation as indicated;
10. Keep the Washington County Commissioners fully informed of my activities and efforts on their behalf and maintain current and clear communications in this regard;
11. Assist in securing meetings with key government appointed and elected officials and attend any and all such meetings which are arranged;
12. Provide any other and further services and functions as requested and desired by the County Commissioners relative to my role and function;
13. Attend all Washington County Delegation meetings during the legislative session and work in harmony and coordination with the Washington County legislative Delegation and be of assistance;
14. Work closely with the Washington County Commissioners on their legislative agenda and priorities for the 2020 legislative session;

It is also understood and agreed that you hereby certify and declare that Bruce C. Bereano hereby is authorized to act as a lobbyist and government relations representative on behalf of the Washington County Commissioners for the time period of November 1, 2020 through October 31, 2021 as to matters between them.

I would very much appreciate the opportunity to work with the Washington County Commissioners, and you can be assured of my fullest professional and dedicated services.

Please feel free to discuss this matter further with me or let me know any questions you or the other Commissioners may have. I of course am willing and available to meet with the County Commissioners to further discuss and decide this matter. If this arrangement is agreeable and acceptable please sign and return to me one of the enclosed copies for my files. Thanking you in advance for your consideration and time, I am

Sincerely,



Bruce C. Bereano

Intending to be legally bound, the parties have duly executed this Agreement below:

Washington County Commissioners

By:

The Honorable Jeff Cline
President
Washington County Commissioners
100 West Washington Street, Room 226
Hagerstown, Maryland 21740

Date: _____



Bruce C. Bereano
191 Duke of Gloucester Street
Annapolis, Maryland 21401

Date: October 30, 2020



Open Session Item

NOTE: The Board will need to convene as the *Board of Health* when considering this request.

SUBJECT: Approve a contract amendment for the grant to reimburse Meritus Health for its efforts in combating COVID-19 in Washington County using funds provided through the CARES Act (2020) - COVID-19 Public Health Response Funds

PRESENTATION DATE: November 17, 2020

PRESENTATION BY: Earl Stoner, Health Officer and Daniel Triplett, Administrator

RECOMMENDED MOTION: Approve a contract amendment to the CARES Act (2020) Meritus Health contract for supplies and equipment purchased by Meritus Health specifically to address the COVID-19 pandemic.

REPORT-IN-BRIEF: Meritus Health was previously awarded a \$6,000,000.00 grant using CARES Act (2020) funds for reimbursement of COVID-19 related supplies, equipment, testing and personnel costs. The Washington County Health Department is requesting to amend this contract and grant an additional \$700,000.00 to Meritus Health with the same conditions as previously awarded.

DISCUSSION: N/A

FISCAL IMPACT: N/A – no money is being requested; 100% of funds used for reimbursement are federal funds through the CARES ACT 2020.

CONCURRENCES: N/A

ALTERNATIVES:

ATTACHMENTS: Reimbursement Contact

**STATE OF MARYLAND
MARYLAND DEPARTMENT OF HEALTH
REIMBURSEMENT CONTRACT**

CARES Act (2020) COVID-19 Public Health Response Funds Reimbursement (F913M)

THIS CONTRACT (the "Contract"), is made as of the 29 day of July, 2020 by and between the STATE OF MARYLAND, acting through the MARYLAND DEPARTMENT OF HEALTH, Washington County Health Department ("Department"), and

Meritus Medical Center, Inc., and its related entities/subsidiaries (collectively, "MMC")

("Contractor") whose principal office in Maryland is:

11116 Medical Campus Road, Hagerstown, MD 21742

and whose principal business address is

WHEREAS the current COVID-19 pandemic has placed a tremendous strain on the general public health and all providers who support the public health throughout Washington County, Maryland;

WHEREAS the United States government has passed the CARES Act (2020) providing funds for jurisdictions throughout the United States to assist with public health response to the COVID-19 pandemic;

WHEREAS the Washington County Health Department has been identified by the State of Maryland as the custodian of these public health response funds for Washington County, Maryland; and

WHEREAS the Washington County Health Department recognizes the vital role that MMC provides in combating the COVID-19 pandemic and the unanticipated financial strain this has caused;

The parties agree as follows:

1. Scope of Contract.

(a) The Washington County Health Department will reimburse MMC for costs related to personnel, supplies and equipment purchased or incurred by MMC to address the COVID-19 pandemic (the "Expenses"), provided that:

- i. The costs are incurred between March 19, 2020 and December 30, 2020;
- ii. The expenditures are necessary to combat the COVID-19 pandemic;
- iii. The costs were not previously included in any of MMC's operational budgets prior to March 27, 2020; and
- iv. Such costs are not reimbursable to MMC through any other federal or State source of funds.

The scope of work or solicitation dated N/A is attached and incorporated by reference as Exhibit N/A . The Contractor's bid or proposal dated N/A is attached and incorporated by references as Exhibit N/A . If there is any conflict between this Contract and any exhibits incorporated by reference, the terms of this contract shall govern. If there is any conflict among the Exhibits, the following order of precedence shall determine the prevailing provision: Exhibit A – the scope of work or solicitation and Exhibit B – the Contractor's bid or proposal.

(b) **Changes.** This Contract may be amended only with the written consent of both parties. Amendments may not change significantly the scope of the Contract (including the Contract price).

2. Term of Contract. The term of this Contract shall be for the period of March 19 , 20 20 through December 30 , 20 20 .

3. Compensation and Method of Payment.

- (a) **Compensation.** The reimbursement allocated to Contractor for the Expenses shall not exceed \$6,000,000.00.
- (b) **Method of Payment.** The Department shall pay the Contractor no later than thirty (45) days after the Department receives a proper invoice from the Contractor. Charges for late payment of invoices, other than as prescribed by Title 15, Subtitle 1, State Finance and Procurement Article, Maryland Code, are prohibited.
- (c) **Tax Identification Number.** The Contractor's Federal Tax Identification Numbers are:
52-0607949;
80-0728035;
52-2315129; and
71-1050982. The Contractor's Social Security Number is _____ (Individual Contractor Only). Contractor's Federal Tax Identification Number (or Social Security Number - Individual Contractor Only) shall appear on all invoices submitted by the Contractor to the Department for payment.
- (d) **Invoicing.** All invoices for services shall be signed by the Contractor and submitted to the Procurement Officer. All invoices shall be submitted along with any supporting documentation to prove the expenses were incurred by the contractor. All invoices shall include the following information:
- Contractor name;
 - Remittance address;
 - Federal taxpayer identification number;
 - Invoice period;
 - Invoice date;
 - Invoice number
 - Goods or services being submitted for reimbursement; and
 - Amount due.

Invoices submitted without the required information and inclusive of the supportive documentation cannot be processed for payment until the Contractor provides the required information.

Supporting Documentation Requirements

The Washington County Health Department is required to ensure that all expenses disbursed under grant programs are made within the scope of the Condition of Awards and only appropriate expenses are reimbursed under the grant. As such, supporting documentation is required to support expenses invoiced under this contract.

- For reimbursement of salaries and related personnel costs, copies of payroll reports or other proof of payments/costs must be submitted along with the invoice. Reports must detail amounts paid to or on behalf of (salary and fringe costs) individual employees. A COVID-19 Salary Attestation Form (Attachment A) must be included with any invoice for which personnel cost reimbursement is being sought.
- For equipment purchases that are approved under the grant award, originals or copies of receipts for the equipment must be submitted along with the invoice.
- For any sub-contracted services allowable under the grant award, copies of invoices from the sub-contractors must be submitted along with the invoice. Sub-contracted services must be pre-approved by the Contract Monitor. Supportive documentation proving the costs and expenses of the sub-contractor will also need to be provided.
- For any supplies, utility costs, fuel purchases, or other expenses allowable for reimbursement under the grant award, copies of receipts or invoices must be submitted along with the invoice.

Onsite Visit/Audit

For service contracts, the Washington County Health Department, will perform one or more onsite visits to ensure that services provided by the contractor are consistent with this contract and any applicable conditions of award. This site visit may include a financial review to audit the accuracy of invoices and billed expenses. If a visit is made to ensure that a service is being performed at a specific time, it may be unannounced.

4. **Procurement Officer.** The Department designates Brenda Cole, Procurement Officer to serve as Procurement Officer for this Contract. All contact between the Department and the Contractor regarding all matters relative to this Contract shall be coordinated through the Procurement Officer.
5. **Disputes.** Disputes arising under this Contract shall be governed by State Finance and Procurement Article, Title 15, Subtitle 2, Part III, Annotated Code of Maryland, and by COMAR 21.10 Administrative and Civil Remedies. Pending resolution of a dispute, the Contractor shall continue to perform this Contract, as directed by the Procurement Officer.
6. **Termination for Convenience.** The State may terminate this Contract, in whole or in part, without showing cause upon prior written notification to the Contractor specifying the extent and the effective date of the termination. The State will pay all reasonable costs associated with this Contract that the Contractor has incurred up to the date of termination, and all reasonable costs associated with termination of the Contract. However, the Contractor may not be reimbursed for any anticipatory profits which have not been earned up to the date of termination. Termination hereunder, including the determination of the rights and obligations of the parties, shall be governed by the provisions of COMAR 21.07.01.12(A)(2).
7. **Termination for Default.** If the Contractor does not fulfill obligations under this Contract or violates any provision of this Contract, the Department may terminate the Contract by giving the Contractor written notice of termination. Termination under this paragraph does not relieve the Contractor from liability for any damages caused to the State. Termination hereunder, including the rights and obligations of the parties, shall be governed by the provisions of COMAR 21.07.01.11B.
8. **Termination for Nonappropriation.** If funds are not appropriated or otherwise made available to support continuation in any fiscal year succeeding the first fiscal year, this Contract shall be terminated automatically as of the beginning of the fiscal year for which funds are not available. The Contractor may not recover anticipatory profits or costs incurred after termination.
9. **Non-Discrimination in Employment.** The Contractor shall comply with the nondiscrimination provisions of federal and Maryland law, including, but not limited to, the employment provisions of §13-219 of the State Finance and Procurement Article, Maryland Code and Code of Maryland Regulations 21.07.01.08, and the commercial nondiscrimination provisions of Title 19, Subtitle 1, State Finance and Procurement Article, Maryland Code.
10. **Maryland Law Prevails.** The laws of Maryland shall govern the interpretation and enforcement of this Contract. The Maryland Uniform Computer Information Transactions Act (Commercial Law Article, Title 22 of the Annotated Code of Maryland) does not apply to this Contract or any software license acquired hereunder.
11. **Anti-Bribery.** The Contractor certifies that, to the Contractor's best knowledge, neither the Contractor; nor (if the Contractor is a corporation or partnership) any of its officers, directors, partners, or controlling stockholders; nor any employee of the Contractor who is directly involved in the business's contracting activities, has been convicted of bribery, attempted bribery, or conspiracy to bribe under the laws of any state or of the United States.

**STATE OF MARYLAND
MARYLAND DEPARTMENT OF HEALTH
CONTRACT AMENDMENT
CARES Act (2020) COVID-19 Public Health Response Funds Reimbursement (F903M)**

THIS AMENDMENT (the "Contract"), is made as of the _____ day of _____, 20____ by and between the STATE OF MARYLAND, acting through the MARYLAND DEPARTMENT OF HEALTH, Washington County Health Department ("Department"), and

Meritus Medical Center, Inc., and its related entities/subsidiaries (collectively, "MMC")

("Contractor") whose principal office in Maryland is:

11116 Medical Campus Road, Hagerstown, MD 21742

and whose principal business address is _____.

WHEREAS the current COVID-19 pandemic has placed a tremendous strain on the general public health and all providers who support the public health throughout Washington County, Maryland;

WHEREAS the United States government has passed the CARES Act (2020) providing funds for jurisdictions throughout the United States to assist with public health response to the COVID-19 pandemic;

WHEREAS the Washington County Health Department has been identified by the State of Maryland as the custodian of these public health response funds for Washington County, Maryland; and

WHEREAS the Washington County Health Department recognizes the vital role that MMC provides in combating the COVID-19 pandemic and the unanticipated financial strain this has caused;

WHEREAS MMC has identified additional funding requirements to effectively combat the COVID-19 pandemic throughout Maryland;

The parties agree as follows:

1. AMENDMENT OF CONTRACT

- (a) The Washington County Health Department will increase the total amount of the grant to MMC from \$6,000,000.00 as originally specified in the contract to \$6,700,000.00 (An additional \$700,000.00).
- (b) All the same conditions and restrictions as imposed in the original contract apply to any reimbursement requests made against this additional money.
- (c) All provisions agreed to in the original contract remain in effect.

IN WITNESS THEREOF, the parties have executed this Contract as of the date hereinabove set forth.

CONTRACTOR

**STATE OF MARYLAND
MARYLAND DEPARTMENT OF HEALTH
WASHINGTON COUNTY HEALTH DEPARTMENT**

By: _____ (Seal)

By: _____

Maulik Joshi, President and CEO
(Printed Name and Title)

Earl Stoner, Health Officer
(Printed Name and Title)

Date

Date