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BOARD OF COUNTY COMMISSIONERS

October 17, 2023

OPEN SESSION AGENDA

- 9:00 AM INVOCATION AND PLEDGE OF ALLEGIANCE
CALL TO ORDER, *President John F. Barr*
- 9:05 AM COMMISSIONERS' REPORTS AND COMMENTS
- 9:15 AM STAFF COMMENTS
- 9:20 AM CITIZEN PARTICIPATION
- 9:30 AM RESULTS FROM WASHINGTON COUNTY MARYLAND AGRICULTURAL INNOVATION GRANT
Leslie Hart, Agriculture Business Specialist, Business and Economic Development; Jonathan Horowitz, Director, Business and Economic Development
- 9:40 AM PRESENTATION OF 2023-2024 WASHINGTON COUNTY FARM OF THE YEAR
Leslie Hart, Agriculture Business Specialist, Business and Economic Development
- 9:50 AM CHILD SUPPORT ENFORCEMENT COOPERATIVE AGREEMENT – APPROVAL TO SUBMIT APPLICATION
Nicole Phillips, Grant Manager, Grant Management; Lt. Valerie Buskirk, Washington County Sheriff's Office - Judicial Division
- 9:55 AM INTERGOVERNMENTAL COOPERATIVE CONTRACT – LEASE/PURCHASE (INTG-23-0122) – ONE (1) JOHN DEERE 624P WHEEL LOADER
Brandi Naugle, Buyer, Purchasing; Dave Mason, Deputy Director, Solid Waste
- RESCIND CONTRACT AWARD (PUR-1607) – MLK ELECTRICAL SERVICES UPGRADE
Brandi Naugle, Buyer, Purchasing; Andrew Eshleman, Director, Public Works; Danny Hixon, Deputy Director, Buildings, Grounds, and Facilities
- CONTRACT AWARD (PUR-1607) – MARTIN LUTHER KING (MLK) ELECTRICAL UPGRADES
Brandi Naugle, Buyer, Purchasing; Andrew Eshleman, Director, Public Works; Danny Hixon, Deputy Director, Buildings, Grounds, and Facilities

10:05 AM 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)*

10:30 AM RECONVENE IN OPEN SESSION

ADJOURNMENT

EVENING MEETING AT THE TOWN OF CLEAR SPRING

Location: Town Hall, 146 Cumberland Street, Clear Spring, MD

6:00 PM INVOCATION AND PLEDGE OF ALLEGIANCE
CALL TO ORDER, *President John F. Barr*

6:05 PM TOWN OF CLEAR SPRING LEADERS' REPORTS AND COMMENTS

6:20 PM COMMISSIONERS' REPORTS AND COMMENTS

6:30 PM CITIZENS PARTICIPATION

7:00 PM ADJOURNMENT



Open Session Item

SUBJECT: Results from Washington County Maryland Agricultural Innovation Grant.

PRESENTATION DATE: Tuesday, October 17, 2023

PRESENTATION BY: Leslie Hart, Business Development Specialist, Department of Business and Economic Development and Jonathan Horowitz, Director, Department of Business and Economic Development.

RECOMMENDED MOTION: n/a

REPORT-IN-BRIEF: The Washington County Department of Business and Economic Development developed an agricultural focused innovation grant program for Washington County Maryland agricultural producers and businesses. The grant was advertised in the late July timeframe and closed on August 21, 2023. The total grant requests received from 23 applications exceeded \$562,000.

The approved Agricultural Innovation Grants in the total amount of \$100,000 were awarded in the September 2023 time frame to the following recipients:

Creek Bound Farms LLC for purchase of a drone trailer to complement their existing drone equipment. (\$23,850)

Waltz Family Farm for expansion and housing needs for their beef operation. (\$25,000)

Painted Pastures for renovation and upgrades to kitchen area to add new product lines. (\$1,150)

Milk and Honey Farms for equipment expansion for their vegetable operation. (\$25,000)

Deliteful Dairy for 12-month seating capacity to complement their milk and cheese increase production. (\$25,000)

Grant request examples received included expansion of advertising and marketing efforts, educational outreach initiatives, farm buildings improvements, upgrades and enhancements, technological advancements for animal specific operations, and purchase of equipment. The full \$100,000 total grant for 2022-2023 has been awarded.

DISCUSSION:

FISCAL IMPACT:

CONCURRENCES: N/A

ALTERNATIVES:

ATTACHMENTS:



Open Session Item

SUBJECT: Presentation of 2023-2024 Washington County Farm of the Year

PRESENTATION DATE: October 17, 2023

PRESENTATION BY: Leslie Hart, Washington County Department of Economic and Business Development, Agriculture Business Specialist

RECOMMENDED MOTION: No motion. Metal outdoor plaque will be presented to the Farm of the Year for 2023-2024. County Commissioners will present the Certificate recognizing the winning Farm of the Year.

REPORT-IN-BRIEF: The Farm of the Year award showcases excellence in agriculture and promotes a greater understanding of the challenges faced by today's farmers. Applications have been accepted in the July to September 2023 time frame. Winning farm owners will be notified in advance of this meeting and asked to attend the Board of County Commissioners meeting scheduled for October 17, 2023

DISCUSSION:

FISCAL IMPACT:

CONCURRENCES:

ALTERNATIVES:

ATTACHMENTS:

AUDIO/VISUAL NEEDS: Group photo of BOCC and winning farm family members



Open Session Item

SUBJECT: Child Support Enforcement Cooperative Agreement- Approval to Submit Application

PRESENTATION DATE: October 17, 2023

PRESENTATION BY: Nicole Phillips, Senior Grant Manager, Office of Grant Management and Lt. Val Buskirk, Washington County Sheriff's Office, Judicial Division

RECOMMENDED MOTION: Move to approve the submission of the application for the Child Support Administration Cooperative Reimbursement Agreement to the Maryland Department of Human Services requesting a total of \$483,808 for FY24 and accept funding as awarded by the agency.

REPORT-IN-BRIEF: The Washington County Sheriff's Office is requesting approval to submit an application to renew the Cooperative Agreement between the Department of Human Services Child Support Administration and the Board of County Commissioners to reimburse costs of child support enforcement services provided by the Washington County Sheriff's Office. The application is requesting a total amount of \$483,808, which will reimburse the salaries and two Senior Office Associates, and a portion of equipment during the one-year period. Child support enforcement services provided by the Sheriff's Office include serving of summonses and warrants along with courtroom security of child support hearings.

DISCUSSION: The Office of Grant Management has reviewed the application and program guidelines. The performance period of the cooperative agreement is for one year, starting October 1, 2023 and ending September 30, 2024. There is no match requirement associated with the agreement.

FISCAL IMPACT: Provides up to \$483,808 to partially reimburse the expenses incurred by the Washington County Sheriff's Office associated with child support enforcement.

CONCURRENCES: Rachel Souders, Director, Office of Grant Management

ATTACHMENTS: NA



Open Session Item

SUBJECT: Intergovernmental Cooperative Contract – Lease/Purchase (INTG-23-0122) – One (1) John Deere 624 P Wheel Loader.

PRESENTATION DATE: October 17, 2023

PRESENTATION BY: Brandi Naugle, CPPB, Buyer, Purchasing Department; Dave Mason, P.E., Deputy Director, Solid Waste Department

RECOMMENDED MOTION: Move to authorize by Resolution, for the Solid Waste Department to lease/purchase one (1) John Deere 624P Wheel Loader from Jesco Inc, of South Plainfield, NJ for a total cost of \$294,040.27 and to utilize another jurisdiction's contract that was awarded by Sourcewell, (Contract 032119-JDC) to John Deere & Company of Cary, NC.

REPORT-IN-BRIEF: The Solid Waste Department is requesting to lease one (1) John Deere 624 P Wheel Loader to replace one (1) 1996 John Deere 744 E Wheel Loader. The existing wheel loader has an odometer reading of 5,550 hours, and is in poor operational condition, and exceeds the County's Vehicle and Equipment Types and Usage Guidelines. The County's replacement guidelines for wheel loaders are recommended at a five (5) year economic life cycle. The replaced wheel loader is part of the submitted quote and will be used as a trade-in for the amount specified in the attached quote.

The Code of Public Laws of Washington County, Maryland (the Public Local Laws) 1-106.3 provides that the Board of County Commissioners may procure goods and services through a contract entered into by another governmental entity, in accordance with the terms of the contract, regardless of whether the County was a part to the original contract. Sourcewell, a cooperative purchasing group solicited the resulting agreement. If the Board of County Commissioners determines that participation by Washington County would result in cost benefits or administrative efficiencies, it could approve the procurement of the equipment in accordance with the Public Local Laws referenced above that participation would result in cost benefits or in administrative efficiencies.

The County will benefit from the direct cost savings in the leasing of this equipment because of the 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 the Sourcewell contract and eliminating our County's bid process would result in an administrative and cost savings for the Solid Waste Department and Purchasing Department in preparing specifications.

DISCUSSION: N/A

FISCAL IMPACT: Funds are available in the amount of \$604,601.10 in the department's operating budget 535055-21-21020

CONCURRENCES: Mark Bradshaw – Division Director of Environmental Management

ALTERNATIVES: N/A

ATTACHMENTS: John Deer Quote dated 9/7/23

AUDIO/VISUAL NEEDS: N/A

RESOLUTION NO. RS-2023-

(Intergovernmental Cooperative Purchase [INTG-23-0122] One [1] John Deere 624 P Wheel Loader)

RECITALS

The Code of Public Local Laws of Washington County, Maryland (the “Public Local Laws”), §1-106.3, provides that the Board of County Commissioners of Washington County, Maryland (the “Board”), “may procure goods and services through a contract entered into by another governmental entity in accordance with the terms of the contract, regardless of whether the county was a party to the original contract.”

Subsection (c) of §1-106.3 provides that “A determination to allow or participate in an intergovernmental cooperative purchasing arrangement under subsection (b) of this section shall be by resolution and shall either indicate that the participation will provide cost benefits to the county or result in administrative efficiencies and savings or provide other justifications for the arrangement.”

The Solid Waste Department seeks to lease/purchase one (1) John Deere 624 P Wheel Loader from Jesco Inc, of South Plainfield, New Jersey, for a total cost of \$294,040.27, and to utilize another jurisdiction’s contract that was awarded by Sourcewell (Contract 032119-JDC) to John Deere & Company of Cary, North Carolina.

Eliminating the County’s bid process will result in administrative and cost savings for the Solid Waste Department. The County will benefit from direct cost savings because of the economy of scale the aforementioned contract has leveraged. Additionally, the County will realize administrative efficiencies and savings as a result of not preparing, soliciting, and evaluating bids.

NOW, THEREFORE, BE IT RESOLVED by the Board, pursuant to §1-106.3 of the Public Local Laws, that the Solid Waste Department is hereby authorized to lease/purchase one (1) John Deere 624 P Wheel Loader at the contracted price, and to utilize another jurisdiction’s contract that was awarded by Sourcewell (Contract 032119-JDF) to John Deere & Company of Cary, North Carolina.

Adopted and effective this ____ day of October, 2023.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

Dawn L. Marcus, County Clerk

BY: _____
John F. Barr, President

Approved as to form
and legal sufficiency:

Kirk C. Downey
County Attorney

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

**JOHN DEERE**

PREPARED FOR: WASHINGTON COUNTY LANDFILL

Date: September 7, 2023

Machine Configuration:

Code	Description	Qty	List Price
6041DW	624 P WHEEL LOADER	1	\$297,503.00
0202	United States	1	No Added Cost
0259	English	1	No Added Cost
0351	Translated Text Labels	1	No Added Cost
0400	Standard Loader	1	No Added Cost
0452	High Lift Z-BAR	1	\$4,700.00
0612	Level 2 Trim	1	\$6,663.00
0654	Level 1 Performance	1	No Added Cost
8501	Debris Package	1	\$3,425.00
8505	Guards - Transmission & Bottom	1	\$2,135.00
8502	Maintenance and Service Package	1	\$620.00
8508	Auxiliary Equipment Package	1	\$1,175.00
0951	Rear Camera (Primary Display)	1	No Added Cost
1100	Less Detection System	1	No Added Cost
1301	Left Side Steps	1	No Added Cost
183E	JDLink™	1	No Added Cost
2206	Smart Weigh Payload Scale	1	\$4,643.00
4095	John Deere 6.8L - FT4/SV	1	\$26,100.00
6522	Rear Counterweight & Rear Hitch w/ Pin	1	No Added Cost
7026	Joystick Controls	1	No Added Cost
7053	Two Function Hydraulics	1	No Added Cost
5121	No Brand Preference - 20.5R25 L3 1-Star Radial Tires w/ 3 PC Rims	1	\$13,794.00
5552	Standard Front Fenders	1	No Added Cost
8015	20.5R25 L3 1-Star Radial Tires w/ 3 PC Rims - No Brand Preference	1	No Added Cost
7403	Hydraulic Coupler - JRB 416 Pattern	1	\$6,294.00
7822	3.00 YD (2.30 CM) Enhanced Performance	1	\$11,041.00
7458	Bolt-On Cutting Edge	1	\$1,036.00
7500	Less Fork Frame	1	No Added Cost
7700	Less Tines	1	No Added Cost
	5% Price Increase		\$18,730.50
Total List Price			\$397,859.50
	Sourcewell Discount	39.00%	(\$155,165.21)
Net Price			\$242,694.30

John Deere Base Coded Attachments

Class	Description	Qty	Price
Total List Price			\$0.00
	Sourcewell Discount	20.00%	\$0.00
Net Price			\$0.00

Additional Costs

Code	Description	Qty	Price
	36 MONTHS/3,000 HOUR PT&H EXTENDED WARRANTY	1	\$2,431.00
	FREIGHT, PREP AND DELIVERY	1	\$14,925.00
Total			\$17,356.00

Other Attachments

Class	Description	Qty	Price
	FIRE-X ANSUL NF-40 LVS Liquid Fire Suppression		\$20,600.00

	<i>Total</i>	<i>\$20,600.00</i>
Total Sale Price (Quantity = 1)		\$280,650.30
Trade-In:	1996 JOHN DEERE 744E SERIAL # CK744EB000598	(\$22,000.00)
Total Net Price (Quantity = 1)		\$258,650.30

Remarks:

Please note that this quote is valid for 30 days, all price are on a per machine basis

Participating Addendum BPO No. 001B3600371 for adoption of Sourcewell Contract 032119-JDC

Purchase Orders must be made out to: Jesco Inc, 118 St Nicholas Ave, South Plainfield, NJ



Agenda Report Form

Open Session Item

SUBJECT: Rescind Contract Award (PUR-1607) – MLK Electrical Services Upgrade

PRESENTATION DATE: October 17, 2023

PRESENTATION BY: Brandi Naugle, CPPB, Buyer, Purchasing Department; Andrew Eshleman, P.E., Director, Division of Public Works and Danny Hixon, Deputy Director, Buildings, Grounds and Facilities

RECOMMENDED MOTION: Move to relieve Star Excavating and Electrical, LLC., of Clear Spring, MD from the contract without prejudices for the contracted electrical services in Washington County's MLK Building approved by the Board of County Commissioners of Washington County on July 11, 2023, for the total sum of \$204,372.60.

REPORT-IN-BRIEF: Due to unforeseen circumstances the contracted company could not secure the bonding requirements of this contract. Several accommodations were made to aid the vendor in this process as well as extending the deadline for securing the bonds, but all were met without a remedy for the situation.

The County accepted bids for the MLK Electrical Services Upgrade on June 14, 2023. The bid was advertised on the State of Maryland's "*eMaryland Marketplace*" (eMMA) website and the County's website, and in the local newspaper. The County reserves the right to reject any or all bids and to waive any informality or deficiency in bids received whenever such rejection or waiver is in the best interest of the County.

FISCAL IMPACT: Funds in the amount of \$1,021,851 are available in the Division's Capital Improvement Project (CIP) account 30-10910-BLD078 CNST. The engineer's estimate for this project was \$275,000.

CONCURRENCES: Public Works Director

ALTERNATIVES: N/A

ATTACHMENTS: Bid Tabulation Matrix

AUDIO/VISUAL NEEDS: N/A

PUR-1607

MLK Electrical Service Upgrade

Item No.	Description:	The Eastern Sales and Engineering Co. Baltimore, MD	Ebenezer Electric, LLC Woodbridge, VA	Star Excavating and Electrical, LLC Clear Spring, MD
1	Total Lump Sum for MLK Electrical Service Upgrade	\$299,000.00	\$290,000.00	\$204,372.60

Remarks/Exceptions:

Star Excavating and Electrical, LLC –

Star Excavating and Electrical propose to install a new 1600-amp service at the MLK Building. All labor and materials included. All work will be done as specified per bid pack, using square D gear. Underground rock is excluded, any rock we hit will be broke out and removed on a time and material basis. Price of material is only good for thirty days due to suppliers only holding material for this length of time.



Agenda Report Form

Open Session Item

SUBJECT: Contract Award (PUR-1607) – Martin Luther King (MLK) Electrical Upgrades

PRESENTATION DATE: October 17, 2023

PRESENTATION BY: Brandi Naugle, CPPB, Buyer, Purchasing Department; Andrew Eshleman, P.E., Director, Division of Public Works, and Danny Hixon, Deputy Director, Buildings, Grounds and Facilities

RECOMMENDED MOTION: Move to award the contract for the MLK Electrical Upgrades project to the responsible, responsive bidder, Ebenezer Electric, LLC., of Woodbridge, VA who submitted the lowest total lump sum bid in the amount of \$290,000.

REPORT-IN-BRIEF: The work to be performed by the Contractor under this project generally includes but is not limited to: The installation of a new 120/208v 1600A electrical service and a new 1600A main distribution panel. The contract shall plan for continuity of service and selected demolition of the old service. The County will be responsible for installing the new electrical closet and associated mechanical and finish items. The Contractor shall install all electrical receptacles, lights, fire alarm equipment, and associated wiring. Provide other miscellaneous work as indicated on the plans or required to complete the work. The project is to be substantially completed within forty-five (45) consecutive calendar days of the Notice to Proceed. The County can assess liquidated damages in the sum of two hundred fifty (\$250) dollars for each consecutive day that the project is not completed. The engineer's estimate for this project was \$275,000.

The bid was advertised in the local newspaper, listed on the State of Maryland's "*eMaryland Marketplace Advantage*" website and on the County's web site. Four (4) companies were represented at the pre-bid teleconference. Twenty-One (21) persons/companies registered/downloaded the bid document on-line. Three (3) bids were submitted as indicated on the attached bid tabulation matrix.

DISCUSSION: N/A

FISCAL IMPACT: Funds in the amount of \$1,021,851 are available in the Division's Capital Improvement Project (CIP) account 30-10910-BLD078 CNST.

CONCURRENCES: N/A

ALTERNATIVES: N/A

ATTACHMENTS: Bid Matrix Tabulation

PUR-1607

MLK Electrical Service Upgrade

Item No.	Description:	The Eastern Sales and Engineering Co. Baltimore, MD	Ebenezer Electric, LLC Woodbridge, VA	Star Excavating and Electrical, LLC Clear Spring, MD
1	Total Lump Sum for MLK Electrical Service Upgrade	\$299,000.00	\$290,000.00	\$204,372.60

Remarks/Exceptions:

Star Excavating and Electrical, LLC –

Star Excavating and Electrical propose to install a new 1600-amp service at the MLK Building. All labor and materials included. All work will be done as specified per bid pack, using square D gear. Underground rock is excluded, any rock we hit will be broke out and removed on a time and material basis. Price of material is only good for thirty days due to suppliers only holding material for this length of time.