

*BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
LEGISLATIVE SESSION 2020*

*Issued: December 24, 2019
Work Session: None
Legislative Day No. 1: January 6, 2020*

*The accompanying notes are
compiled from unaudited
information provided by
the Administration and
other sources.*



OFFICE OF THE COUNTY AUDITOR

BALTIMORE COUNTY COUNCIL

January 6, 2020

NOTES TO THE AGENDA

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**AGENDA
BALTIMORE COUNTY COUNCIL
LEGISLATIVE SESSION 2020, LEGISLATIVE DAY NO. 1
JANUARY 6, 2020 6:00 P.M.**

CEB = CURRENT EXPENSE BUDGET
BY REQ. = AT REQUEST OF COUNTY EXECUTIVE

Page

CALL OF BILLS FOR FINAL READING AND VOTE

NO BILLS

APPROVAL OF FISCAL MATTERS/CONTRACTS

STEVE WALSH, DIRECTOR, DEPARTMENT OF PUBLIC WORKS

- 1 1. Purchase Order – Mid-Atlantic Industrial Construction, LLC – Industrial Master Mechanics-Maintenance-Central Acceptance Facility-DPW

DEBRA SHINDLE, PROPERTY MANAGEMENT

- ~~WITHDRAWN 2. Contract – Baran Brothers – On-call Tier 1 demolition services – PM~~
~~WITHDRAWN 3. Contracts – (2) – On-call Tier 2 demolition services – PM~~

MISCELLANEOUS BUSINESS

- 5 1. Correspondence - (a)(4) - Non-Competitive Awards (November 25, 2019)
2. Res. 1-20 – Mr. Jones – Property Tax Exemption – DAV – Nancy Snead
3. Res. 2-20 – Mr. Marks – Property Tax Exemption – BLIND – Dorothea Miller
4. Res. 3-20 – Mr. Crandell – Property Tax Exemption – DAV – Wade Vallimont
5. Res. 4-20 – Mr. Quirk – Property Tax Exemption – DAV – Stanley Blackwell
6. Res. 5-20 – Mr. Quirk – Property Tax Exemption – DAV – James Butler, Jr.
7. Res. 6-20 – Mr. Marks – Property Tax Exemption – DAV – John Veney, Jr.
8. Res. 7-20 – Mrs. Bevins – Property Tax Exemption – DAV – Timothy Sinkler
9. Res. 8-20 – Mrs. Bevins – Property Tax Exemption – DAV – Michael Seidel

FM-1 (Contract)

Council District(s) 3

Department of Public Works

Industrial Master Mechanics – Maintenance – Central Acceptance Facility

The Administration is requesting approval of a contract with Mid-Atlantic Industrial Construction, LLC to provide six industrial master mechanics, who will perform maintenance on the single stream recycling system at the County’s Central Acceptance Facility (CAF) in Cockeysville. The contract commences upon Council approval and continues through an agreed-upon price expiration offered by the contractor (April 2020). The Administration could not provide a timeframe for when the work will be completed. Compensation may not exceed \$63,850. See Exhibit A.

Fiscal Summary

| Funding Source | Maximum Compensation | Notes |
|------------------------------|---------------------------------|---|
| County ⁽¹⁾ | \$ 63,850 | (1) Capital Projects Fund. |
| State | -- | (2) Maximum compensation for the project. |
| Federal | -- | |
| Other | -- | |
| Total | <u>\$ 63,850</u> ⁽²⁾ | |

Analysis

The contractor will provide six industrial master mechanics to perform maintenance, including major fixture and equipment replacement and repairs, on the single stream recycling (SSR) system at the CAF. The work will be performed in six continuous twelve-hour shifts during a weekend shutdown (starting at 6:00 a.m. on a Friday and concluding by 6:00 a.m. the following Monday). The Department advised that this work is needed because major system parts are past their typical useful life.

The contract commences upon Council approval and continues through an agreed-upon price expiration date offered by the contractor (April 2020). The Administration could not provide a timeframe for when the work will be completed. Compensation may not exceed \$63,850. The County may terminate the agreement by providing prior written notice.

The Department requested that the proposed contract be designated as a noncompetitive 902(f) award secured in the best interest of the County. The Department advised that the SSR system is proprietary, and only mechanics trained by Van Dyk Recycling Solutions are authorized to perform work on the system. The Department also advised that in June 2019, Van Dyk Recycling Solutions used Mid-Atlantic Industrial Construction, LLC as a subcontractor to perform repairs to the system. The Department further advised that the contractor's familiarity and experience with servicing the CAF, and its available master mechanics who can perform this type of work in a condensed timeframe, make the contractor the best selection to perform the work. Additionally, the Department noted that pricing has been established based on prior work by this contractor. County Charter, Section 902(f), states that "when... [competitive] bidding is not appropriate, a contract shall be awarded only by competitive negotiations, unless such negotiations are not feasible. When neither competitive bidding nor competitive negotiations are feasible, contracts may be awarded by noncompetitive negotiations."

The Correspondence for this agenda includes two contracts related to the SSR system at the CAF: a contract with Van Dyk Baler Corp. to upgrade equipment (to provide better sorting, improved quality, and less maintenance), and a contract with Columbia Rubber Corporation for replacement parts and associated labor.

County Charter, Section 715, requires that "any contract must be approved by the County Council before it is executed if the contract is...for services for a term in excess of two years or involving the expenditure of more than \$25,000 per year..."



COUNCIL ACTION REQUEST FORM EXECUTIVE SUMMARY

Vendor Name – Mid-Atlantic Industrial Construction, LLC

Scope of Contract – The Contractor shall provide six (6) industrial master mechanics, who will perform maintenance to the single stream conveyor system at the Central Acceptance Facility (CAF).

Contract Value – \$63,850.00

Term – One Time Service

Vendor Selection Method – Selected non-competitively through Section 902F of the County charter, based upon the contractor's familiarity, and proprietary knowledge of industrial mechanical processes related to the Central Acceptance Facility.

MBE% - 0

Other Pertinent Information – The Single Stream Recycling (SSR) System at CAF is a Bollegraff proprietary machine through Van Dyk Recycling Solutions. Van Dyk is the only company educating mechanics on maintenance and repair of the SSR. If a mechanic is not trained by Van Dyk, they are not qualified to perform maintenance and repair on the SSR.

In June 2019, Van Dyk used Mid Atlantic Industrial Construction, LLC as a subcontractor during a repair to the SSR at CAF.

Prepared by: Department of Public Works

BALTIMORE COUNTY COUNCIL
NOTES TO THE AGENDA
APPENDIX A

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Administrative Officer **DATE:** 11/25/19

FROM: Edward P. Blades, Director **COUNCIL MEETING**
Office of Budget & Finance **DATE:** 1/6/20

SUBJECT: Public Recordation of Announcement
of Non-Competitive Awards Charter Sec. 902(f)

Whenever a contract over \$25,000 is awarded by a process other than a formal competitive bid, a copy of the contract must be given to the County Council, and at the next legislative session-day following the award of the contract, the Secretary to the County Council shall formally announce to the Council the nature of the contract and the parties to the contract. The announcement shall be recorded in the minutes of the County Council, and shall be available for inspection by the public. In compliance with this procedure, information is attached concerning the following awards, which are to be forwarded to the County Council:

Award Document

PO 13188 Spiniello Companies – Sanitary Sewer Cleaning And Grouting Baybriar

Engineering contractor, Insituform, was contracted to perform lining work on this sanitary sewer gravity main. While attempting the job, it was determined by County staff that the pipe had deteriorated to the point that the lining work couldn't be completed due to the condition of the pipe and the amount of infiltration and running sand coming in.

Utilities contacted its' on-call construction contractor, Spiniello, who discussed the job with their subcontractor, Midas, and came up with a proposal to install spot repairs and "step grout" the pipe, but would require hourly compensation due to the nature of the job compared to similar work with linear footage based payment on their contract.

Estimated Total: \$78,025.00
Award of Date: 11/22/19

PO 13078 Van Dyk Baler Corp. – Star Screens For Single Stream Recycling System

The County utilizes a Ballegraf Recycling System as part of its operations at the Single Stream Facility at the Central Acceptance Facility in Cockeysville. Van Dyk Recycling Solutions, the company that installed the County's system, is the exclusive representative of Bollegraf Recycling Solutions in North America markets. The two companies together provide recycling and processing equipment manufacturing, design, engineering, and comprehensive consulting services. Van Dyk provides installation, maintenance services, and inspection services through a software program proprietary to Van Dyk and Bollegraf Recycling Solutions. Van Dyk is the sole provider of the Bollegraf equipment in question that would be compatible with the County's present system.

The systems current star screens would be upgraded to allow for a better sort of fiber mixes out of the existing recycling stream. This in turn will increase the quality of fiber bales making them far more desirable to market buyers (and in turn generate more revenue-in the past 60 months the system has generated \$34,005,245) and to stay ahead of markets concerns of contamination levels which ultimately affect commodity value. Additionally, the new star screens incorporate a design that they require less maintenance as they are less

likely to become tangled by other debris in the stream, thereby decreasing the amount of cleaning and other down time, and a significant savings in maintenance. The County would continue to process recycling as it has, albeit less efficiently and effectively, as the equipment would provide a better sort and improve quality of the end product which the County markets and sells. Additionally, there would most likely be more maintenance issues that could result in the premature replacement and repair of major components of the system.

Estimated Total: \$562,870.00
Award of Date: 11/25/19

PO 13153 CSX Transportation, Inc. – CSX Crossing And Roadway Maintenance

The Purchase Order represents invoices for Baltimore County's share of the cost to perform periodic roadway maintenance at CSX railroad crossings in the Dundalk area of Baltimore County, Maryland. A copy of the CSX/Baltimore County Agreement, dated November 5, 1954 is attached. CSX owns the railroad facilities and rights of way for this infrastructure. Funds have been encumbered by the Purchase Order.

Estimated Total: \$140,923.82
Award of Date: 11/25/19

MA 4218 Columbia Rubber Corporation – Parts And Service, Rubber Products, CAF

This is a five year contract, covering replacement parts and associated labor, with Columbia Rubber Corporation. Columbia Rubber has proprietary services. They are a source for a wide variety of supplies and materials for an industrial production facility. Most supplies are immediately available. Columbia's past experience in services the Central Acceptance Facility (CAF), and familiarity with the CAF (before July 1, 2017 acquisition of the CAF by Baltimore County) make it worthwhile for Purchasing to negotiate pricing with Columbia and establish a term Master Agreement.

The Central Acceptance Facility (CAF) is an industrial facility. Some equipment needs differ from items on some of our current Master Agreements. The single stream system has thousands of parts, supplies, and tools that might be required immediately to reduce down time. Most services and parts purchased under this request would be related to the single stream system. Since July 2017, items that have been of a standard nature have been requisitioned from Master Agreements as often as possible. Columbia Rubber is a source for a unique hot vulcanized process using a step method. The intention of this RQS is to provide a services and supply for reliable, limited guarantee maintenance or repair supplies and services at a rapid turnaround. The single stream system generates millions of dollars of revenue \$35,196,516.00 to date for the County, and services recycling for multiple jurisdictions – Baltimore County, Harford County and Cecil County (approx. 85,000 tons per year).

Estimated annual expenditures are \$18,000.00 per year. Total expenditures over the entire term are estimated at \$90,000.00.

Estimated Total: \$90,000.00
Award of Date: 11/22/19

c. M. Field,
T. Bostwick
L. Smelkinson