

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2022 Legislative Session

Resolution No. CR-012-2022

Proposed by The Council Chair (by request – M-NCPPC)

Introduced by Council Members Hawkins, Davis, Glaros, Streeter, Ivey, Dernoga,
Harrison, Franklin, Turner, and Taveras

Co-Sponsors _____

Date of Introduction February 22, 2022

RESOLUTION

1 A RESOLUTION concerning

2 Maryland-National Capital Park and Planning Commission

3 For the purpose of approving certain appropriation transfers between certain projects in the
 4 Fiscal Year 2022-2027 Capital Improvement Program.

5 WHEREAS, pursuant to the authority set forth in the Maryland Annotated Code (the
 6 “Code”) at Section 18-109 of the Land Use Article, the Maryland-National Capital Park and
 7 Planning Commission (“M-NCPPC”), the Commission may not make or authorize an
 8 expenditure of funds exceeding 110% of the available approved budget without County Council
 9 approval; and

10 WHEREAS, the Approved Capital Improvement Program for Fiscal Year 2022-2027
 11 includes \$3,098,000 in a Fund for Capital Project Contingencies (“Contingency Fund”), to
 12 authorize M-NCPPC to approve appropriation transfers up to \$250,000 for unanticipated costs
 13 and expenses related to closing out Commission construction projects, including the Southern
 14 Area Aquatic and Recreation Complex (“SAARC Project”); and

15 WHEREAS, transfer amounts from the Contingency Fund project in excess of \$250,000, or
 16 more than ten percent (10%) of the approved budget, require approval of a budget amendment by
 17 the County Council in accordance with law; and

18 WHEREAS, there is a need to transfer \$1,714,671.50 from the Contingency Fund for
 19 closing out the SAARC Project for purposes of making equitable adjustments, and/or legal and
 20 professional fees that are necessary to assess, litigate, or settle contract claims and disputes
 21 associated with the SAARC Project; and

1 WHEREAS, the proposed costs exceed the \$250,000 threshold for administrative approval
2 of the proposed appropriation transfer for the unanticipated costs and expenses of closing out the
3 SAARC Project; and

4 WHEREAS, the County Council has considered the proposed funding appropriation
5 transfer, as well as the accompanying justification, and determined that it should be approved.

6 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George’s
7 County, Maryland, that the proposed transfer of funds from the Approved Capital Improvement
8 Program for Fiscal Year 2022-2027 in the amount of \$1,714,671.50 from the Fund for Capital
9 Project Contingencies project to the Southern Area Aquatic and Recreation Complex project be
10 and the same is hereby APPROVED.

<u>Capital Improvement Program</u>			
<u>Project Name (Project #)</u>	<u>Prior Approved Budget</u>	<u>Amount Increase/(Decrease)</u>	<u>Revised Budget</u>
Southern Area Aquatic & Rec Complex (4.99.0157)	\$43,135,000	\$1,714,672	\$44,849,672
Fund for Capital Project Contingencies (4.99.0269)	\$3,098,000	(\$1,714,672)	\$1,383,329

11 Adopted this 5th day of April, 2022.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

12 BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council