

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2021 Legislative Session

Resolution No. CR-18-2021

Proposed by The Chair (by request – County Executive)

Introduced by _____

Co-Sponsors _____

Date of Introduction February 23, 2021

RESOLUTION

1 A RESOLUTION concerning

2 Contract Approval

3 For the purpose of a Resolution pursuant to the Prince George's County Charter Section 819 for
 4 approval of a multi-year CIP Contract Agreement. The Department of the Environment (DoE) is
 5 requesting approval for the Liberty Sports Park CIP project pursuant to Section 819 of the Prince
 6 George's County Charter. The project was not in the FY21 DoE CIP budget request. As such, it
 7 was not contemplated with FY21 budget approval. The project is a multi-year, fixed price
 8 agreement in the amount of (\$6,152,336.00). The project will deliver turnkey design-build
 9 solutions to manage stormwater volume controls and 124.9 impervious surface restoration (ISR)
 10 credits towards the County's National Pollutant Discharge Elimination System (NPDES)
 11 Municipal Separate Storm Sewer System (MS4) permit water quality restoration mandates. DoE
 12 has secured approvals from the Office of Central Services, Office of Law, and Risk Management
 13 in accordance with the attached Agreement. FY21 funding is available and DoE has included the
 14 project with the FY22 budget request and out years. The project is on a fast track to support
 15 NPDES MS4 water quality restoration mandates and development schedules.

16 WHEREAS, pursuant to the Federal and State mandates of the Clean Water Act, Prince
 17 George's County, Maryland (the "County") is required to implement a comprehensive Urban
 18 Stormwater Retrofit Program (the "Program") to restore local waters, streams, rivers, and
 19 tributaries that are part of the Chesapeake Bay watershed to enhance safe fishable and
 20 swimmable uses; and

21 WHEREAS, the Program will also help the County achieve and maintain compliance with
 22 the County's NPDES MS4 permit and the County's Chesapeake Bay Watershed Implementation

23 Plan; and

24 WHEREAS, the County desires to retain a contractor to provide a turnkey, all-inclusive
25 stream restoration project for the benefit of the County's obligation to comply with the NPDES
26 MS4 permit requirements of restoring 6,105 acres of untreated impervious surfaces; and

27 WHEREAS, the contractor submitted a turnkey proposal dated September 23, 2020,
28 entitled "Fixed Price, Full Delivery MS4 Compliance and Stormwater Management: Liberty
29 Sports Park Stream Restoration and Stormwater Management Project" ("Proposal"), to provide
30 stream restoration and stormwater management controls at Liberty Sports Park Stream
31 Restoration and Stormwater Management Project (the "Project"); and

32 WHEREAS, the Project includes the restoration and stabilization of an unnamed tributary
33 to Collington Branch (Liberty Sports Park Tributary), two of its headwater tributaries, over
34 approximately 4,444 linear feet of stream restoration. The project will support channel protection
35 volume stormwater management requirements associated with the Liberty Sports Park and
36 generate "not less than" 124.9 Impervious Surface Restoration credits towards the County's
37 NPDES MS4 permit water quality restoration mandates. Impervious Surface Restoration credit
38 will be calculated in consistency with the most recent guidance currently in effect from Maryland
39 Department of the Environment the Project also includes securing design approval and all
40 required regulatory permit approvals; and,

41 WHEREAS, the County Purchasing Agent has determined that it is the County's best
42 interest to enter a contract with the contractor for the provision of the "Only Practical Source" for
43 delivering the stream restoration services as outlined in the Proposal; and

44 WHEREAS, "Attachment A," Contractor Services Agreement summarizes the terms and
45 provisions of the contractor services to be provided under the Liberty Sports Park Stream
46 Restoration and Stormwater Management Agreement by and between the County and GV-Petro
47 LLC; and

48 WHEREAS, pursuant to Section 819 of the County Charter, the County Council must
49 approve, by resolution, all multi-year contracts exceeding an aggregate of five hundred thousand
50 dollars (\$500,000.00).

51 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
52 County, Maryland, that the Contract and Proposal collectively described in Attachment A, and
53 the same is hereby approved, pursuant to Section 819 of the Charter.

54 BE IT FURTHER RESOLVED that the County Executive is hereby authorized to make
55 any modifications, adjustments, corrections or any other changes as may be necessary to finalize
56 the agreement in any manner the County Executive may deem necessary or proper but not
57 altering its substance.

Adopted this ____ day of _____, 2021.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council