

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2014 Legislative Session

Resolution No. CR-99-2014

Proposed by The Chairman (by request – County Executive)

Introduced by Council Member Davis

Co-Sponsors _____

Date of Introduction October 21, 2014

RESOLUTION

1 A RESOLUTION concerning

2 Contract Approval

3 For the purpose of approving a multi-year public-private partnership agreement for the
 4 design, construction, management, operation and maintenance of up to 4,000 acres of
 5 County property comprising Prince George's County's Urban Stormwater Retrofit
 6 Program.

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

12 WHEREAS, the Program will also help the County to achieve and maintain
 13 compliance with the County's National Pollutant Discharge Elimination System MS4
 14 (Municipal Separate Storm Sewer System) permit and the County's Chesapeake Bay
 15 Watershed Implementation Plan; and

16 WHEREAS, the County desires to enter into a public-private partnership agreement
 17 with Corvias Prince George's County Stormwater Partners, LLC (the "Manager") to
 18 manage and implement the Program, plan, design, develop, redevelop, construct, renovate,
 19 retrofit, integrate, operate, maintain and provide adaptive management of stormwater
 20 infrastructure within the County; and

21 WHEREAS, the County believes that a public-private partnership approach provides
 22 significant advantages through (a) improved economic feasibility, (b) increased project

1 delivery and innovation, (c) the prospect for reduced costs through economies of scale and
2 flexibility such as the standardization of design, construction and maintenance practices
3 and leverage of future work to optimize cost savings in the procurement of products,
4 materials and services, (d) operational efficiencies in achieving design, construction,
5 maintenance and management cost reductions when compared to traditional government
6 contracting and procurement, (e) increased flexibility by encouraging the use of tailored
7 solutions to leverage key value drivers such as cost efficiencies, innovations, ingenuity and
8 best management practices, (f) a shared risk model that accelerates the implementation of
9 sustainable Low Impact Development/Green Infrastructure Practices, and (g) incentives to
10 promote and meet job creation and economic development goals within the County in the
11 area of stormwater management; and

12 WHEREAS, the County intends to fund the Program from a combination of (a) the
13 uncommitted bond proceeds received from the sale of County Stormwater Revenue Bonds
14 (currently contemplated for issuance on an annual basis), (b) funds now and hereafter
15 existing in the County's Local Watershed Protection and Restoration Fund, (c) private
16 financing sources generated through the Manager's resources, efforts and capabilities, (d)
17 grant proceeds that may become available to the County for Program costs, and (e) other
18 Federal water infrastructure finance programs; and

19 WHEREAS, the County Council hereby acknowledges that the scope of services
20 being provided by the Manager is contemplated to be technical, non-personal services in
21 connection with installation or servicing of Low Impact Development/Green Infrastructure
22 Practices and devices and equipment of a highly technical or specialized nature; and

23 WHEREAS, the capability of the Manager to implement this public-private
24 partnership urban retrofit program and the specialized services thereunder are considered
25 to be in short supply and market conditions make it impractical to estimate a fixed cost in
26 light of the numerous distinct projects that will be constructed and maintained and the
27 long-term duration of the Program; and

28 WHEREAS, "Attachment A" summarizes the terms and provisions of the Master
29 Program Agreement between the County and the Manager; and

30 WHEREAS, "Attachment B" summarizes the terms and provisions of the Master
31 Maintenance Agreement between the County and the Manager; and

1 WHEREAS, "Attachment C" consists of Schedule 6 concerning the Mananger's
2 Socio-Economic Participation Requirements and Goals; and

3 WHEREAS, "Attachment D" consists of Schedule 7 concerning the Caculation of the
4 Mananger's Incentive Fees; and

5 WHEREAS, "Attachment E" consists of Schedule 19 concerning the Program's
6 Performance Milestone Metrics; and

7 WHEREAS, pursuant to Section 819 of the County Charter, the County Council must
8 approve, by resolution, all multi-year contracts exceeding an aggregate of Five Hundred
9 Thousand Dollars (\$500,000.00).

10 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
11 County, Maryland, that the contract collectively described in AttachmentA and
12 Attachment B and the same is hereby approved, pursuant to Section 819 of the Charter.

13 BE IT FURTHER RESOLVED that the County Executive is hereby authorized to
14 make any modifications, adjustments, corrections or any other changes as may be
15 necessary to finalize the contracts in any manner the County Executive may deem
16 necessary or proper but not altering its substance.

Adopted this 19th day of November, 2014.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

Note: Attachments available as Inclusion Files in LIS