

COUNCIL OF THE TOWN OF RIVERDALE PARK

CHARTER AMENDMENT RESOLUTION 2019-CR-01

Introduced By: CM David Lingua  
Date Introduced: September 9, 2019  
Date Adopted: November 4, 2019  
Date Effective: December 24, 2019

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**A RESOLUTION** concerning

**CHARTER AMENDMENT – PROCUREMENT AND PIGGYBACKING**

**FOR** the purpose of amending the Charter of the Town of Riverdale Park to allow the Town to make purchases of certain supplies, materials, equipment, construction of public improvements, or contractual service from a person who is supplying the same supplies, materials, equipment, construction or services to another governmental entity, under, certain conditions and circumstances, without complying with certain Town sealed and competitive bidding requirements; and generally relating to procurement requirements for purchases by the Town of Riverdale Park.

**BY** repealing and reenacting, with amendments  
Charter of the Town of Riverdale Park (January 2008 Revision)  
ARTICLE VI: Finance  
Section 623

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**Key:**

CAPITAL LETTERS indicate matter added to existing law.

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**SECTION 1: BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF RIVERDALE PARK** that Section 623 of the Charter of the Town of Riverdale Park (January 2008 Revision), ARTICLE VI: Finance, is repealed and re-enacted, with amendments, to read as follows:

**ARTICLE VI**  
**Finance**

**§ 623: Competitive Bids**

All expenditures for supplies, materials, equipment, construction of public improvements, or contractual service involving more than twenty thousand dollars (\$ 20,000) shall be made on written contract. The town manager shall advertise for sealed bids for all such contracts by means including but not limited to publishing notice thereof twice in a newspaper of general circulation in the town. The town manager shall present the sealed bids to the council for approval and advise the council on the bids. Such written contracts shall be awarded by the council to the bidder who offers the lowest or best bid, quality of goods and work, time of delivery or completion, and responsibility of bidders being considered. All such written contracts shall be approved by the council before becoming effective. The town may reject all bids and re-advertise. The council may suspend these requirements for competitive bidding for purchases and contracts in excess of the stated amount by four (4) affirmative votes when, because of emergency or exigent circumstances, and in the opinion of the council, such suspension is reasonably necessary for public policy, health, safety, or well-being. PURCHASES OR CONTRACTS FOR SUPPLIES, MATERIALS, EQUIPMENT, CONSTRUCTION OF PUBLIC IMPROVEMENTS OR CONTRACTUAL SERVICES ARE EXEMPT FROM THE SEALED AND COMPETITIVE BIDDING REQUIREMENTS OF THIS SECTION WHERE SUCH SUPPLIES, MATERIALS, EQUIPMENT, CONSTRUCTION OR SERVICES ARE PURCHASED OR ACQUIRED FROM A PERSON WHO IS SUPPLYING THE SAME SUPPLIES, MATERIALS, EQUIPMENT, CONSTRUCTION OR SERVICES TO ANOTHER GOVERNMENTAL ENTITY, IF THE TOTAL PRICE OR PRICE PER UNIT, AS APPLICABLE, TO BE PAID BY THE TOWN IS NOT MORE THAN THE TOTAL PRICE OR PRICE PER UNIT TO BE PAID BY THE OTHER GOVERNMENTAL ENTITY AND IF THE PRICE TO BE PAID BY THE OTHER GOVERNMENTAL ENTITY HAS BEEN ESTABLISHED BY A COMPETITIVE BIDDING PROCESS CONDUCTED BY THE OTHER GOVERNMENTAL ENTITY OR BY A PURCHASING COOPERATIVE OR ALLIANCE THAT BIDS PROCUREMENTS ON A VOLUME BASIS FOR FEDERAL, STATE, AND LOCAL GOVERNMENTS. The town at any time in its discretion may employ its own forces for the construction or reconstruction of public improvements without advertising or re-advertising for or receiving bids. All written contracts may be protected by such bonds, penalties, and conditions as the council may require.

**SECTION 2: AND BE IT FURTHER RESOLVED** that the amendments to the Charter adopted by this Resolution shall become effective upon the fiftieth (50<sup>th</sup>) day after passage of this Resolution, unless a proper petition for referendum meeting the requirements of § 4-304 of the Local Government Article of the Annotated Code of Maryland shall be presented or mailed to the Council in accordance with such § 4-304 of the Local Government Article of the Annotated Code of Maryland on or before the fortieth (40<sup>th</sup>) day after passage of this Resolution. A complete and exact copy of this Resolution shall be posted at the Town Hall of Town of Riverdale Park (the "Town") or other main municipal building or public place for a period of at least forty (40) days following its adoption, and the title to this Resolution, being a fair summary of the amendments to the Charter adopted hereby, shall be published in a newspaper of general circulation in the Town

not less than four (4) times, at weekly intervals, within a period of forty (40) days starting immediately after the date of adoption of this Resolution.

**SECTION 3: AND BE IT FURTHER RESOLVED** that the Town Manager shall send or cause to be sent to the Department of Legislative Services of the State of Maryland in accordance with the provisions of §§ 4-308 and 4-109 of the Local Government Article of the Annotated Code of Maryland, the following documents or information concerning the Charter amendments: (1) the complete text of this Resolution; (2) the date of the referendum election, if any, held with respect thereto; (3) the number of votes cast for or against this Resolution by the Council or in a referendum; and (4) the effective date of the Charter amendments.

**SECTION 4: AND BE IT FURTHER RESOLVED** that the Town Manager is hereby authorized and directed to carry out or cause to be carried out the provisions of Sections 2 and 3 hereof; and as evidence of compliance herewith, the Town Manager shall cause to be maintained in the records of the Town an appropriate certificate of publication in the newspaper in which the fair summary of the Charter amendments shall have been published or other evidence of publication; provided that, the failure to so maintain the same shall not invalidate the effectiveness of the Charter amendments provided for in this Resolution.

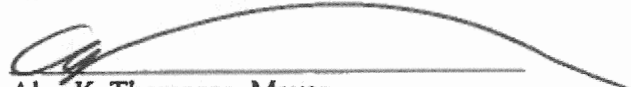
The above amendments to the Charter of the Town of Riverdale Park were adopted by the foregoing Resolution which was passed at a Legislative meeting of the Town Council on November 4, 2019, 3 members of the Town Council voting in the affirmative, 0 members of the Town Council voting in the negative, 1 member of the Town Council abstaining and 3 members of the Town Council absent, and the said Resolution becomes effective on the 24th day of December, 2019 if a petition for referendum has not been filed in the time prescribed by law.

ADOPTED this 4th day of November, 2019.

ATTEST:

  
Jessica Barnes, Town Clerk

COUNCIL OF THE TOWN OF  
RIVERDALE PARK

  
Alan K. Thompson, Mayor