

RESOLUTION NO.: 2023-02

**Resolution of the Town of Betterton  
for Purposes of Amending the Town Charter  
To Modify Procedures for Entering into Contracts**

WHEREAS, Section 4-301 et seq. of the Local Government Article of the Annotated Code of Maryland authorizes the Mayor and Council, from time to time, to amend, supplement or change, by resolution, the Town Charter; and

WHEREAS, it is in the best interest of the Town to modify its procedures for entering into professional services contracts;

NOW, THEREFORE, BE IT HEREBY resolved this 09 day of January 2024, by the Mayor and Council, that Section 321 of the Charter of the Town of Betterton shall be amended to read as set forth below.

"Section 321. Purchasing and Contracts:

(a) All purchases and contracts for the Town government shall be made by the Council. The Council may provide by Ordinance for rules and regulations regarding the use of competitive bidding and contracts for all Town purchases and contracts. All expenditures for supplies, materials, equipment, construction of public improvements or contractual service involving more than Ten Thousand Dollars (\$10,000.00), shall be made on written contract. *For all such written contracts over Ten Thousand Dollars (\$10,000.00) but not exceeding One-Hundred Thousand Dollars (\$100,000.00), written quotations shall be solicited from three or more qualified suppliers or vendors to the extent possible prior to the issuance of the contract. For all such written contracts over One Hundred Thousand Dollars (\$100,000.00), t[T]he* Clerk-Treasurer shall advertise for sealed bids in such manner as may be prescribed by Ordinance, for all such written contracts. Such written contracts shall be awarded 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, and who meets all the legal requirements for the

contract. All [such] written contracts *over Ten Thousand Dollars (\$10,000.00)* shall be approved by the Council before becoming effective. The Council shall have the right to reject all bids and re-advertise. The Town at any time in its discretion may employ its own forces for the construction or reconstruction of public improvements without advertising for (or re-advertising for) or receiving bids. All written contracts may be protected by such bonds, penalties and conditions as the Town may require.

(b) The following contracts are exempt from the above bidding requirements:

- (1) Contracts involving the services of members of the medical or legal profession, architects, engineers, accountants or other personal services involving professional expert advice.
- (2) Contracts involving lease/rental of real property; contracts involving policies of insurance or surety company bonds; purchases made through State or Federal purchase contracts; and contracts made with another political subdivision of the State of Maryland or of another state adjoining the State of Maryland, the Federal Government, or any agency of the State of Maryland or of another state adjoining the State of Maryland or any municipal authority.
- (3) Expenditures for supplies, materials, equipment, and services necessitated due to an emergency requiring immediate response to an actual and immediate harm or threat to the Town and its citizens.

(c) The Council may, by resolution, require that Contracts which are otherwise exempt from the bidding requirements be advertised for sealed bids if the Council in its discretion finds that it is in the best interest of the Town to do so.

It is further resolved that a fair summary of the Resolution shall be published four (4) times at weekly intervals in a newspaper of general circulation within a period of forty (40) days following the adoption of this Resolution. It is further resolved that a copy of this Resolution

shall be posted at the Town Hall for a period of forty (40) days following the adoption of this resolution and made available for public inspection. And, it is further resolved that the title of this Resolution or a condensed version thereof shall be deemed to be, and is, a fair summary of this Resolution for publication purposes.


\*Wording in brackets is to be deleted and wording in bold and italics is to be added.

BY AUTHORITY OF THE MAYOR  
AND COUNCIL OF THE TOWN OF  
BETTERTON, MARYLAND

  
Sheila Dlugoborski, Clerk

  
Donald E. Sutton, Mayor

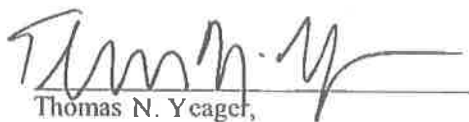
  
Robert E. Pyfer, Council Member

  
Wayne T. Gilchrest, Council Member

  
Harry Marcy, Council Member

  
William J. Fracassi, Council Member

Approved as to Form:

  
Thomas N. Yeager,  
Attorney for the Town of Betterton