

AGENDA ITEM #2(EE)
July 28, 2009

ACTION

MEMORANDUM

July 24, 2009

TO: County Council

FROM: Linda McMillan, Senior Legislative Analyst 

SUBJECT: **Resolution to Amend Resolution 16-970 for the FY10 Designation of Entities for Non-Competitive Contract Award Status**

On July 21, Timothy Firestine, Chief Administrative Officer, forwarded the attached resolution for Council consideration to amend the miscellaneous provision of Section G of resolution No. 16-970 for the FY10 Designation of Entities for Non-Competitive Contract Award Status. **An amendment to a resolution can be introduced and acted upon in the same Council session and does not require the Council to waive its rules of procedure.**

A resolution amending the purpose of the contract for Manna Food Center, Inc. is attached at circles 3-4 for the Council's consideration. No new local dollars are required for this amendment, which will be funded from existing appropriations. The amendment under discussion is necessary to update the purpose of the contract with Manna Food. The contract is to provide funds to support construction and improvement costs associated with moving to a new facility. The resolution originally specified that some funds be used toward a refrigeration unit; however, this unit is no longer necessary and the proposed amendment will allow Manna to use the funds toward other facility improvements.

Council staff supports the requested amendment to the FY10 Designation of Entities for Non-Competitive Contract Award Status for Manna Food Center, Inc.



OFFICES OF THE COUNTY EXECUTIVE

Isiah Leggett
County Executive

Timothy L. Firestine
Chief Administrative Officer

MEMORANDUM

July 21, 2009

TO: Phil Andrews, President, County Council

FROM: Timothy L. Firestine, Chief Administrative Officer

SUBJECT: Amendment to the FY10 Operating Budget
Resolution 16-970, Section G, FY10 Designation of Entities for
Non-Competitive Contract Award

2009 JUL 23 11 05 56
MONTGOMERY COUNTY
TIMOTHY L. FIRESTINE

Attached is an Amendment to the FY10 Operating Budget, Designation of Entities for Non-Competitive Contract Award, for the Department of Health and Human Services (DHHS). The resolution contains an amendment to the miscellaneous provisions in Section G of Resolution 16-970, FY10 Designation of Entities for Non-Competitive Contract Award.

The amendment is necessary due to a change in the vendor's original application submitted to County Council. The change is summarized below.

Name: Manna Food Center, Inc.

Purpose: Provides moving costs and improvements to build refrigeration and shelving units.

Amount: \$100,000

Reason for Requested Change: The location that Manna will be moving to has changed. Refrigeration already exists at the site. Manna is requesting that the funds be made available for general construction costs, equipment, and other moving related expenses.

Request: Amend the "Purpose" to indicate that funds will be used for "General construction costs, equipment, and other moving related expenses."

The amendment will be funded from existing appropriations in the Community Grants Non-Departmental Account and the Department of Health and Human Services will generate the appropriate contract action as intended by the non-competitive award.

Phil Andrews
July 21, 2009
Page 2

I recommend that you provide your certification by signing below that amending the FY10 Operating Budget Designation of Entities for Non-Competitive Contract Award to indicate the action listed in this table. The requested action and the listed entity serve a public purpose and is in the public interest.

TLF: pb

c: Uma S. Ahluwalia, Director, Department of Health and Human Services

Attachments: Amendment to Section G, FY10 Designation of Entities for Non-Competitive Contract Award

Resolution No: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

SUBJECT: Amendment to the FY10 Operating Budget
Resolution 16-970, Section G, FY10 Designation of Entities for
Non-Competitive Contract Award Status

Background

1. Section 11B-14(a)(4) of the Montgomery County Code states that "a contract may be awarded without competition if the Chief Administrative Officer makes a written determination that the contract award serves a public purpose and a proposed contractor has been identified in a grant or appropriation resolution approved by the Council." The result of this action is to amend the FY10 Designation of Entities for Non-Competitive Contract Award Status resolution to modify the purpose for the agency listed below.
2. The Chief Administrative Officer has determined that funding for the contract with this entity serves a public purpose and that such an expense would be in the public interest.
3. The Non-Departmental Account for Community Grants will fund the contract with the Provider listed below from existing appropriations for FY10.
4. The Department of Health and Human Services will prepare a contract with the Provider listed below for the provision of services-as stated in the amended FY10 Designation of Entities for Non-Competitive Contract Awards.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The Council approves an amendment to the Designation of Entities for Non-Competitive Contract Award and thereby amends Resolution 16-970, Section G, FY10, Designation of Entities for Non-Competitive Contract Award. The Chief Administrative Officer has recommended this action and stated that this revised purpose for this vendor serves a public purpose and is in the public interest.

The FY10 Designation of ~~Entities for Non-Competitive Contract Award~~ Status resolution is amended to:

Name: Manna Food Center, Inc.

Purpose: Provides moving costs and improvements to build refrigeration, and shelving units.

Amount: \$100,000

Reason for Requested Change: The location that Manna will be moving to has changed. Refrigeration already exists at the site. Manna is requesting that the funds be made available for general construction costs, equipment, and other moving related expenses.

Request: Amend the "Purpose" to indicate that funds will be used for "General construction costs, equipment, and other moving related expenses."

This is a correct copy of Council action.

Linda Lauer, Clerk of the Council



OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett
County Executive

Joseph F. Beach
Director

MEMORANDUM

July 17, 2009

TO: Timothy L. Firestine, Chief Administrative Officer

FROM: Joseph F. Beach, Director 

SUBJECT: Amendment to the FY10 Operating Budget
Resolution 16-970, Section G, FY10 Designation of Entities for
Non-Competitive Contract Award

2009 JUL 23 AM 9:53

RECEIVED
OFFICE OF THE COUNTY EXECUTIVE

Attached is an Amendment to the FY10 Operating Budget, Designation of Entities for Non-Competitive Contract Award, for the Department of Health and Human Services (DHHS). The resolution contains an amendment to the miscellaneous provisions in Section G of Resolution 16-970, FY10 Designation of Entities for Non-Competitive Contract Award.

The amendment is necessary due to a change in the vendor's original application submitted to County Council. The change is summarized below.

Name: Manna Food Center, Inc.

Purpose: Provides moving costs and improvements to build refrigeration and shelving units.

Amount: \$100,000

Reason for Requested Change: The location that Manna will be moving to has changed. Refrigeration already exists at the site. Manna is requesting that the funds be made available for general construction costs, equipment, and other moving related expenses.

Request: Amend the "Purpose" to indicate that funds will be used for "General construction costs, equipment, and other moving related expenses."

The amendment will be funded from existing appropriations in the Community Grants Non-Departmental Account and the Department of Health and Human Services will generate the appropriate contract action as intended by the non-competitive award.

Office of the Director

Timothy L, Firestine
July 17, 2009
Page 2

I recommend that you provide your certification by signing below that amending the FY10 Operating Budget Designation of Entities for Non-Competitive Contract Award to indicate the action listed in this table. The requested action and the listed entity serve a public purpose and is in the public interest.

JFB: pb

Attachment: Amendment to Section G, FY10 Designation of Entities for Non-Competitive Contract Award

Chief Administrative Officer Decision:

Approved Disapproved Schedule Briefing See/Call Me



Chief Administrative Officer

7/21/2009

Date