

# City Council of Hyattsville, Maryland

## AGENDA

### City Council Regular Meeting

Monday, June 4, 2018

7:30 PM



#### Council Chambers

Hyattsville Municipal Building

4310 Gallatin Street, 3<sup>rd</sup> Floor

Hyattsville, MD 20781

(301) 985-5000 [www.hyattsville.org](http://www.hyattsville.org)

#### CITY COUNCIL

[Mayor Candace B. Hollingsworth](#)

[Edouard Haba, Council President, Ward 4](#)

[Kevin Ward, Council Vice President, Ward 1](#)

[Bart Lawrence, Ward 1](#)

[Robert S. Croslin, Ward 2](#)

[Shani N. Warner, Ward 2](#)

[Carrianna Suiter, Ward 3](#)

[Thomas Wright, Ward 3](#)

[Paula J. Perry, Ward 4](#)

[Joseph Solomon, Ward 5](#)

[Erica Spell, Ward 5](#)

#### ADMINISTRATION

Tracey E. Nicholson, City Administrator

Laura Reams, City Clerk, 301-985-5009, [lreams@hyattsville.org](mailto:lreams@hyattsville.org)

**WELCOME TO THE CITY OF HYATTSVILLE CITY COUNCIL MEETING!** Your participation at this public meeting is valued and appreciated.

Agenda/Packet: The Agenda/Packet is available for review at the Hyattsville Municipal Building and online at [www.hyattsville.org](http://www.hyattsville.org) prior the scheduled meeting (generally available no later than the Friday prior to the scheduled Monday meeting). Please note, times given for agenda items are estimates only. Matters other than those indicated on the agenda may also be considered at Council discretion.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at (301) 985-5009. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Audible Devices: Please ensure all audible devices are turned off or otherwise not audible when the City Council is in session. Thank you.

Consent Agenda: Items listed on the Consent agenda are considered to be routine in nature, and are normally approved by one motion. Please note that most items on the Consent agenda have been discussed at a previous meeting. If a Councilmember wishes to comment on a particular item, that item shall be removed from the Consent agenda to "action" to allow for additional discussion.

Public Input: If you wish to address the Council during the Public Comment period, please submit an Audience Participation Form to the City Clerk prior to the beginning of the meeting. Matters identified during Public Comment that are not on that meeting's agenda will be referred to staff for follow-up or considered on a future agenda. Issues that require a response will be addressed publically at the next regular Council meeting. Speakers are requested to keep their comments to no more than two (2) minutes per speaker. Written comments or supporting documents may be turned in to the City Clerk for distribution to the Mayor and Council.

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1. **Call to Order and Council Roll Call**
2. **Pledge of Allegiance to the Flag**
3. **Approval of Agenda**
4. **Public Comment (7:40 p.m. – 8:25 p.m.) Limit 2 minutes per speaker**
5. **Presentations (8:25 p.m. - 8:30 p.m.)**
  - 5.a) **Presentation of Check to Special Olympics of Prince George's County (5 minutes)**  
**HCC-380-FY18**  
**Lead Sponsor:** At the Request of the City Administrator  
**Co-Sponsor(s):** N/A
6. **Consent Items (8:30 p.m. - 8:35 p.m.)**
  - 6.a) **Proclamation of Caribbean-American Heritage Month**  
**HCC-376-FY18**  
I move that the Mayor and Council proclaim June 2018 as Caribbean-American Heritage Month in the City of Hyattsville.  
**Lead Sponsor:** At the Request of the City Administrator  
**Co-Sponsor(s):** N/A  
[Caribbean American Heritage Month 2018.docx](#)
  - 6.b) **Proclamation of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month**  
**HCC-375-FY18**  
I move that the Mayor and Council proclaim June 2018 as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month in the City of Hyattsville.  
**Lead Sponsor:** At the Request of the City Administrator  
**Co-Sponsor(s):** N/A  
[LGBTQ Pride Month 2018.docx](#)
  - 6.c) **Hyattsville Ordinance 2018-03: Ch. 84 Parks and Recreational Facilities - Modification**  
**HCC-38-FY18**  
I move that the Mayor and Council adopt Hyattsville Ordinance 2018-03, an Ordinance whereby the City of Hyattsville amends Chapter 84 of the Hyattsville Code to change the hours during which public parks are open; remove references to the former Department of Parks and Recreation; remove certain express requirements regarding permits and fees for recreational facilities and the use of parks for certain activities, and relegate the regulation thereof to the City Administrator; repeal the prohibition on children with contagious

diseases or skin infections from using parks; and remove references to the Parks and Recreation Committee (SECOND READING/ADOPTION).

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[Ordinance 2018-03 Ch 84 Park Hours FINAL.docx](#)

**6.d) FY18 Budget Amendment: Building Maintenance**

**HCC-345-FY18**

I move that the Mayor and Council amend and increase the FY-2018 Building Maintenance Division operating budget in contracted services to cover the Office Care cleaning contract, NTE \$40,000.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

**6.e) Arundel Place Water and Sewer Project - Design and Permits**

**HCC-368-FY18**

I move that the Mayor and Council authorize the expenditure of an amount NTE \$45,000 with Johnson, Mirmiran, & Thompson (JMT) under their existing contract for the completion of design and permitting for the Arundel Place Water and Sewer Line Project.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

**6.f) Arundel Place Water and Sewer Project - Installation**

**HCC-355-FY18**

I move that the Mayor and City Council authorize the City Administrator to expend an amount not to exceed (NTE) \$305,000, with Mid-Atlantic Utilities, Inc. for the extension of water and sewer lines on Arundel Place.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[PM0005A15 - Amendment #1.pdf](#)

[PM0005A15 Contract and NTP MA Utilities.pdf](#)

[S 20150130173059.pdf](#)

**6.g) Arundel Place Water and Sewer Project - Road Restoration**

**HCC-367-FY18**

I move that the Mayor and Council authorize the expenditure of an amount NTE \$50,000 from the Capital Improvement (CIP) Funds under the existing contract with NZI Construction, Inc. for the restoration of Baltimore Avenue and Arundel Place.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

**6.h) FY18 Budget Amendment: 37th Place Sidewalk Installation**

**HCC-370-FY18**

I move that the Mayor and Council amend and increase the 2018 CIP budget to cover the additional cost of the 37th Place Sidewalk Installation project from \$35,000 to \$45,000 and increase the existing NZI Construction, Inc. contract to cover these costs.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[August 2017 - 37th pl council motion.pdf](#)

**6.i) FY18 Budget Appropriation: Grant from County Councilwoman Deni Taveras**

**HCC-381-FY18**

I move that the Mayor and Council amend the 2018 operating budget and accept and appropriate a Special Appropriation Grant from County Councilwoman Deni Taveras for \$2,600 to support the summer reading program conducted by the Hyattsville Education Advisory Committee.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

**6.j) Photo Copier Lease – Award of Contract**

**HCC-382-FY18**

I move the City Council accept the proposal submitted by Capitol Office Solutions, 9065 Guilford Road, Columbia, Maryland 21046, and authorize the City Administrator to execute a 36-month lease for photo copier equipment and services, subject to the review and approval of the City Attorney.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[Memo - Photo Copier Lease .docx](#)

**6.k) Appointment to the Shade Tree Board**

**HCC-383-FY18**

I move that the Mayor, with Council approval, appoint Taylor Johnson (Ward 1) to the Shade Tree Board for a term of 3 years to expire on June 4, 2021.

**Lead Sponsor:** Hollingsworth

**Co-Sponsor(s):** Perry, Warner

[Committee Application Johnson.pdf](#)

**6.l) Transportation Provision for Joe's Movement Emporium Summer Camp**

**HCC-384-FY18**

I move that the Mayor and Council authorize the City Administrator to execute a contract with Joe's Movement Emporium to provide transportation services for youth participating in their summer camp, upon the review and approval by the City Attorney for legal sufficiency.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

**6.m) Hyattsville Ordinance 2018-04: Fiscal Year 2019 Budget Ordinance**

**HCC-361-FY18**

I move that the Mayor and Council adopt Hyattsville Ordinance 2018-04, adopting an annual budget for Fiscal Year 2019 beginning July 1, 2018 through June 30, 2019, for the General

Purpose; fixing the tax rates for the Fiscal Year beginning July 1, 2018; authorizing collection of taxes herein levied, and appropriating funds for the Fiscal Year (SECOND READING/ADOPTION).

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[HO 2018-04 FY2019 Final Budget Ordinance 5 15 2018.pdf](#)

[University Town Center Special Tax Report 2018-2019.pdf](#)

[FY-2019 Total FTEs.pdf](#)

[Final Budget Memo FY2019 \(1\).docx](#)

**6.n) Re-appointment to the Health, Wellness, and Recreation Advisory Committee  
HCC-386-FY18**

I move that the Mayor and Council re-appoint Dyann Waugh (Ward 2) to the Health, Wellness, and Recreation Advisory Committee for a term of 2 years to expire on June 4, 2020.

**Lead Sponsor:** Warner

**Co-Sponsor(s):** N/A

[Re-appointment Dyann Waugh 5-31-18.pdf](#)

**6.o) Hyatt Park Placemaking Project - Award of Contract  
HCC-387-FY18**

I move that the City Council authorize the City Administrator to execute a purchase order with NZI Construction Corp, 11601 Spruce Avenue, Beltsville, Maryland 20705 for site improvements at Hyatt Park in an amount not to exceed \$210,000 and further authorize a purchase order with Gametime c/o Cunningham Recreation, PO Box 240981, Charlotte, NC 28224 for the furnishing of recreational equipment and amenities in an amount not to exceed \$208,000.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[Memo - Public Placemaking - Hyatt Park Contract Awards.docx](#)

**6.p) FY18 Budget Appropriation: Hyatt Park Contract Approval - Electrical Design and Permits  
HCC-385-FY18**

I move that the Mayor and Council authorize the transfer of \$25,000 from Capital Outlay Municipal Building to Capital Outlay Site Improvement All Parks for the purpose of the completing electrical design work required for the Hyatt Park Place-making project, and I further move that the Mayor and Council authorize the City Administrator to enter into a contract with Johnson, Mirmiran, and Thompson for the electrical design and engineering NTE \$25,000.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[Hyatt Park Electrical.pdf](#)

**6.q) Dataprise  
HCC-388-FY18**

I move the City Council authorize the City Administrator to execute a contract for services with Dataprise Inc. to provide the City with managed IT services at a monthly re-occurring fee not to exceed \$15,000.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

**6.r) Disbursement of Ward 5 Discretionary Funds**

**HCC-389-FY18**

I move that the Mayor and Council approve the disbursement of Ward 5's Council Discretionary Funds as follows:

a) \$250 for the purchase of food for a Hamilton Street Business District Meeting

b) \$250 for the Rosa Parks Elementary School Soccer Program Fund

**Lead Sponsor:** Solomon

**Co-Sponsor(s):** Spell

**7. Motion to Close (8:35 p.m. - 8:55 p.m.)**

**7.a) Motion to Close (20 minutes)**

**HCC-378-FY18**

I move that the Mayor and Council close the Council Meeting of June 4, 2018, to consider the acquisition of real property and matters related thereto. The reason for closing the meeting under this exception is to protect the City's bargaining position. The meeting will also be closed so that the Mayor and Council may receive legal advice. The reason for closing the meeting under this exception is to protect attorney-client communications.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition and 3-305(b) (7) to consult with counsel to obtain legal advice.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

**8. Action Items (8:55 p.m. - 9:50 p.m.)**

**8.a) 6009 35th Ave. Zoning Variance Request (V-10-18) (10 minutes)**

**HCC-369-FY18**

I move the City Council authorize the City Administrator to issue correspondence to the Prince George's County Board of Zoning Appeals stating the City of Hyattsville's opposition to V-10-18, a zoning variance application for the subject property at 6009 35th Avenue, Hyattsville to permit a 6.5% total lot coverage and impervious surface in excess of 25% of the total front yard square footage.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[6009 35th Ave Variance.docx](#)

[City of Hyattsville Zoning Variance Policy Statement and Variance Process 10 3 11.pdf](#)

[V-10-18 6009 35th Avenue - BZA Referral.pdf](#)

[6009 35th Ave 05232018.pdf](#)

**8.b) CSP-18002: Magruder Pointe (45 minutes)**

**HCC-371-FY18**

I move the City Council authorize the Mayor to send correspondence to the Maryland-National Capital Park & Planning Commission in support of the conceptual site plan application for Magruder Pointe (CSP-18002), an amendment to the Gateway Arts District Table of Uses to permit both detached and attached residential dwelling units within boundary the subject properties with the condition that the applicant shall be limited to a cumulative density of not greater than nine (9) dwelling units per acre. The correspondence shall also express the City's concerns that residential development on the lower parcel diminishes the opportunity for enabling the future expansion of Magruder Park.

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[CSP Action Memo FINAL.docx](#)

[Previous Development Applications for WSSC Building.docx](#)

[CSP-18002.pdf](#)

[SOJ CSP-18002.pdf](#)

[Zoning Map.PNG](#)

[Character Area Map.PNG](#)

[TRN Summary.PNG](#)

[TRN Goals and Recommendations.pdf](#)

[Sec. 27 548.19. Introduction.doc](#)

[Table of Uses - Residential TRN.pdf](#)

[Planning Committee Minutes - Adopted - 02.27.2018.pdf](#)

[Planning Committee Minutes - 03.20.2018 Pending.pdf](#)

**9. Discussion Items (9:50 p.m. - 10:35 p.m.)**

**9.a) DSP-18003: Landy Property (Infrastructure Only) (15 minutes)**

**HCC-335-FY18**

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[Infrastructure DSP Discussion Memo FINAL.docx](#)

[DSP Infrastructure.pdf](#)

[Landscape and Lighting Plan.pdf](#)

[Tree Conservation Plan.pdf](#)

[Planning Committee Minutes - 05.15.18.docx](#)

**9.b) DSP-17044: Riverfront at West Hyattsville Architecture Plan (15 minutes)**

**HCC-360-FY18**

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[DSP-17044 Discussion Memo FINAL.docx](#)

[Architecture Plan DSP-17044](#)

[DSP-17044 Landscape Plan](#)

[DSP-17044 Statement of Justification](#)

[Planning Committee Minutes - 05.15.18.docx](#)

**9.c) Amendment to Chapter 114, Article IV: Residential Parking Zones (15 minutes)**

**HCC-348-FY18**

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):** N/A

[Ordinance 2018 Residential Parking \(Ch. 114\) 5-8-2018.pdf](#)

[MM Re Ordinance 2018 Residential Parking \(Ch. 114\) 5-7-2018 Comments.pdf](#)

**10. Council Dialogue**

**11. Community Notices and Meetings**

**11.a) City Calendar: June 5 - July 16, 2018**

**HCC-377-FY18**

**Lead Sponsor:** At the Request of the City Administrator

**Co-Sponsor(s):**

[Main City Calendar Jun 5 - Jul 16 2018.docx](#)

**12. Motion to Close**

**12.a) Motion to Close**

**NOTE:** The Council will not return to open session.

**HCC-379-FY18**

I move that the Mayor and Council close the Council Meeting of June 4, 2018 in order to discuss a performance evaluation and to protect the employee's confidentiality on these matters.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals.

**Lead Sponsor:** Hollingsworth

**Co-Sponsor(s):** N/A





## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Anthony DeSantis

Submitting Department: Community Services

Item Type: Proclamation

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### **SUBJECT**

Proclamation of Caribbean-American Heritage Month

### **HCC-376-FY18**

#### **Recommendation:**

I move that the Mayor and Council proclaim June 2018 as Caribbean-American Heritage Month in the City of Hyattsville.

#### **Sponsor(s):**

At the Request of the City Administrator

#### **Co-Sponsor(s):**

N/A

### **ATTACHMENTS**

[Caribbean\\_American\\_Heritage\\_Month\\_2018.docx](#)

#### **Summary Background:**

June is National Caribbean-American Heritage Month

#### **Next Steps:**

Proclaim June 2018 as Caribbean-American Heritage Month in the City of Hyattsville.

#### **Fiscal Impact:**

N/A

#### **City Administrator Comments:**

Recommend Approval

#### **Community Engagement:**

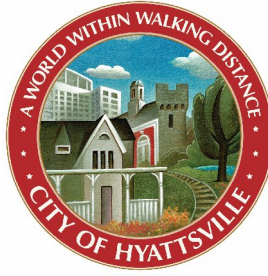
Promotion of Caribbean-American Heritage Month has been planned.

#### **Strategic Goals:**

Goal 5 – Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

#### **Legal Review Required?**

N/A



**PROCLAMATION CELEBRATING JUNE 2018  
AS CARIBBEAN-AMERICAN HERITAGE MONTH**

To celebrate the contributions that residents of Caribbean-American heritage continually make to the City of Hyattsville, this proclamation recognizes the significance of Caribbean people and their descendants in the history and culture of the United States.

**WHEREAS**, the City of Hyattsville is fortunate to be a diverse community, including residents who have roots across the many nations and cultures of the Caribbean.

**WHEREAS**, 2018 marks the 12th anniversary of Caribbean-American Heritage Month nationally, and more than four million Caribbean Americans live in the United States and continue to contribute to a vibrant culture that enriches our Nation.

**WHEREAS**, the City is proud to celebrate Caribbean-American history, culture, achievements, and heritage in coordination with immigrants, families, and communities across the country.

**NOW, THEREFORE BE IT RESOLVED**, that we acknowledge the role Caribbean-Americans continue to play in helping create and maintain the strength and independence of our community and nation as we celebrate June of 2018 as Caribbean-American Heritage Month in the City of Hyattsville.

\_\_\_\_\_  
Candace B. Hollingsworth  
Mayor  
City of Hyattsville

June 4, 2018



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018  
Submitted by: Anthony DeSantis  
Submitting Department: Community Services  
Item Type: Proclamation  
Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Proclamation of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month

### HCC-375-FY18

#### Recommendation:

I move that the Mayor and Council proclaim June 2018 as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month in the City of Hyattsville.

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

#### ATTACHMENTS

[LGBTQ\\_Pride\\_Month\\_2018.docx](#)

#### Summary Background:

June is celebrated as LGBTQ Pride Month across the United States.

#### Next Steps:

Proclaim June 2018 LGBTQ Pride Month in the City of Hyattsville.

#### Fiscal Impact:

N/A

#### City Administrator Comments:

Recommend Approval

#### Community Engagement:

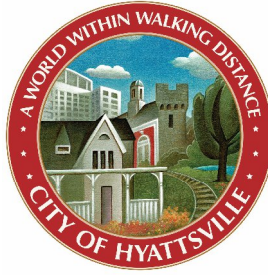
Promotion of LGBTQ Pride Month has been planned.

#### Strategic Goals:

Goal 5 – Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

#### Legal Review Required?

N/A



**PROCLAMATION CELEBRATING JUNE 2018  
AS LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER PRIDE MONTH  
IN THE CITY OF HYATTSVILLE**

To celebrate the wide array of contributions that lesbian, gay, bisexual, transgender, and queer (LGBTQ) residents make to our community every day, this proclamation recognizes LGBTQ residents as integral to the City of Hyattsville. This proclamation also reaffirms the City's commitment to remaining a safe and welcoming place where LGBTQ residents and their loved ones can thrive.

**WHEREAS**, the City of Hyattsville is fortunate to be the home of many LGBTQ residents, as well as residents who identify as asexual, intersex, non-binary, questioning and as part of other diverse communities; and

**WHEREAS**, the City has been home to more than twice the national average of same-sex households for many years; and

**WHEREAS**, residents of all sexual orientations and gender identities continue to participate in and enrich City programs and community events, often in addition to working across many different sectors in Hyattsville and other communities; and

**WHEREAS**, June is National LGBTQ Pride Month to commemorate a riot in 1969 at the Stonewall Inn in Manhattan that is thought to be the beginning of the gay liberation movement in the United States; and

**WHEREAS**, the City recognizes that while LGBTQ rights have been advanced since the beginning of the gay liberation movement in the United States, a great amount of work remains to be done so that all are included and protected in their communities by local, state, and federal law.

**NOW, THEREFORE BE IT RESOLVED**, that the City of Hyattsville celebrate Lesbian, Gay, Bisexual, Transgender, and Queer Pride Month during June of 2018.

\_\_\_\_\_  
Candace B. Hollingsworth  
Mayor  
City of Hyattsville

June 4, 2018



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Ordinance

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Hyattsville Ordinance 2018-03: Ch. 84 Parks and Recreational Facilities - Modification

### HCC-38-FY18

#### Recommendation:

I move that the Mayor and Council adopt Hyattsville Ordinance 2018-03, an Ordinance whereby the City of Hyattsville amends Chapter 84 of the Hyattsville Code to change the hours during which public parks are open; remove references to the former Department of Parks and Recreation; remove certain express requirements regarding permits and fees for recreational facilities and the use of parks for certain activities, and relegate the regulation thereof to the City Administrator; repeal the prohibition on children with contagious diseases or skin infections from using parks; and remove references to the Parks and Recreation Committee (SECOND READING/ADOPTION).

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

#### ATTACHMENTS

[Ordinance\\_2018-03\\_Ch 84 Park\\_Hours\\_FINAL.docx](#)

#### Summary Background:

The motion, approved by Council on February 20, 2018, detailed the below changes to the Ordinance. The City Attorney drafted the Ordinance in consultation with the Directors of Community Services and Public Works.

- a) Modify the hours of operation for parks to the hours between 5:00 a.m. and 11:00 p.m,
- b) Indicate that the hours of operation for individual parks may vary,
- c) Require posting of hours of operation in public view,
- d) Modify reference to "Parks and Recreation Committee" to "Health, Wellness, and Recreation Committee",
- e) Striking the second full sentence of §84-2,
- f) Modifying "Director of Parks and Recreation" to "Director of Community Services",
- g) Change any references to "his" or "her" to "their,"
- h) Modify section §84-7 and §84-8 with recommendation from the Director of Community Services or their designee,
- i) Striking the last full sentence of section §84-18, and
- j) Striking the last full sentence of section §84-20.

This modification will formally allow for expanded use of the park and its unenclosed amenities as may be supported by lighting or other public safety improvements. This modification makes minor changes to language, updates the role of the committee, and updates certain sections pertaining to the use of the parks and issuance of permits for consistency with practice.

#### Next Steps:

Discussion - May 14  
1st Reading - May 21  
2nd Reading/Adoption - June 4

**Fiscal Impact:**

TBD

**City Administrator Comments:**

In addition to the above modifications, the staff completed an extensive review of the policy for additional updating. Some recommended modifications included:

Striking all text currently in Section 84-7 and replacing with the following:

"Permits for recreational facilities including sports fields and picnic pavilions shall be issued in accordance with an administrative policy determined by the City Administrator or designee."

We have not yet finalized the policy, but will update it based on our current practices:

Pavilions are available for entire day rentals only. The large pavilion can be permitted by all MNCPPC residents at a cost of \$175. City residents get preference on the small pavilion, which costs \$125. (Decision on deposit is pending.)

Sports fields will be permitted as available, to sports teams/leagues that participate in a mandatory meeting prior to each sports season. The City will make every effort to provide field time to all teams, but cannot guarantee availability. Use of the fields is free. Lighting costs \$50 per hour.

**Community Engagement:**

Publish and advertise the updated policy

**Strategic Goals:**

Goal 3 – Promote a Safe and Vibrant Community

**Legal Review Required?**

Complete

**CITY OF HYATTSVILLE  
ORDINANCE 2018-03**

**An Ordinance whereby the City of Hyattsville amends Chapter 84 of the Hyattsville Code to change the hours during which public parks are open; remove references to the former Department of Parks and Recreation; remove certain express requirements regarding permits and fees for recreational facilities and the use of parks for certain activities, and relegate the regulation thereof to the City Administrator; repeal the prohibition on children with contagious diseases or skin infections from using parks; and-remove references to the Parks and Recreation Committee.**

**WHEREAS**, Local Government Article § 5-202(1), (2) & (5) of the Maryland Code grants to municipalities the power to adopt ordinances to assure the good government of the municipality, to protect and preserve the municipality's rights, property and privileges, and to protect the health, comfort, and convenience of the residents of the municipality; and

**WHEREAS**, Local Government Article § 5-216 of the Maryland Code grants municipalities the power to maintain any park, garden, playground, or recreational facility that the municipality determines is for the benefit of the health and welfare of the municipality and its residents; and

**WHEREAS**, § C3-1 of Article III of the City Charter grants to the City Council the power to pass all such ordinances, resolutions and laws not contrary to the Constitution and laws of the State of Maryland or this Charter as it may deem necessary for the good government of the City in order to promote health, safety, comfort, convenience, welfare and happiness of the residents of the City and visitors thereto and sojourners therein; and

**WHEREAS**, § C3-2(33) of Article III of the City Charter grants to the City Council the power to establish and maintain public parks, gardens, playgrounds and other recreational facilities and programs to promote the health, welfare and enjoyment of the inhabitants of the City; and







**§ 84-45. Use of parks by residents and nonresidents of City; fees. [Amended 9-21-87 by No. 9-87 and 4-19-93 by HB No. 2-93]**

\* \* \*

~~B. Fees charged for the use of the pavilion area within Magruder Park shall be set by resolution of the City Council who may exempt charitable or non-profit organizations from this fee. The City Administrator or their designee shall establish by administrative policy reasonable fees for the use of pavilion areas within parks to offset the costs of the use and maintenance of the pavilion, but in no case shall the fee be greater than \$300.~~

**§ 84-56. Hours of operation. [Amended 9-20-71; 3-3-75]**

A. The parks shall be open for general use by the public ~~between the hours of sunrise and sunset~~ during the hours posted at each park, except where the use of any part thereof has been granted to a person or group of persons pursuant to a permit issued therefor by the Director of Parks and Recreation Community Services.

B. The City Administrator or their designee shall establish the hours during which each park is open to the public for general use, which may vary between parks, but in no case shall the hours be earlier than 5:00 a.m. or later than 11:00 p.m.~~It shall be unlawful for any person to enter within the parks between the hours of sunset and 12:00 midnight, with or without a vehicle, without a permit to do so.~~

C. The hours during which each park is open for public use shall be posted in a conspicuous place at or near one or more entrances to the park or in another reasonable place where posting near an entrance is not feasible or impractical.

6. D. It shall be unlawful for any person to enter upon or remain within the parks between outside of the posted hours of 12:00 midnight without a permit to do so.

**§ 84-67. Application and issuance of permits. [Amended 3-3-75]**

Permits for recreational facilities including sports fields and picnic pavilions shall be issued in accordance with an administrative policy determined by the City Administrator or their designee.

~~A. Upon application thereof, the Director of Parks and Recreation shall issue a permit to any persons or organization for the exclusive use of any one of the areas designated for such purposes for a period not exceeding two (2) hours twice a week, provided that no other application has theretofore been received by the Director of Parks and Recreation for the use of such area at the same time. Any group of persons or any organization or church society may secure the exclusive use of two~~

~~(2) areas in the parks for a period not exceeding six (6) hours, once each calendar year. Nothing herein contained shall prevent any such group of persons, organizations or church societies from securing a permit for the use of one (1) area for two hour periods at other times during the year when a permit has not been previously issued for the same time. Whenever a group of persons, organization or church society shall hold a permit for the exclusive use of two (2) areas in the parks as herein before provided, the remainder of the parks may be used by the general public in accordance with this chapter. [Amended 12-19-83 by HB No. 15-83]~~

~~B. Whenever the Director of Parks and Recreation shall receive an application for the use of any area in the parks for which a permit has previously been issued, the Director of Parks and Recreation shall advise the applicant of the outstanding permit and shall refuse the application for the succeeding permit for that particular area.~~

~~C. The Director of Parks and Recreation shall consider first all requests of applications for the use of Area Nos. 12, 13, 14, 15, and 16 in William Pickney Magruder Park for league games, and permits shall be issued by the Director of Parks and Recreation, and the calendar of William~~

Pickney Magruder Park activities shall show that the dates are closed for the time when such league games are to be played. [Amended 12-19-83 by HB No. 15-83]

~~D. All permits issued for any area are subject to revocation at any time if, in the opinion of the Director or Chairman of the Parks and Recreation Committee, the weather is unfavorable or the condition of the area is such as not to be usable.~~

**~~§ 84-8. Determination of controversies as to priority of permits. [Amended 3-3-75]~~**

~~In a controversy concerning the priority of permits issued as provided in §84-7 or the right to use any area in the parks and in the case of a difference of opinion arising between various persons respecting the use of any such area, the Director of Parks and Recreation shall be notified to settle the dispute, and his ruling shall be final.~~

**~~§ 84-9. Use of parks for baseball or softball restricted. [Amended 9-20-71]~~**

~~No person shall use any part of William Pickney Magruder Park for baseball or softball, except Area Nos. 12, 13 and 14, and no person shall bat at any ball except on the diamond. The City Administrator or their designee may issue administrative policies regulating the use of parks for baseball or softball.~~

**~~§ 84-710. Operation and parking of vehicles.~~**

\* \* \*

**~~§ 84-811. Conduct warranting removal from park; revocation of permit. [Amended 3-3-75]~~**

~~In any park, any person who shall cause any unnecessary damage to City property or shall engage in any boisterous conduct or use any vulgar or profane language or be disorderly in any manner or who shall fail to exhibit a permit for the use of a particular area in a park whenever requested shall be subject to immediate removal from the park. Any person or group of persons who shall so conduct himself or themselves as to warrant immediate removal from the park shall not be entitled~~

to a permit to use any part of the parks at any time in the future, and, if permits have already been issued for future use of the parks by such person or group of persons, the same shall be revoked without notice by the Director of ~~Parks and Recreation~~ Community Services.

**§ 84-~~9~~12. Conduct of spectators at games held in parks.**

\* \* \*

**§ 84-~~10~~3. Sale of articles and/or merchandise for personal gain prohibited; exceptions.**

\* \* \*

**§ 84-~~11~~4. Soliciting prohibited.**

\* \* \*

**§ 84-~~12~~5. Washing, waxing or other vehicle maintenance prohibited in or near parks.**

\* \* \*

**§ 84-~~13~~6. Carrying of firearms prohibited; exception.**

\* \* \*

**§ 84-~~14~~7. Maintenance of open fires restricted.**

\* \* \*

**§ 84-~~15~~8. Young children to be accompanied by adult; ~~other restrictions~~.**

No child less than six (6) years old shall be permitted in the parks unless accompanied by a parent or some responsible person. ~~No child with a contagious disease or skin infection shall be permitted in the parks.~~

**§ 84-~~16~~9. Running at large of dogs and other animals prohibited.**

\* \* \*

**§ 84-~~17~~20. Special permit required for use of alcoholic beverages. [Amended 3-3-75]**

No whiskey, beer, wine, spirituous or malt liquor or any intoxicating drink of any kind shall be kept, carried or consumed at any time within the confines of the parks except by special permit.

~~The Parks and Recreation Committee shall review all special permits before approval is granted.~~

**§ 84-~~18~~21. Use of glass beverage containers prohibited. [Added 10-20-75]**

\* \* \*

**§ 84-~~19~~22. Violations and penalties. [Added 11-3-80 by HB No. 21-80; Amended 8-2-82 by HB No. 14-82]**

Violations of §§84-~~13~~6 and 84-~~17~~20 of this chapter shall be punishable as a misdemeanor. All other violations of this chapter, with the exception of §84-~~7~~10, shall be punishable as a municipal infraction as provided in Chapter 20 of this Code. The fine for any single initial violation shall be twenty dollars (\$20.00), and the fine for each repeat of that offense shall be forty dollars (\$40.00).

**AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

**AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect twenty (20) days from the date of its adoption;

**AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public.

**INTRODUCED** by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on May 21, 2018.

1           **ADOPTED** by the City Council of the City of Hyattsville, Maryland, at a regular public  
2 meeting on June 4, 2018.

Adopted: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Laura Reams, City Clerk

\_\_\_\_\_  
Candace B. Hollingsworth, Mayor

3

4    [] indicate deletions

5    Underline indicates additions

6    Asterisks \* \* \* Indicate matter retained in existing law but omitted herein

7    **Effective Date: June 24, 2018**

8



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018  
Submitted by: Lesley Riddle  
Submitting Department: Public Works  
Item Type: Budget  
Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### **SUBJECT**

FY18 Budget Amendment: Building Maintenance

### **HCC-345-FY18**

#### **Recommendation:**

I move that the Mayor and Council amend and increase the FY-2018 Building Maintenance Division operating budget in contracted services to cover the Office Care cleaning contract, NTE \$40,000.

#### **Sponsor(s):**

At the Request of the City Administrator

#### **Co-Sponsor(s):**

N/A

### **ATTACHMENTS**

#### **Summary Background:**

Funds included in the operating budget for the City Administration Building are estimates. This year, additional costs were incurred to repair HVAC and to make repairs and renovations to the building interior. In addition, the estimates did not fully cover the current cleaning contract. The staff is requesting the Building Maintenance budget be amended to cover costs NTE \$40,000.

#### **Next Steps:**

With Council approval, funding will be added to the Building Maintenance budget.

#### **Fiscal Impact:**

Funding for this budget amendment will resolve a current deficiency in the Building Maintenance operating budget.

#### **City Administrator Comments:**

Recommend Approval

#### **Community Engagement:**

N/A

#### **Strategic Goals:**

Goal 4 – Foster Excellence in all City Operations

#### **Legal Review Required?**

N/A





## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Hal Metzler

Submitting Department: Public Works

Item Type: Budget

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Arundel Place Water and Sewer Project - Design and Permits

### HCC-368-FY18

#### Recommendation:

I move that the Mayor and Council authorize the expenditure of an amount NTE \$45,000 with Johnson, Mirmiran, & Thompson (JMT) under their existing contract for the completion of design and permitting for the Arundel Place Water and Sewer Line Project.

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

### ATTACHMENTS

#### Summary Background:

The Mayor and Council authorized an amendment to the Capital Improvement (CIP) Fund in March 2018 to upgrade water and sewer lines on Arundel Place. Upgrades are required to provide adequate water and sewer supply to the new Public Works facility currently under construction. The City is finalizing an agreement with Washington Suburban Sanitary Commission (WSSC) to share the cost of water and sewer line construction. The City will procure and contract for the required work.

#### Next Steps:

Procure and contract for the required work and begin construction.

#### Fiscal Impact:

NTE \$45,000

#### City Administrator Comments:

Recommend Approval

#### Community Engagement:

Notification and outreach on pending construction

#### Strategic Goals:

Goal 2 – Ensure the Long-Term Economic Viability of the City

#### Legal Review Required?

Complete



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Hal Metzler

Submitting Department: Public Works

Item Type: Contract

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Arundel Place Water and Sewer Project - Installation

### HCC-355-FY18

#### Recommendation:

I move that the Mayor and City Council authorize the City Administrator to expend an amount not to exceed (NTE) \$305,000, with Mid-Atlantic Utilities, Inc. for the extension of water and sewer lines on Arundel Place.

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

#### ATTACHMENTS

[PM0005A15 - Amendment #1.pdf](#)

[PM0005A15\\_Contract and NTP\\_MA Utilities.pdf](#)

[S\\_20150130173059.pdf](#)

#### Summary Background:

The City will ride off of the Washington Suburban Sanitary Commission (WSSC) contract PM0005A15 with Mid Atlantic Utilities, Inc., to construct and extend water and sewer lines along Arundel Place. Water and sewer mains need to be extended to the property line of the Department of Public Works facility. The City is finalizing an agreement with the Washington Suburban Sanitary Commission (WSSC) to share the cost of construction. The City is responsible for procuring and contracting all required work.

#### Next Steps:

Begin project work to extend water/sewer lines.

#### Fiscal Impact:

NTE \$305,000

#### City Administrator Comments:

Recommend Approval

#### Community Engagement:

No community engagement is anticipated at this time.

#### Strategic Goals:

Goal 2 – Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**

Pending



14501 Sweitzer Lane • Laurel, Maryland 20707-5901

COMMISSIONERS

Thomasina V. Rogers, Chair  
T. Eloise Foster, Vice Chair  
Fausto R. Bayonet  
Omar M. Boulware  
Howard A. Denis  
Chris Lawson

GENERAL MANAGER  
Carla A. Reid

May 18, 2018

Mr. Terry T. Ricket  
President  
Mid-Atlantic Utilities, Inc.  
P.O. Box 700  
Boiling Springs, PA 17007

Re: Contract No. PM0005A15, Water Main Replacement Services, Indefinite Delivery Indefinite Quantity (IDIQ)  
Exercise of Option Term 1 – Amendment No. 1

Dear Mr. Ricket:

In anticipation of the Exercise of Option Term 1 of the referenced contract, it is requested that you execute the enclosed Amendment 1 documents and return them to my attention for full execution. The schedule date for the Exercise of Option is June 15, 2018. At that time a new Master Order (M06201000) will be sent to Mid-Atlantic Utilities, Inc. along with an fully executed original of Amendment 1, and WSSC's Notice To Proceed.

The Notice To Proceed will establish the firm contract date for this Option Term beginning June 15, 2018 and ending June 14, 2020.

Regards,

Thomas M. Carney  
Contracting Officer's Representative

Enclosure: Amendment 1



14501 Sweitzer Lane • Laurel, Maryland 20707-5901

COMMISSIONERS

Thomasina V. Rogers, Chair  
T. Eloise Foster, Vice Chair  
Fausto R. Bayonet  
Omar M. Boulware  
Howard A. Denis  
Chris Lawson

GENERAL MANAGER  
Carla A. Reid

May 18, 2018

WASHINGTON SUBURBAN SANITARY COMMISSION

PROCUREMENT OFFICE

CONTRACT NUMBER PM0005A15

FOR

WATER MAIN REPLACEMENT SERVICES

CONTRACT AMENDMENT NUMBER 001

This Amendment extends the contract term for an additional two (2) years beginning June 15, 2018 and continuing thru June 14, 2020. The contract term shall be as follows.

All unit pricing and additional terms and conditions of Contract Number PM0005A15 shall remain unchanged.

WASHINGTON SUBURBAN SANITARY  
COMMISSION

\_\_\_\_\_  
CHIEF PROCUREMENT OFFICER

\_\_\_\_\_  
DAVID E. MALONE  
PRINTED NAME

\_\_\_\_\_  
DATE

MID-ATLANTIC UTILITIES, INC.

\_\_\_\_\_  
AUTHORIZED SIGNATURE

TERRY T. RICKERT, PRESIDENT

\_\_\_\_\_  
PRINTED NAME /TITLE

\_\_\_\_\_  
MAY 24, 2018  
DATE

Washington Suburban Sanitary Commission



14501 Sweitzer Lane • Laurel, Maryland 20707-5901

COMMISSIONERS

Chris Lawson, Vice Chair  
Fausto Bayonet  
Omar M. Boulware  
Howard A. Denis  
Mary Hopkins-Navies

GENERAL MANAGER  
Carla A. Reid

January 20, 2016

Mr. Terry T. Ricket, President  
Mid-Atlantic Utilities, Inc.  
P.O. Box 700  
Boiling Springs, PA 17007

Re: Notice to Proceed for Contract No. PM0005A15, Indefinite Delivery, Indefinite Quantity, for Water Main Replacements and/or Relocations within Montgomery and Prince George's Counties, Maryland

Dear Mr. Ricket:

You are hereby notified that all contract requirements have been completed for the above referenced contract. The Notice to Proceed for all vendors will be the date the first Task Order is issued by the Contract/Construction Manager. The completion of this contract is 730 days from the Notice to Proceed Date, or when the maximum contract term value is achieved, whichever comes first.

Payments on this contract will be made in accordance with Article 22 of the Commission's General Conditions. Each estimate must be submitted in original type to the Engineer for approval.

The Systems Inspection Group has designated Mr. Brent King as the Administrative Contract Manager for this work. Please make all the necessary arrangements for starting this work with Mr. King who can be reached via telephone at (301) 206-8386 or email at [Brent.King@wsscwater.com](mailto:Brent.King@wsscwater.com).

Sincerely,

Ahmed Baig  
Senior Strategic Sourcing Specialist



WASHINGTON SUBURBAN SANITARY COMMISSION  
CONTRACT NO. PM0005A15

The Contract, by and between the WASHINGTON SUBURBAN SANITARY COMMISSION, hereinafter called the COMMISSION, and Mid-Atlantic Utilities, Inc. doing business as an individual, or a partnership, or a corporation, or a joint venture, hereinafter called the CONTRACTOR, who is a Maryland Corporation, or foreign corporation registered to do business in Maryland with the Maryland State Department of Assessment and Taxation.

WITNESSETH: that for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete all Work required in the above mentioned Contract in accordance with the Contract Documents, as defined in the General Conditions and Standard Specifications.
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the CONTRACT described herein.
3. The CONTRACTOR will commence the Work required by the CONTRACT DOCUMENTS within ten days after the date set forth in the NOTICE TO PROCEED and will complete the same within 730 days of said date unless the period of completion is extended otherwise by the CONTRACT DOCUMENTS. Liquidated damages will be set forth for each task, when the task order is issued.
4. The CONTRACTOR agrees to perform all the Work described in the CONTRACT DOCUMENTS and to comply with the terms set forth therein with the agreed upon unit prices as shown in the BID SCHEDULE.
5. The CONTRACTOR further agrees to perform all extra work required to complete the CONTRACT, in accordance with procedures set forth in the CONTRACT DOCUMENTS.
6. The COMMISSION will pay to the CONTRACTOR in the manner and at such time as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.
7. This CONTRACT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

WASHINGTON SUBURBAN SANITARY COMMISSION  
CONTRACT NO. PM0005A15

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed, or caused to be executed by their duly authorized officials, this CONTRACT in ( 2 (duplicate) ) copies each of which shall be deemed an original on the date first above written. The (following is applicable if Contractor is corporation or incorporated joint venture.)

A corporation Mid-Atlantic Utilities, Inc.  
By  Date: December 29, 2015  
Terry T. Rickert, President/CEO  
Attest   
Mark T. Clites, Asst. Secretary

Certificate as to Corporation

(Corporate Seal)

I, Mark T. Clites certify that I am Secretary of the Corporation named as Contractor herein, that Terry T. Rickert who signed this Contract and Performance and Payment Bond on behalf of the Contractor was then President/CEO of said Corporation; that I know this signature thereto is genuine; that the Contract and Bonds were duly signed and sealed in behalf of said Corporation by authority of its governing body, and is within the scope of its corporate powers.

  
Mark T. Clites, Asst. Secretary

(The following is applicable if Contractor is individual, partnership or unincorporated joint venture.)

Signed and Sealed in the full names of all partners and all members of Joint Ventures.

| (Print or Type) | Name | Signature |
|-----------------|------|-----------|
| Address         |      |           |
| Name            |      |           |
| Address         |      |           |
| Name            |      |           |
| Address         |      |           |
| Name            |      |           |
| Address         |      |           |

Seal

Seal

For the Washington Suburban Sanitary Commission

BY   
CHIEF PROCUREMENT OFFICER

Date: 1/13/16

WITNESS: 





# Washington Suburban Sanitary Commission

14501 Sweitzer Lane • Laurel, Maryland 20707-5901

COMMISSIONERS  
Omar M. Boulware, Chair  
Hon. Adrienne A. Mandel, Vice Chair  
Gene W. Counihan  
Mary Hopkins-Navies  
Chris Lawson  
Dr. Roscoe M. Moore, Jr.

GENERAL MANAGER  
Jerry N. Johnson

## SOLICITATION COVER SHEET

| ADVERTISED DATE: 1/29/15                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                         |           |                                                                                                                          |       |              |                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-----------|--------------------------------------------------------------------------------------------------------------------------|-------|--------------|---------------------------------------|
| 1. PROCUREMENT OFFICER:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Tom Young                                                                                               | Ph:       | 301-206-8415                                                                                                             | Fx:   | 301-206-8290 | E-mail: Tom.young@wsscwater.com       |
| 2. SOLICITATION:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/> IFB<br><input checked="" type="checkbox"/> RFP<br><input type="checkbox"/> RFQ | Number:   | PM0005A15                                                                                                                |       | Due Date:    | 2/26/15                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                         | Title:    | Indefinite Delivery and Indefinite Quantity for Water Main Replacement in Prince George's & Montgomery County, Maryland. |       | Due Time:    | 2:00 PM                               |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                         |           |                                                                                                                          |       | Location:    | RGH 8 <sup>th</sup> Floor, Front Desk |
| 3. SITE VISIT:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                                  | Location: |                                                                                                                          | Date: |              |                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                         |           |                                                                                                                          | Time: |              |                                       |
| 4. PRE-SOLICITATION MEETING:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> Yes<br><input type="checkbox"/> No                                  | Location: | RGH ROOM LK0120                                                                                                          | Date: | 2/9/15       |                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                         |           |                                                                                                                          | Time: | 2:00 PM      |                                       |
| 5. PUBLIC BID OPENING:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> Yes<br><input checked="" type="checkbox"/> No                                  | Location: |                                                                                                                          | Date: |              |                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                         |           |                                                                                                                          | Time: |              |                                       |
| <p>All submittals must be sealed and have on the face of the envelope and/or package the solicitation number, title, due date and time. Sealed submittals must be delivered to the address listed below. Bids/Proposals will be officially date- and time-stamped by the Procurement Office no later than the due date and time.</p> <p style="text-align: center;"><b>Washington Suburban Sanitary Commission; Procurement Office – 8<sup>th</sup> Floor;</b><br/><b>14501 Sweitzer Lane, Laurel, Maryland 20707</b></p> <p>Submission of a response to this solicitation shall be considered prima facie evidence that the Vendor is familiar with and understands the conditions under which the Contract will be awarded, performed, and administered.</p> |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <b>PART ONE: INSTRUCTIONS TO BIDDERS/OFFERORS - (Inform Bidders/Offerors how to respond to the Solicitation)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <b>PART TWO: GENERAL CONDITIONS - (Standard Terms and Conditions for all WSSC's Contracts)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <b>PART THREE: SPECIAL CONDITIONS - (Specific Terms and Conditions for this Contract)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <b>PART FOUR: SCOPE / STATEMENT OF WORK / TECHNICAL DOCUMENTS – (Required work for this Contract)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| The Appendix sections marked below are applicable to this Solicitation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <input checked="" type="checkbox"/> <b>APPENDIX A: MINORITY BUSINESS ENTERPRISE AND/OR SMALL LOCAL BUSINESS ENTERPRISE PARTICIPATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <input checked="" type="checkbox"/> Appendix A Forms (See Appendix A Checklist)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <input checked="" type="checkbox"/> <b>APPENDIX B: INSURANCE AND BONDING</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <input type="checkbox"/> Performance Bond <input type="checkbox"/> Labor and Material Payment Bond                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <input checked="" type="checkbox"/> Certificate of Insurance <input checked="" type="checkbox"/> Bid Bond                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <input checked="" type="checkbox"/> <b>APPENDIX C: SUBMISSION FORMS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <input checked="" type="checkbox"/> Bid Submittal Check List (Next Page) <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                         |           |                                                                                                                          |       |              |                                       |
| <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                         |           |                                                                                                                          |       |              |                                       |

**To be filled in and returned by the Vendor:**

VENDOR: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY / STATE: \_\_\_\_\_  
PHONE NUMBER: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_  
AUTHORIZED REPRESENTATIVE: \_\_\_\_\_



## BID SUBMITTAL CHECKLIST: Solicitation Number PM0005A15

This form is utilized to ensure your organization is submitting all required items for this solicitation. Omitting any item selected below may result in your submission being deemed non-responsive or non-responsible, depending on the type of omission.

### Part I – Instructions to Bidders

☒ Solicitation Cover Sheet

#### Additional Instructions

☒ Technical Proposal

☒ Price Proposal

### Part IV – Scope/Statement of Work/Technical Documents

#### Bidder's Qualifications

☒ Traffic Control Qualifications (4.A)

- ☐ Resume of Field Supervisor
- ☐ Letterhead listing Flagger & Traffic Manager
- ☐ ATSSA Flagger Certification (copy)
- ☐ ATSSA Traffic Manager Certification (copy)

☒ Erosion and Sediment Control (4.B)

- ☐ Letterhead listing Name & Title of Field Supervisor
- ☐ State of Maryland Erosion and Sediment Control Certification (copy)

☒ Plumbing Qualifications (4.C)

- ☐ Letterhead listing Master Plumber, Supervisor and Installer
- ☐ Resume for Master Plumber & Supervisor
- ☐ Resume for Installer
- ☐ Tapping Certification for Supervisor (copy)
- ☐ Tapping Certification for Installer (copy)

☒ Chlorination and De-Chlorination Qualifications (4.D)

- ☐ Letterhead with Name & Title of Field Supervisor
- ☐ Resume of Field Supervisor

### Appendix A – SLMBE

☒ See Checklist in Appendix A

### Appendix C – Forms

- ☐ Bid Bond and Power of Attorney or Bid Guarantee
- ☒ Contract Certification Affidavit
- ☐ Bid Form
- ☐ Pricing Page
- ☒ Certified Insurance Statement
- ☐ Conflict of Interest Affidavit and Disclosure
- ☐ Statement of Bidder's Qualifications
- ☐ Signature Page
- ☐ Form for the Substitution For Specified Items
- ☒ Contractor's Information Report
  - ☒ Part 1: Financial Statement - Must be less than 12 months old
    - ☒ CPA Audited, Reviewed, or Compiled
      - ☒ Profit & Loss, Balance Sheet
      - ☒ Statement of Cash Flows
      - ☒ Work in Progress
      - ☒ If Older Than 90 Days Submit Interim
    - ☒ Interim Statement – Must be less than 90 days old
      - ☒ Profit & Loss, Balance Sheet
      - ☒ Statement of Cash Flows
      - ☒ Work in Progress
  - ☐ Part 2: Performance Disclosure
  - ☐ Part 3: Experience Statement
  - ☐ Part 4: Resource Statement
  - ☐ Part 5: Safety Program Attachments
    - ☐ 1. Safety Program Table of Contents
    - ☐ 2. OSHA 300 Logs
    - ☐ 3. OSHA Citations
    - ☐ 4. PPE Program
    - ☐ 5. Confined Space Entry and Rescue Program
    - ☐ 6. Trench and Excavation Program
    - ☐ 7. Hazard Chemicals Program
  - ☐ Part 6: Experience Modification Rates
  - ☐ Part 7: Safety Program Information
  - ☐ Part 8: Additional Information Page
  - ☒ Part 9: Signature & Certification

**WASHINGTON SUBURBAN SANITARY COMMISSION  
PROCUREMENT OFFICE**

In accordance with Part I, Clause 7, EXPLANATION OF SOLICITATION PROVISIONS TO PROSPECTIVE BIDDERS, "All questions about the meaning or intent, discrepancies, or omissions of the Contract Documents shall be submitted via electronic mail to the Procurement Officer or in writing..."

**Submit the following form for any Questions to be addressed during the Pre-Bid/Pre Proposal Conference. Additional forms will be available at time of Pre-Bid/Pre-Proposal Conference.**

Pre-Bid/Pre-Proposal Conference Questions

**Solicitation Number:**

**Company Name:**

**Representative:**

**Questions:**

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

**PART I**  
**WASHINGTON SUBURBAN SANITARY COMMISSION**  
**PROCUREMENT OFFICE**  
**INSTRUCTIONS TO BIDDERS/OFFERORS**

## TABLE OF CONTENTS

|                                                                                                   | Page |
|---------------------------------------------------------------------------------------------------|------|
| 1. COMPLIANCE WITH COMMISSION PROCUREMENT REGULATIONS .....                                       | 3    |
| 2. DEFINITIONS .....                                                                              | 3    |
| 3. IFB/RFP TERMINOLOGY .....                                                                      | 4    |
| 4. CENTRALIZED BIDDERS REGISTRATION (CBR) .....                                                   | 4    |
| 5. SECURITY .....                                                                                 | 4    |
| 6. EXAMINATION OF CONTRACT DOCUMENTS AND SITE.....                                                | 4    |
| 7. EXPLANATION OF SOLICITATION PROVISIONS TO PROSPECTIVE BIDDERS .....                            | 5    |
| 8. ACKNOWLEDGEMENT OF AMENDMENTS TO THE SOLICITATION .....                                        | 5    |
| 9. CONTRACT TIME.....                                                                             | 6    |
| 10. BIDDER QUALIFICATIONS .....                                                                   | 6    |
| 11. PREPARATION OF BIDS .....                                                                     | 7    |
| 12. RESTRICTIVE PRICING.....                                                                      | 7    |
| 13. CONTRACTOR CERTIFICATION AFFIDAVIT .....                                                      | 7    |
| 14. SUBMISSION OF BIDS.....                                                                       | 8    |
| 15. PERIOD FOR ACCEPTANCE OF BIDS.....                                                            | 9    |
| 16. MODIFICATION, WITHDRAWAL, AND MISTAKES (COMPETITIVE SEALED PROPOSALS).....                    | 9    |
| 17. MODIFICATION, WITHDRAWAL, MISTAKES, AND MINOR INFORMALITIES (COMPETITIVE SEALED BIDDING)..... | 9    |
| 18. MULTIPLE BIDS .....                                                                           | 10   |
| 19. SUBSTITUTIONS .....                                                                           | 10   |
| 20. DEBRIEFING .....                                                                              | 11   |
| 21. PROTESTS .....                                                                                | 11   |
| 22. AWARD OF CONTRACT .....                                                                       | 12   |
| 23. BOND SUBMISSION.....                                                                          | 13   |
| 24. EROSION AND SEDIMENT CONTROL PERMIT APPLICATION.....                                          | 13   |
| 25. EXECUTION AND ACCEPTANCE OF THE CONTRACT .....                                                | 13   |
| 26. PUBLIC INFORMATION ACT NOTICE .....                                                           | 14   |

1. COMPLIANCE WITH COMMISSION PROCUREMENT REGULATIONS

The policies and procedures established in the Commission's Procurement Regulations are incorporated into the Contract and made a part of this Contract by reference. The Commission's Procurement Regulations document is available in the Commission's Procurement Office and online: <http://www.wsscwater.com/home/jsp/content/procurement-regs.faces>

2. DEFINITIONS

Whenever the following words occur in this Contract, they shall have the following meanings:

- A. CHIEF PROCUREMENT OFFICER means the person holding the position created in Commission Procurement Regulations §2-101, as the head of the central procurement and supply chain management function of WSSC.
- B. COMMISSION or WSSC means the Washington Suburban Sanitary Commission.
- C. COMPETITIVE SEALED BIDDING means a transparent procurement method in which Bids from competing Contractors, suppliers, or vendors are invited by openly advertising the scope, specifications, and terms and conditions of the proposed Contract as well as the criteria by which the Bids will be evaluated.
- D. COMPETITIVE SEALED PROPOSALS means a delivery method allowing WSSC to consider the qualifications of the Contractor, Supplier, or Vendor as well as the Proposal price in determining the "best value" to the Commission.
- E. CONTRACTOR or CONSULTANT means any person having a Contract with WSSC.
- F. EVALUATED BID PRICE means the price of a Bid after adjustment in accordance with objective measurable criteria.
- G. GENERAL MANAGER/CHIEF EXECUTIVE OFFICER means the most senior manager in the WSSC organization chart, who is referred to as "General Manager" in Title 18 of the Public Utilities Article of the Annotated Code of Maryland, and in certain WSSC Standard Procedures and other official WSSC documents, and any successor position thereto irrespective of name.
- H. INVITATION, INVITATION FOR BIDS, or IFB means all documents, whether attached or incorporated by reference, utilized for soliciting Bids.
- I. MULTI-STEP SEALED BIDDING means a two-phase process consisting of a technical first phase composed of one or more steps in which Bidders submit unpriced technical offers to be evaluated by WSSC and a second phase in which those Bidders whose technical offers are determined to be acceptable during the first phase have their price Bids considered. At the Chief Procurement Officer's discretion, a "best and final offer" stage may be included whereby Bidders of acceptable quality are invited to improve or adjust the quality of their offers, or reduce the price.
- J. PROCUREMENT OFFICER means any WSSC employee duly authorized to enter into and administer contracts and make written determinations with respect thereto.
- K. PROJECT MANAGER means the Contract will be performed under the direction, inspection and supervision of the Commission's Project Manager who will be identified after Solicitation Award. Any reference to the Project Manager in the Contract shall mean the Project Manager or designated representative.
- L. REQUEST, REQUEST FOR PROPOSALS, or RFP means all documents, whether attached or incorporated by reference, utilized for soliciting Proposals.

- M. **RESPONSIBLE BIDDER OR OFFEROR** means a person who has the capability in all respects to perform fully the requirements stated in the Invitation for Bids and Request for Proposals, respectively, and the integrity and reliability which will assure good faith performance. Bidders respond to the Invitation for Bids. Offerors respond to the Request for Proposals.
- N. **RESPONSIVE BIDDER OR OFFEROR** means a person who has submitted a Bid or a Proposal which fully conforms to the Invitation for Bids or Request for Proposals.
- O. **SOLICITATION** means an Invitation for Bids, a Request for Proposals, a request for quotations, an invitation for qualification, or any other document issued by WSSC for the purpose of soliciting Bids or Proposals to perform a WSSC Contract.
- P. When the word **DIRECTED, REQUIRED, ORDERED, DESIGNATED, PRESCRIBED**, or any word of like import is used, it shall be understood that the direction, requirement, order, designation, or prescription of the General Manager is intended. Similarly, when the word, **APPROVED, ACCEPTED, SATISFACTORY, PERMITTED**, or any word of like import is used, it shall mean approved by, accepted by, satisfactory to, or permitted by the General Manager.

3. **IFB/RFP TERMINOLOGY**

Whenever any one or more of the General Conditions and Instructions for Bidders or Offerors applies to a Request for Proposals, the words **INVITATION FOR BIDS, IFB, BID, BIDDER**, or words of like import are used, they shall mean **REQUEST FOR PROPOSALS, RFP, PROPOSAL**, or **OFFEROR**, respectively.

4. **CENTRALIZED BIDDERS REGISTRATION (CBR)**

Only firms registered in the CBR at the time of Bid opening or Proposal submission due dates are eligible to enter into contracts with the Commission in accordance with WSSC Standard Procedure [ACQ 10-01](#), "Centralized Bidders Registration Procedures." Failure to register prior to this time shall render the submittal **non-responsive**.

5. **SECURITY**

To receive plans and drawings related to a Solicitation the Bidder's representative requesting plans and drawings must first be approved through a security investigation. The Bidder's representative can obtain an application for this security clearance by contacting WSSC's Procurement Office by phone, (301) 206-8288. Requests for plans and drawings can only be fulfilled for representatives having completed the security investigation. Multiple representatives may gain security clearance to request plans.

Additionally, plans and drawings may be accessed through E-Builder® ASP software. A user name and password is issued by the Procurement Officer upon request. To obtain a user name and password for access, Bidders must first obtain security clearance.

6. **EXAMINATION OF CONTRACT DOCUMENTS AND SITE**

- A. Work described herein shall be in accordance with the current WSSC General Conditions, Special Conditions, Drawings, Contract, and Specifications contained or referenced in this Solicitation.
- B. Before submitting its Bid, each Bidder must (a) examine the Contract Documents thoroughly; (b) visit the site to familiarize itself with local conditions and on-going contracts that may in any manner affect performance of the Work; (c) determine to its own satisfaction the actual subsurface conditions including the material it will encounter in the Work; (d) familiarize itself with Federal, State, and local laws, ordinances, rules, and regulations affecting performance of the Work; (e) carefully correlate its observations with the requirements of the Contract Documents; and (f) ensure that it Bids the Contract with the latest WSSC General Conditions and Standard Specifications.

- C. If applicable, copies of any subsurface or other physical data in the area of the Work to be performed will be available for examination by any Bidder in accordance with the provisions of Construction's General Conditions, Article 18, "Physical Data." Before submitting its Bid, each Bidder may, at its own expense, make such additional investigations as it may deem necessary to determine its Bid price for performance of the Work within the terms of the Contract Documents. Bidder shall be **responsible** for obtaining necessary permits and permission for such investigations, and any claims for damages arising wherefrom.

When making test borings for Commission contracts, the Bidder shall notify property owner(s) and jurisdictional authorities before moving to the site. For private property and within public right-of-ways, the Bidder shall inform the property owner(s) of the Commission Contract Number and full particulars as to when and what the boring operation entails. For work on Maryland National Capital Park and Planning Commission property, the Bidder shall notify (MNCP&PC) by telephone: (301) 699-2484 in Prince George's County; (301) 495-2558 in Montgomery County. The Bidder shall notify Miss Utility before making borings in vicinity of existing facilities.

Immediately upon completion of the borings, the Bidder shall fill the holes and restore the site as near as practicable to the condition existing prior to the disturbance.

Failure to comply with the preceding requirements may be taken as evidence of **non-responsibility** and will result in rejection of future Bids from the non-complying Bidder.

- D. The submission of a Bid will constitute an incontrovertible representation by the Bidder that it has complied with every requirement of this Article.

7. EXPLANATION OF SOLICITATION PROVISIONS TO PROSPECTIVE BIDDERS

Any prospective Bidder must carefully examine the Solicitation, including the terms and conditions. If a prospective Bidder is unclear as to the meaning or intent of anything contained in the Invitation, the Bidder shall request a clarification from the Procurement Officer before the Bid is submitted.

All questions about the meaning or intent, discrepancies, or omissions of the Contract Documents shall be submitted via electronic mail to the Procurement Officer or in writing and addressed to the Procurement Office, 8th Floor, 14501 Sweitzer Lane, Laurel, Maryland 20707-5902. Replies, where warranted, will be issued by Addenda mailed or delivered to all parties recorded by the Commission as having received the Contract Documents. **Questions received less than five (5) days prior to the date for opening of Bids may not be answered. Only questions answered by formal written addenda will be binding.** Questions received after this deadline may be addressed at the discretion of the Commission. Oral and other interpretations or clarifications will be without legal effect.

Any information given to a prospective Bidder by the Commission will be furnished to all prospective Bidders through the issuance of an amendment to the Solicitation, if that information is necessary in submitting Bids, or if the lack of such information would be prejudicial to other prospective Bidders. Submission of a Bid shall be considered prima facie evidence that the Bidder has familiarized itself with and understands the Solicitation, including its terms and conditions, under which this Contract will be awarded, administered, and performed.

8. ACKNOWLEDGEMENT OF AMENDMENTS TO THE SOLICITATION

Each Bidder shall acknowledge receipt of any amendment to this Solicitation (a) by signing and returning the amendment(s), or (b) by acknowledgement on the Bid Form. Failure of the Commission to receive acknowledgement of the amendment(s) prior to the time and place specified for receipt of Bids may render the Bid **non-responsive**.



9. CONTRACT TIME

When applicable, the number of days or the actual date for completion of the Work (Contract Time) is set forth in the Bid Form and will be included in the executed Contract. A construction schedule showing usage of the entire Contract Time set forth in the Bid Form of the Contract is required in accordance with Standard Specifications Section 01330, "Submittal Procedures." Provisions for liquidated damages are set forth in the Contract Documents.

10. BIDDER QUALIFICATIONS

A. Performance Capability

Bidder shall be responsible and have the capability to properly perform classes of work contemplated according to the Contract terms, and shall have the necessary plant, expertise, manpower, and equipment and sufficient capital to execute the Work properly within the time specified.

Submittals specified in the Invitation for Bids shall be submitted for each employee (Bidder's or subcontractor's) who the Bidder is proposing to perform work under this Contract. **ALL SUBMITTALS MUST BE LEGIBLE AND CURRENT.** Failure to meet and demonstrate the minimum qualifications in the Bid will deem the Bidder **non-responsible**.

B. Certified Statement of Qualifications

When required, the Bidder shall submit with its Bid a certified statement of the organization's financial resources, performance schedule, performance record, integrity, experience, other qualifications, and equipment and facilities pertinent to the proposed Contract. This certified statement shall be submitted on WSSC's Contractor Information Report provided in Appendix C. The Commission, at its discretion, may make such investigations it deems necessary to determine the ability of the Bidder to perform the work, and the Bidder shall furnish the Commission such information and data for this purpose as the Commission may request. The Commission may visit any prospective Contractor's place of business, contracts in progress, or contact persons knowledgeable of the Bidder's background to determine its ability, capacity, reliability, financial stability, or other factors necessary to perform the work. The Commission, at its discretion, may require any or all of the above listed information from any Bidder. The Commission reserves the right to find a Bidder **non-responsible** who has previously failed to perform properly or to complete in a timely manner, contracts of a similar nature, or if investigation shows the Bidder unable to perform the requirements of the Contract or if the Bidders fails to complete and submit the Contractor's Information Report in its entirety with the Bid.

C. Foreign Corporations And Limited Liability Companies (Entities Not Formed In The State Of Maryland)

Before doing any business in the State of Maryland, all foreign corporations and limited liability companies are required by Maryland law to be registered with the Maryland State Department of Assessments & Taxation and in good standing in Maryland. See MD Code, Corporations and Associations, § 7-202 and MD Code, Corporations and Associations, § 4A-1002. A Bidder will be found **non-responsible** if it has failed to comply with all applicable Maryland statutes and regulations regarding foreign entities.

D. Employer's Identification Number

Bidders must supply with their Bids their U.S. Treasury Department Employer's Identification Number as such number is shown on their Employment Quarterly Federal Tax Return (U.S. Treasury Department Form No. 941). This number shall be inserted on the Bid Form in the place designated.

E. Non-Conviction

Bidders shall complete and submit with their Bid the attached notarized Contract Certification Affidavit. Persons convicted of the offenses identified in the Contract Certification Affidavit may be disqualified from entering into a Contract with the Commission.

F. Submission of Bidder Literature and Any Commission Questionnaire

Failure to submit published literature and specifications as called for in the Invitation for Bids may be cause to find a Bidder **non-responsible**. Any questionnaire provided in the Invitation must be filled out completely and in a neat, legible manner. The failure to do so may be cause to find a Bidder **non-responsible**.

G. Bid Guaranty

If required by the Invitation, each Bid must be accompanied by a certified check or a satisfactory Bidder's bond for the amount stated in the Invitation, payable to the Washington Suburban Sanitary Commission. If the required Bid guaranty is not submitted with the Bid, the Bid may be deemed **non-responsive**.

H. Conflict of Interest

If provided in Appendix C, the Bidder shall be required to submit a statement indicating that it has conducted a review for conflict of interest and has ascertained that there is currently no conflict of interest in the Bidder's representation of WSSC.

11. PREPARATION OF BIDS

Each Bidder shall submit its Bid using the Invitation for Bids form provided by the Commission. Each Bidder shall state in its Bid, a unit price typewritten or written in ink for each of the separate items called for in the Invitation. Erasures or other changes to a Bid must be initialed by the person signing the Bid. For the Bid to be **responsive** there must be no question about what the Bidder intended.

If required by the Invitation for Bids, each Bidder shall fill out the "Total Price" column and total its Bid, so that the total Bid figure is evident. Any error in computation will be corrected by the Chief Procurement Officer or the CPO's representative. In case of an error between the unit price and its extension, the unit price shall govern.

Each Bid must be signed by the Bidder or its agent, and must include the address and telephone number of the Bidder.

12. RESTRICTIVE PRICING

Should any supplier, vendor, manufacturer, or fabricator lump together two or more items of materials or equipment in its quotation to Bidders, whether they all be specified items or not, and refuse to provide quotations for individual items to any Bidder so requesting, that supplier, vendor, manufacturer, or fabricator may be excluded from participation in this project, as well as in any and all future projects.

13. CONTRACTOR CERTIFICATION AFFIDAVIT

Each Bidder is required to complete an affidavit of non-conviction, stating whether or not the individual or business entity has ever been convicted of bribery.

The Commission is cooperating with the U.S. Department of Justice in a program designed to preclude collusive Bidding and to enforce the antitrust laws in the area of public procurement.

The Contractor Certification Affidavit Form is included in Appendix C and must be completed and returned with Bid or the Bid will be deemed **non-responsible**.

14. SUBMISSION OF BIDS

A. Bid Forms

The Bid Form and attachments are included in Appendix C. Bids shall be submitted on the attached forms and shall be filled out in full, typewritten, or written in ink. If changes and erasures are made, such changes and erasures shall be clear and legible, and shall be initialed by the person signing the Bid Form.

The Bid Form may provide for submission of a price or prices for one or more items, which may be lump sum Bids, alternate prices, and scheduled items resulting in a Bid on a unit of construction or a combination thereof, or other Bidding arrangements. Unless specifically called for, alternate Bids will not be considered. See "Multiple Bids" herein.

Bids shall be based on products, materials, and methods named in the Contract Documents.

Once completed, the Bid Form shall be detached and the required attachments shall be submitted in a sealed opaque envelope. The Procurement Office must receive each Bid, with guaranty, in the sealed envelope prior to the time set for the receipt of Bids. The Bid shall be so marked as to clearly indicate its contents without requiring it to be opened.

Signing of Bids shall comply with instructions on the Bid Form.

Oral, telephonic, telegraphic, or electronic Bids are invalid and will not receive consideration.

B. Location & Timely Delivery

The Bidder shall assume full responsibility for timely delivery at the location designated for receipt of Bids. If the Bid is submitted by mail, the sealed envelope, containing the Bid Documents, shall be enclosed in a second envelope addressed to: Washington Suburban Sanitary Commission, Procurement Office, 8th Floor, 14501 Sweitzer Lane, Laurel, Maryland 20707-5902. Both envelopes shall state "BID ENCLOSED" and include the Bidder's name and address, Contract Number, Bid Title and Location, Bid Opening Date, Bids Due by Date and Bid Opening Time on the envelopes. Mailed Bids and Bids delivered by commercial carriers or messenger services shall be received in the Commission's mailroom. Bidders must allow a reasonable amount of time for mailed Bids to be delivered from the point of receipt (mailroom) to the location designated for receipt of Bids. Hand-delivered Bids must be submitted to: Washington Suburban Sanitary Commission Procurement Office, 8th Floor, 14501 Sweitzer Lane, Laurel, Maryland 20707-5902. Bidder assumes all risks for timely delivery of Bids not hand-delivered by Bidder to the Procurement Office.

Upon receipt by the Procurement Office, each Bid shall be stamped with the time and date received; but it shall not be opened. The only acceptable evidence to establish the time of receipt is the time/date stamp on the envelope or other documentary evidence of receipt maintained by the Procurement Office. Each Bid shall be stored unopened in a secure place until the time set for opening of Bids.

Any Bid received after the exact time for receipt will not be considered for Award and will be returned to the Bidder unopened. However, an exception may be made when a late Bid would have been timely but for the action or inaction of Procurement Office personnel.

C. Opening of Bids

This Clause is not applicable to Requests for Proposals.

Bids will be received until the date and time for receipt stated in the Invitation for Bids. Bids will be publicly opened and read at the place, time, and date stated. No responsibility will attach to the Commission for the premature opening of a Bid not properly addressed and identified. Bidders and other interested parties may be present either in person or by representative. Unit prices will be made available after the Contract has been awarded by the Commission.

15. PERIOD FOR ACCEPTANCE OF BIDS

This Instruction is not applicable to Requests for Proposals.

- A. In order to allow for adequate evaluation, the Commission requires a response to this Solicitation to be valid and irrevocable for 120 calendar days after submittal date and time.
- B. No Bidder may withdraw a Bid within 120 days after the actual date of the opening of the Bids. Negligence on the part of the Bidder in preparing the Bid confers no right for the withdrawal of the Bid after it has been opened. Should there be reasons why the Contract cannot be awarded within the specific period, the time may be extended by mutual agreement between the Commission and the Bidder.

16. MODIFICATION, WITHDRAWAL, AND MISTAKES (COMPETITIVE SEALED PROPOSALS)

A. Modification or Withdrawal

Proposals may be modified or withdrawn prior to the established due date in accordance with Commission Procurement Regulations §4-203.09, "Modification or Withdrawal of Proposals."

B. Mistakes in Proposals

Mistakes in Proposals will be handled in accordance with Commission Procurement Regulations §4-203.14, "Mistakes in Proposals."

17. MODIFICATION, WITHDRAWAL, MISTAKES, AND MINOR INFORMALITIES (COMPETITIVE SEALED BIDDING)

A. Modification or Withdrawal

Bids may be modified or withdrawn prior to the established due date in accordance with Commission Procurement Regulations §4-202.09, "Pre-Opening Modification or Withdrawal of Bids" and §4-202.10, "Untimely Bids, Withdrawals, and Modifications."

B. Mistakes in Bids (Discovered Before Bid Opening)

A Bidder may correct mistakes in a Bid prior to the time and date set for Bid opening in accordance with Commission Procurement Regulations §4-202.12.A., "Mistakes Discovered Before Opening."

C. Mistakes in Bids (Discovered After Opening but Before Award)

Mistakes discovered after Bid opening but before Award are governed in accordance with Commission Procurement Regulations §4-202.12.C., "Mistakes Discovered After Opening but Before Award."

Minor informalities are matters of form rather than substance evident from the Bid, or insignificant mistakes that can be waived or corrected without prejudice to other Bidders; that is, the effect on price, quantity, quality, delivery, worker and/or public safety, or contractual conditions is negligible. The Commission may waive such informalities or allow the Bidder to correct them depending on what is in the best interests of the Commission.

If the mistake and the intended correct Bid are clearly evident on the face of the Bid document, the Bid shall be corrected to the intended correct Bid and may not be withdrawn.

A Bidder may be permitted to withdraw a low Bid if: (a) a mistake is clearly evident on the face of the Bid document but the intended correction is not similarly evident, or (b) the Bidder submits objective proof which clearly and convincingly demonstrates that a mistake was made. If a Bidder alleges a mistake, the Commission will advise the Bidder to support the allegation by submitting an Affidavit of Bid Error concerning the alleged mistake, accompanied by all pertinent evidence such as the Bidder's copy of the Bid file; original worksheets and other data used in preparing the Bid, such as subcontractors' and suppliers' quotations; published price lists; and any other evidence that will serve to establish the mistake, the manner in which it occurred, and the Bid actually intended.

In case of error in the extension of prices in the Bid, unit prices will govern. A Bid may be found **non-responsive** for failure to provide unit prices on the Solicitation "Bid Schedule" form. Bids made on documents other than the documents furnished by the Commission will not be considered.

18. MULTIPLE BIDS

A. Multiple Unit Prices

No Bidder will be permitted to offer more than one price for each item even though it believes it has two or more products that will meet specifications. If a Bidder submits more than one price for any item, all prices for that item may be rejected at the discretion of the Chief Procurement Officer. Further, the Bid may be considered **non-responsive** in its entirety and not considered for Award.

B. Bid Submittal Limit

A Bidder may submit only one Bid for each Contract. More than one Bid from an individual, firm or partnership, corporation or association under the same or different names will not be considered on any given Contract, and will be considered grounds for disqualification of the Bids involved and rejection of the Bids.

C. Alternate Bid

Unless multiple or alternate Bids or proposals are specifically requested in the Solicitation, they may not be accepted.

19. SUBSTITUTIONS

A. Whenever a material, article or method is specified or described by using the name of a proprietary product or the name of a particular manufacturer or vendor, followed by the phrase "or equal," the specific item mentioned shall be understood as establishing the type, function, dimension, appearance, and quality desired and is to be the basis upon which Bids are to be prepared. Other manufacturers' materials, articles or methods not named will be considered after the issuance of the Notice to Proceed provided the Contractor submits the proposed substitutions on the Form For Substitutions For Specified Items with its Bid, and provided required data is submitted in the manner set forth in Specifications Section 01630, "Substitution Procedures," and provided the substitution will not require substantial revisions to the Contract Documents.

B. Bids shall be based on materials, articles and methods named and specified in the Contract Documents. If the Bidder proposes to incorporate into the Work substitutions for the named and specified materials, articles and methods followed by the phrase "or equal" within the Contract Documents during the construction process, it shall submit a list of proposed substitutions on the Form for Substitutions for Specified Items, provided in Appendix C, with its Bid.

20. DEBRIEFING

Any unsuccessful Bidder may obtain a debriefing from the WSSC Procurement Officer. This will only be done after the issuance of the Notice to Proceed and in response to a written request from the Bidder within thirty (30) calendar days of the Notice of Award date. All requests for a debriefing shall be sent to the Chief Procurement Officer.

21. PROTESTS

Any protest concerning the Solicitation shall be decided by the Chief Procurement Officer in accordance with Commission Procurement Regulations §6-101, "Protests of Solicitations and Awards."

A. Right to Protest

Any actual or prospective Bidder or Offeror who is aggrieved in connection with a Solicitation or an Award of a Contract may protest to the Chief Procurement Officer. The protest shall be in writing and filed with the Office of the Chief Procurement Officer within seven (7) days after such aggrieved person knows or should have known of the facts giving rise to the protest. A protest shall be considered untimely if it is not received by the Office of the Chief Procurement Officer within the time period stated above. A Bidder or Offeror is aggrieved only if the Bidder or Offeror can demonstrate that, should the protest be sustained, the Bidder or Offeror may be eligible for the Award.

B. Form of Protest

The written protest shall include, at minimum, the following: (1) name and address of the protestor; (2) Solicitation or Contract number; (3) statement of reasons for the protest; and (4) supporting exhibits, evidence, or documents to substantiate any claims.

C. Protest Filing Fee

The filing fee for a protest is **five hundred dollars (\$500.00)**. The filing fee shall be paid in the form of a check payable to the Washington Suburban Sanitary Commission. If the protest is sustained by the Chief Procurement Officer, the protester will be entitled to a refund of the filing fee. **A PROTEST SHALL BE CONSIDERED UNTIMELY IF THE FILING FEE IS NOT RECEIVED BY THE OFFICE OF THE CHIEF PROCUREMENT OFFICER WITHIN THE TIME LIMITATIONS TO FILE A PROTEST.**

D. Authority to Resolve Protests

The Chief Procurement Officer, after consultation with the General Counsel's Office, shall have the authority, prior to the commencement of an action in court concerning the controversy, to settle and resolve a protest of an aggrieved Bidder or Offeror concerning the Solicitation or Award of a Contract.

E. Award of Contract During a Protest

In the event of a timely protest, the Commission shall not proceed further with a Solicitation or with the Award of a Contract until after a written decision on the protest has been issued by the Chief Procurement Officer, unless the Chief Procurement Officer, after consultation with the General Counsel's Office and the appropriate Using Department, determines in writing that awarding a Contract without delay is necessary to protect the interests of the Commission.

F. Final Decision

If the protest is not resolved by mutual agreement, the Chief Procurement Officer must adjudicate the protest on the record and issue a final written decision within twenty-one (21) days of receiving the

protest. The decision must: (1) state the reasons for the action taken, and (2) inform the Bidder or Offeror of its right to appeal the written decision.

G. Appeal to Court

The aggrieved Bidder or Offeror may appeal the written decision of the Chief Procurement Officer to the Circuit Court for Montgomery County or the Circuit Court for Prince George's County under the Maryland rules governing administrative mandamus actions.

H. Entitlement to Costs

If a protest is sustained by the Chief Procurement Officer and the protesting Bidder or Offeror should have been, but was not, awarded the Contract under the Solicitation, the aggrieved Bidder or Offeror shall be entitled to the reasonable costs incurred in connection with the Solicitation, including Bid preparation costs. The aggrieved Bidder or Offeror shall not be entitled to recover any attorneys' fees incurred in connection with the Solicitation or protest.

I. Lost Profits Not Recoverable

Anticipated profits that would have been realized by a protester had it been awarded a Contract are not recoverable.

22. AWARD OF CONTRACT

- A. The Commission reserves the right to reject any and all Bids including fiscally unacceptable, non-conforming, unbalanced or conditional Bids, or counter Proposals and to waive any and all irregularities. The Commission may reject Bids as **non-responsive and/or non-responsible** where Bidders fail to submit their Bid in accordance to the Invitation for Bids.
- B. The Commission's evaluation of a Bidder's safety record will be one of the factors considered when determining if the Bidder is **responsible** and capable of performing the work required. Failure to report any recorded safety violations as required by the Solicitation documents may be cause for disqualifying the Bidder as **non-responsible**.
- C. Award will be based on the offer submitted for products, methods and materials named in the Invitation for Bids. Consideration of and decisions regarding substitutions will not be made until after the Notice to Proceed is issued.
- D. The Commission will consider the qualifications of the Bidders as described in Bidder's Qualifications, whether or not the Bids comply with the prescribed requirements and alternates and unit prices if requested in the Bid Form.
- E. Award may be based upon delivery, technical ability, financial capacity, work experience, management experience, and other factors listed in the Invitation for Bids, as well as price, whichever serves the best interests of the Commission.
- F. Award may be based upon small, local and minority status in accordance with the Commission's latest Standard Procedure and as is further specified in this Solicitation and the documents and appendices attached thereto.
- G. A Contract will be awarded by the Commission by written acceptance within 120 days after the day of the Bid Opening or within the time for acceptance specified in the Invitation for Bids or in any extension thereof agreed to by the parties.
- H. For Competitive Sealed Bids the Contract will be awarded in accordance with Commission Procurement Regulations §4-202 to the **responsive** and **responsible** Bidder who submits the lowest

Bid price or lowest Evaluated Bid Price, as appropriate, and for Multi-Step Sealed Bids, the Contract will be awarded to the most **responsive** and **responsible** Bidder, who offers the lowest price or lowest Evaluated Bid Price, in conformance with the Invitation for Bids.

- I. For Competitive Sealed Proposals, the Contract shall be awarded in accordance with Commission Procurement Regulations §4-203 to the most **responsive** and **responsible** Offeror whose Proposal is determined in writing, to be most advantageous to WSSC.
- J. The Commission reserves the right to cancel the Solicitation or the Award of the Contract without liability to the Commission at any time prior to (1) a Contract being executed by the Chief Procurement Officer or an authorized designee acting within the scope of its authority, **or** (2) a Notice to Proceed being issued to a Bidder. Upon canceling an Award, an Award may then be made to the next ranked **responsive** and **responsible** Bidder or the Work may be re-advertised. Upon cancelling the Solicitation, the Work may be re-advertised.
- K. For Small Purchases only, WSSC may send a Purchase Order as written acceptance of a Bid mailed or otherwise furnished to the successful Bidder which shall result in a binding Contract without further action by either party. The Purchase Order will be the Notice to Proceed.

23. BOND SUBMISSION

The Bidder to whom this Contract is awarded shall submit any required Bond(s) to the Procurement Office in accordance with the Notice of Award by the Commission or as specified in the Contract Documents. Failure to submit the required bond(s) within the time period specified may be cause for deeming the Bid **non-responsive**.

24. EROSION AND SEDIMENT CONTROL PERMIT APPLICATION

When required, the application for an Erosion and Sediment Control Permit will be included as one of the documents the Bidder to whom the Contract has been awarded shall complete and return as a part of the execution of the Contract. The application form requires the Bidder's company name, address, telephone number, signature and title of company representative. The permit will be issued to the Contractor without cost. Work on the contract shall not begin until the permit is available on the Contract site.

25. EXECUTION AND ACCEPTANCE OF THE CONTRACT

- A. Copies of the Contract are available at the Commission offices.
- B. No Contract shall be considered accepted by the Commission and binding upon the Commission until (1) a Contract has been executed by the Chief Procurement Officer or an authorized designee acting within the scope of the Chief Procurement Officer's authority, **and** (2) a Notice to Proceed has been issued to a Bidder.
- C. The Bid as submitted shall serve as the final Contract acceptance document of a Bidder. The Bidder to whom the Contract has been awarded shall return a copy/copies of the Contract, in accordance with the Notice of Award, and such other documents as required by the Contract Documents to the Commission's Procurement Office, within ten (10) days after the date of issuance of the Notice of Award. The Commission will execute the Contract within sixty (60) days after receipt of the Contractor's executed Contract Form or sixty (60) days after the Notice of Award, whichever is later. In the event the Commission fails to execute the Contract within the sixty (60) day period, the Bidder will have, as its sole remedy, the option to declare the Contract terminated or accept a further extended period for execution by the Commission.
- D. Failure by the Bidder to execute the Contract and submit such other documents as required by the Contract Documents and file acceptable insurance and Bonds within the time aforesaid shall be just cause for canceling the Award and the forfeiture of the Bid Guaranty which shall become the property



**ADDITIONAL INSTRUCTIONS TO PROPONENTS/OFFERORS**

**CONTRACT NO. PM0005A15**

**TABLE OF CONTENTS**

| <u>Clause No/Title</u>       | <u>Page</u> |
|------------------------------|-------------|
| 1. Proposal Submission.....  | 16          |
| 2. Proposal Evaluation ..... | 17          |
| 3. Technical Proposal .....  | 18          |
| 4. Price Proposal .....      | 20          |

1. **PROPOSAL SUBMISSION**

A. Submission

- 1) Only one Proposal may be submitted by a Proponent.
- 2) Proposals shall consist of two (2) parts: Part 1: Technical Proposal and Part 2: Price Proposal. Technical and Price Proposals shall be submitted in separate sealed envelopes, each clearly labeled as to its contents. Both envelopes shall then be submitted in an outer sealed envelope, clearly labeled as to its contents. The sealed envelopes must be clearly marked as follows:

Outer Envelope: Proposal  
Contract No.: **PM0005A15**  
Submitted by:  
Closing Date:  
Closing Time:  
Addressed to: WSSC, Procurement Office  
Attention: **Mr. Tom Young**  
14501 Sweitzer Lane, 8<sup>th</sup> Floor  
Laurel, Maryland 20707

Envelope No. 1: Technical Proposal  
Contract No.: **PM0005A15**  
Submitted by:

Envelope No. 2: Price Proposal  
Contract No. **PM0005A15**  
Submitted by:

- 3) Submit one (1) original bound Technical Proposal, and one (1) electronic copy of the Technical Proposal in (.pdf) format saved onto a USB flash drive. The electronic copy should contain two files, one (1) for Appendix A forms and the other file should contain the rest of the Technical Proposal. The original Technical Proposal should contain Confidential financial documents if required, Appendix A forms, Appendix B, and Appendix C forms.
- 4) Submit one (1) original Price Proposal in a separate envelope as specified herein.
- 5) Proposals submitted in any form other than as specified herein may be deemed non-responsive and will not be considered for award. If discrepancies between the Original Proposal and the Proposal copies occur, the Original Proposals will take precedent over the Proposal copies.

Oral and telegraphic proposals, including e-mail submissions, are considered invalid and will not be accepted or considered for award.

- 6) Proposals shall be concise, yet sufficiently comprehensive to set forth the Proponent's understanding of the required services. Proposals must be organized to the structure described in these instructions to bidders.
- 7) Unsuccessful Proponents will have thirty (30) days after the award of the contract to pick up their Proposals. If a Consultant elects not to pick their proposal up in this time frame, the proposals may be destroyed.

## 2. **PROPOSAL EVALUATION**

All Proposals will be evaluated in accordance with WSSC Procurement Regulation §4-203, Competitive Sealed Proposals. Accordingly, Bidders must note that a number of factors will be considered by WSSC in making an award. Price will not be the sole determining criterion.

### Evaluation Factors

WSSC Past Performance 10%  
Experience on Similar Projects 20%  
Key Personnel 20%  
Project Approach 20%  
Contractor Claims/Litigation Risk Performance 10%  
SLMBE Requirements 5%  
Price Proposal 15%

- A. **Technical Proposals received will be evaluated by the Evaluation Committee based on the Proponent's qualifications as described in the proposal.** The evaluation will be based on the following major criteria found in Item 3, Technical Proposal.
- B. Proposals which do not meet the minimum requirements as stated in the Solicitation, or which are deemed non-responsive or non-responsible, will not be evaluated. Proposals will be selected on the basis of the technical evaluation to proceed to Phase II, Price Proposal. Price Proposals selected to proceed to Phase II will be opened and evaluated. Price Proposals which are not selected to advance to Phase II will be return unopened.
- C. Once the Evaluation Committee has completed its review, **the results of the Technical Proposals and the Price Proposals will be combined for a final evaluation.**
- D. The highest ranked most responsible and responsive proposal will be recommended for award. If two (2) or more proposals are equally ranked, WSSC

reserves the right to select the proposal deemed most advantageous to the Commission by the Evaluation team.

- E. The Commission reserves the right to award this Contract on the basis of Proposals received with or without further discussion or negotiation.
- F. Bidders may be asked to submit Best and Final Offers (BAFO) after the price proposals have been opened.
- G. All Proponents will be notified by the Commission of the final awardee(s).

### 3. **TECHNICAL PROPOSAL**

The Technical Proposal must demonstrate the Minimum Qualifications found in Part IV of the Solicitation. The Technical Proposal shall be no more than 150 single-sided pages in length including resumes, exhibits, appendices, attachments, required documentation and forms required to be submitted with the Proposal.

The Proponent shall use company letterhead to provide information required in the Proposal. The Technical Proposal shall be tabbed into the specified sections. The sections shall be divided as follows:

#### TAB 1: Part I – Experience on Similar Projects/Technical Qualifications

- 1. WSSC Bid Cover Sheet
- 2. Provide documentation on company letterhead that demonstrates that your firm meets experience requirement in Part IV, Page 2 Contractor Qualifications Article A. The following information must be submitted for each project:: Project Description, Project Location, Project Start and Completion Dates, Client name and Contact information, Contract Amount, Water Main Length by Pipe Diameter, Method of Replacement, Required Contract Duration, Actual Construction Duration, Contract Amount, Final Project Cost, Number and Nature of Change Orders, Lessons Learned.

#### TAB 2: Part I – Experience on past WSSC Projects/Technical Qualifications

- 1. Provide documentation on company letterhead for previous WSSC projects within the past five (5) years. The following information must be submitted for each project: Project Description, Project Location, Project Start and Completion Dates, Client name and Contact information, Contract Amount, Water Main Length by Pipe Diameter, Method of Replacement, Required Contract Duration, Actual Construction Duration, Contract Amount, Final Project Cost, Number and Nature of Change Orders, Lessons Learned.

#### TAB 3: Key Personnel (Resumes)

1. Provide Resumes for Key Team Members as stated in Part IV, Page 2 Contractor Qualifications Articles D through I. Key personnel resumes must list the all contracts in which they are participating in. Include a brief description of their role in each contract and a brief explanation that demonstrates that key person's ability to perform on multiple contracts without decreased quality or timeliness.

TAB 4: Project/Technical Approach

The valuation of your project approach shall be based on the questions found in the Example Water Main Replacement Task located in Part I of the Solicitation. A complete response shall, at a minimum, address the following items, listed below, and the questions in the Sample Project.

1. Technical approach that addresses all items in the scope of work.
2. A project control plan and schedule showing how the you will complete the work within the time and budget allowances.
3. Professional resources to handle this project including names of the Prime's and Sub-contractors Key Team Members and their project roles.
4. An assessment of the project's issues and risks, and a plan showing how the Consultant will mitigate the risks and reduce total cost of ownership for WSSC.
5. A Communication Plan, including how key personnel may be contacted after-hours or during an emergency, as well as reasonable/practical response time by the team members once notified by WSSC.

TAB5 : Contractor Performance/Litigation Risk

1. Provide a complete and fully executed Litigation/Claim Risk Assessment Affidavit located in Appendix C. You must provide original signatures.

TAB 6: Appendix C forms

Complete and execute the following documents located in Appendix C.

- The Contract Certification Affidavit.
- The Certified Insurance Statement.
- The Contractor's Information Report
- Bid Bond

TAB 7: Appendix A forms

- All forms required by Appendix A

Tab 8: Addendum Acknowledgement

- A written statement acknowledging receipt of all Addenda.

4. PRICE PROPOSAL

Submit the Pricing Pages located in Appendix C. Your price proposal will be evaluated based on the submitted unit prices. Lower unit prices will receive higher ratings. Unbalanced unit prices will receive a lower score during evaluation of the price proposal.

# Example Watermain Replacement Task for use in Developing the Project Management Plan and Approach

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***Project Name: Commerce Triangle Water main Replacement***

***Project Mileage: 1.80 Miles***

***Project Location: Bethesda, Montgomery County, Maryland***

---

This project has been prepared specifically for Evaluation Factor III of the RFP: Construction Approach, Grasp of Project Requirements, and Problem Solving. This example project shall not be used by the proponents as a basis to develop the bid item unit pricing requested in the price proposal.

## **Project Background**

The Commerce Triangle rehabilitation project entails the replacement of approximately 1.80 miles of water main, renewal/replacement of 6 sewer house connections, as well as retrofitting of 1 sewer lamphole with a manhole. The project is located in Bethesda, Montgomery County, Maryland.

The project area is comprised primarily of commercial businesses, including (but not limited to): restaurants, medical offices, and entertainment sites. Impacts of water main shutdowns will significantly affect surrounding businesses; therefore, careful coordination with stakeholders will be required. A small portion of the project includes residential homes, mainly along Glenbrook Road. The residential streets are tree-lined and contain old growth vegetation, which may be impacted due to renewal of water and/or sewer house connections. Approximately 0.65 miles of the project is located along Old Georgetown Road, a heavily traveled and major roadway.

Water mains to be replaced vary between 8 inches to 12 inches in diameter. Over the course of the past several years, there have been numerous customer complaints regarding low water pressure and discoloration within the project area. Existing assets date from the early 1920s to mid-1960s and are primarily cast iron. Due to the extreme age of existing assets, pipe material remains unknown in a number of different locations throughout the project. There is a chance that Transite (Asbestos) pipe material may be found. Jack and bore is required as part of the replacement design to avoid impacting an existing storm water culvert. Most water house connections are copper and range in diameter from 0.75 to 1.5 inches, although 8 to 12 homes contain galvanized connections. Sewer house connections vary between single house and double house connections. It is anticipated that the project will be

completed on an expedited schedule. Night work may be required due to large daytime traffic volumes and the high density of businesses in the immediate area.

## Contract Bid Documents

The following documents would typically be included as part of the task order, but are not provided for the purposes of this mock project:

- Available 'As-Built' for Existing Infrastructure
- Engineering Design Plans and Specifications - Proposed Design
- Traffic Control Plan
- Material Takeoff List for materials to be furnished by WSSC
- Bid Schedule
- Geotechnical & Surveying Information
- Pavement Core Data
- Required Contract Completion Time
- Water House Connection Table
- Permitting Information

## Permitting Requirements

The following permits have been acquired by WSSC and will be included in the bid package:

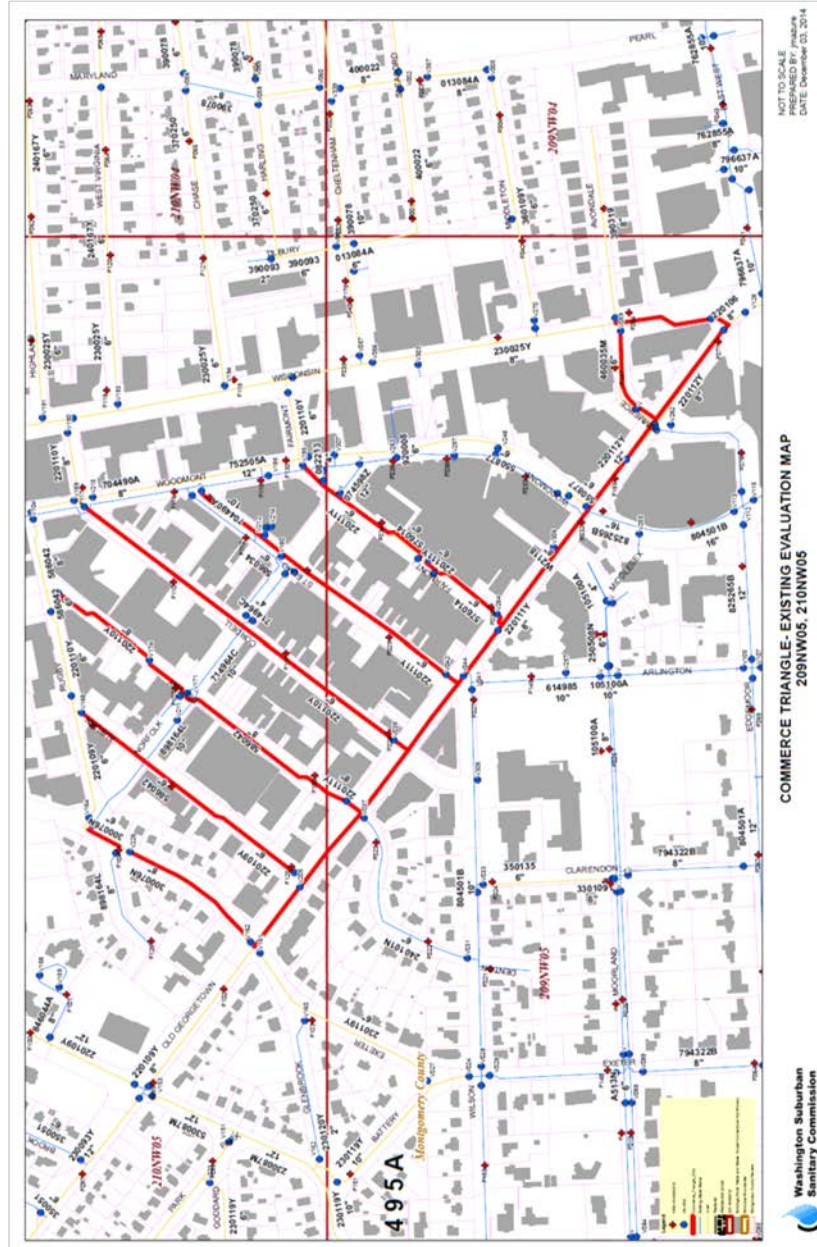
- Montgomery County permit expires on May 20, 2016.
- Maryland State Highway Administration permit expires on August 6, 2016.
- Sediment Control Permit
- Tree Permit

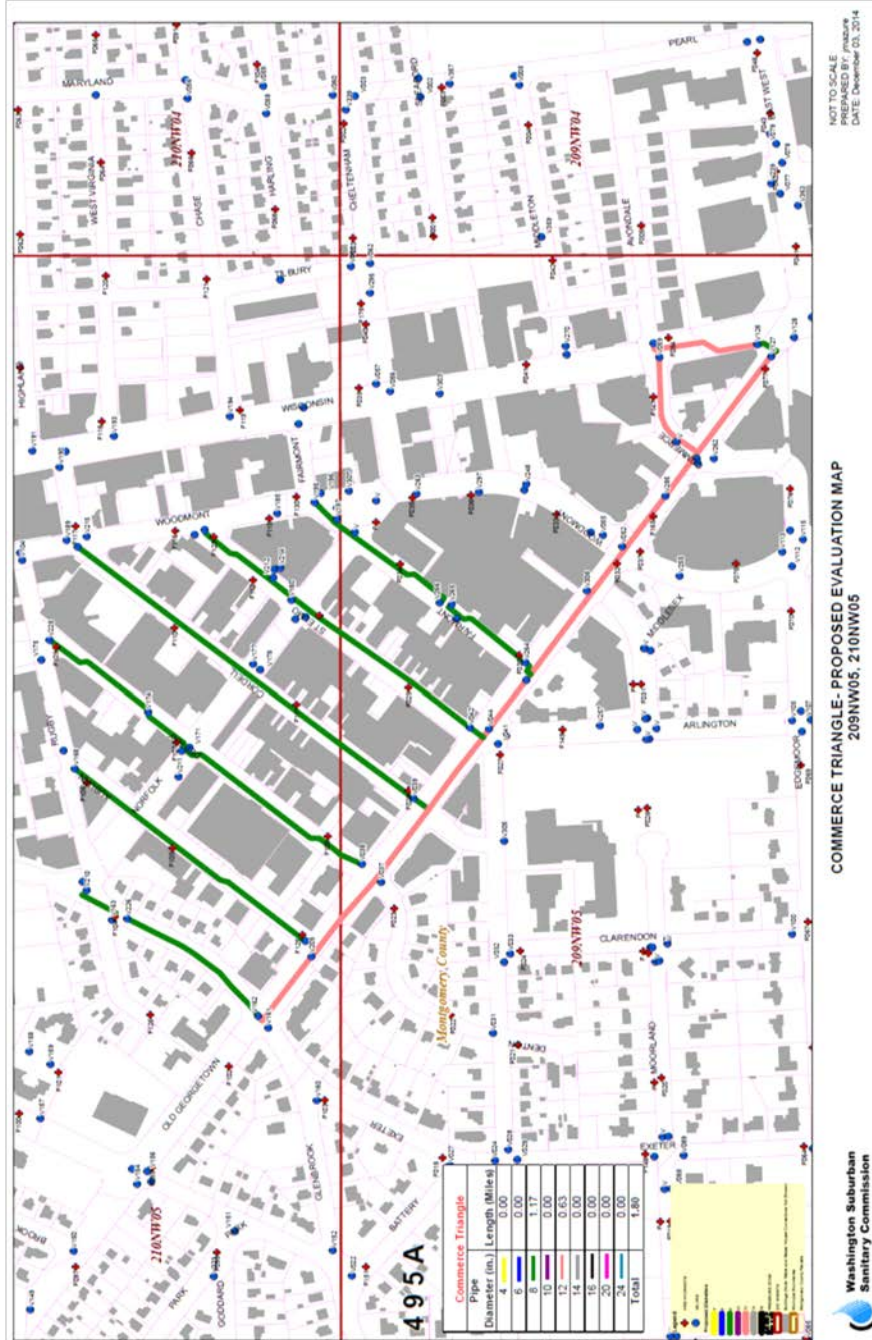
## Questions for Prospective Contractors

1. The construction is required to be completed within nine months from NTP (to be issued on November 1, 2015). Various permits with different conditions and expiration dates govern work within the Montgomery County versus the State Highway Administration versus municipality limits. Please provide a general schedule and plan to ensure compliance with the permit conditions and successful completion of the project on-time?
2. The project area contains roadside landscaped areas; tree root pruning and removal will be needed at a number of addresses. Please provide an approach to meet the requirement of the work.



3. The contractor is responsible for submitting and adhering to a sequence of construction for the project. What considerations/coordination will be taken by the contractor to develop, adhere, and modify as needed the project sequence of construction? Provide a description of any risks associated with the project and a plan to mitigate their impact.
4. The selection of staging areas is the responsibility of the contractor. Please outline the steps of how this will this be completed.
5. Bypass water service will be needed in some areas. Please outline the steps of how this will be addressed.
6. Small portions of the project site are expected to contain Asbestos water main and/or laterals. How will this be addressed - handling and disposal?
7. How will you handle on-street parking during construction? Describe the procedures that you will undertake to accomplish this, what are some of the potential problems you will encounter?
8. The project includes installation of the main by trenchless methods to avoid a large storm culvert. Describe your approach in detail.
9. Outline your customer notification strategy and how you will minimize disruption to the community. Please outline all activities related to customer notification. Provide previous examples.
10. To ensure timely and consistent road restoration describe what types of Quality Assurance/Quality Control (QA/QC) measures will be implemented to ensure consistent temporary pavement and road patching.
11. Close coordination with representatives of the municipalities will be required. How would you coordinate with the municipalities?
12. This project contains minor sewer rehabilitation activities, namely lateral renewal and retrofit of lampholes to manholes. What past experience do you have with sewer work? Describe your approach in detail.
13. PVC mains and coated ductile iron mains with enhanced cathodic protection are needed at different locations for this project. What past experience do you have with these installations? Describe your approach in detail.
14. Please describe any additional risks that you can expect in managing a project such as this and describe how you will mitigate these risks.





**PART II**  
**WASHINGTON SUBURBAN SANITARY COMMISSION**  
**PROCUREMENT OFFICE**  
**GENERAL CONDITIONS**

**INCORPORATION BY REFERENCE**

**This solicitation incorporates by reference the General Conditions-Construction IDIQ  
(updated 12/11/14) on the WSSC website**

<https://www.wsscwater.com/files/live/sites/wssc/files/PDFs%205/WSSC%20General%20Conditions-IDIQ%20%2012.11.14.pdf>

**and those General Conditions are part of the solicitation as if it specifically set them forth.**

Hardcopies without binders are also available for purchase at the One Stop Shop located on the Lobby Level at the RGH Building, 14501 Sweitzer Lane, Laurel, Maryland, 20707.

Price per set: General Conditions and Standard Specifications - \$40.00

Price per set: Standard Details - \$55.00

**PART III**  
**WASHINGTON SUBURBAN SANITARY COMMISSION**  
**PROCUREMENT OFFICE**  
**SPECIAL CONDITIONS**

The Special Conditions attached are part of the solicitation

## CONTRACT REQUIREMENTS

### **CONTRACT NO. PM0005A15**

#### 1. MDE GENERAL PERMIT FOR CONSTRUCTION ACTIVITY

The Commission has obtained the Maryland Department of the Environment General Permit for Construction Activity. The Commission will transfer authorization under this permit to the Bidder. The form to transfer authority will be furnished to the Bidder to whom the Contract has been awarded. The Bidder shall sign the form, return it to the Maryland Department of the Environment (MDE) and supply a copy of the completed form to the Engineer. The Bidder shall submit the application to MDE at least 48 hours prior to any land disturbing activities.

**Special Conditions**  
**Maryland Prevailing Wage Requirements**

1.0 This contract is subject to the requirements of the Maryland Prevailing Wage Statute contained in MD Code, State Finance and Procurement, §§ 17-201 – 17-226 and regulations contained in COMAR 21.11.11.00 - 21.11.11.06.

1.1 The Contractor and all Subcontractors must comply with the requirements stated in MD Code, State Finance and Procurement, §§ 17 -201 – 17-226 and COMAR 21.11.11.00 - 21.11.11.06.

1.2 The prevailing wage rates attached and/or referenced in this contract are established by the State of Maryland. The prevailing wage rates attached and/or referenced in this contract will apply throughout the term of this contract.

1.3 The Contractor shall submit a bond to guarantee the faithful performance of this section of this contract (Special Conditions, Maryland Prevailing Wage Requirements).

1.4 The Contractor and all Subcontractors must comply with all of the requirements of the Maryland Prevailing Wage Statute and applicable regulations including, but not limited to the following:

1. Pay workers at least the prescribed wage rates and overtime rates that are attached and/or referenced in this contract.
2. Pay apprentices at least the percentage as set by the Apprenticeship and Training Council of the prescribed wage rates that are attached and/or referenced in this contract.
3. Accurately classify and pay workers and apprentices their proper wage classification based upon the type of work they perform at the work site in accordance with the wage rates that are attached and/or referenced in this contract.
4. Post a clearly legible statement of each prevailing wage rate to be paid under this contract in a prominent and easily accessible place at the work site(s) of this contract.
5. Keep payroll records covering work performed directly at the work site in accordance with the requirements of the Maryland Prevailing Wage Statute and applicable regulations.
6. Allow WSSC and Maryland's Commissioner of Labor and Industry to inspect the payroll records at any reasonable time and as often as necessary.
7. Within 14 days after the end of each payroll period, the Contractor shall submit to Maryland's Commissioner of Labor and Industry in a format that complies with COMAR 21.11.11.02 a complete copy of: (a) the Contractor's payroll records and

(b) each Subcontractor's payroll records. The Contractor is required to contact Maryland's Commissioner of Labor and Industry to determine any specific instructions or format requirements regarding the submittal of payroll records.

8. If the Contractor is late in submitting copies of the payroll records then (a) WSSC may postpone processing payments under the contract pending receipt of the copies and (b) the Contractor shall be liable to WSSC for liquidated damages of \$10 for each calendar day the records are late.

9. WSSC shall withhold payments to the Contractor if requested by the Maryland's Commissioner of Labor and Industry.





STATE OF MARYLAND

DEPARTMENT OF LABOR, LICENSING AND REGULATION  
DIVISION OF LABOR AND INDUSTRY  
PREVAILING WAGE SECTION  
1100 N. Eutaw Street, Room 607  
Baltimore, MD 21201  
(410) 767-2342

01/27/2015

***REQUEST FOR ADVERTISEMENT AND NOTICE TO PROCEED***

Tom Young - Procurement Officer  
WSSC  
14501 Sweitzer Lane  
Laurel, MD 20707

**Re: IDIQ for Water Main Replacement**  
**Project No: PM0005A15 2015**

Enclosed please find the Prevailing Wage Determination and Instructions for Contractors for the project referenced above.

Upon advertisement for bid or proposal of this project, you are requested to submit to this office the date and name of publication in which such advertisement appeared.

Once awarded, you are further directed to submit to this office, the NOTICE TO PROCEED for the project, complete with the date of notice, the name of the general contractor, and the dollar amount of the project. In addition, we ask that a representative of the prevailing wage Unit be invited to attend the Pre-Construction Conference.

Any questions concerning this matter may be referred to [PrevailingWage@dllr.state.md.us](mailto:PrevailingWage@dllr.state.md.us)

Sincerely,

Enclosures  
Wage Determination  
Instruction for the Contractor

Prevailing Wage Unit

## **PREVAILING WAGE INSTRUCTIONS FOR THE CONTRACTOR & SUBCONTRACTOR**

The contractor shall electronically submit completed copies of certified payroll records to the Commissioner of Labor & Industry, Prevailing Wage Unit by going on-line to <https://www.dllr.state.md.us/prevwage> and following the instructions for submitting payroll information (NOTE: A contractor must register prior to submitting on-line certified payroll information).

If you have technical questions regarding electronic submittal, contact the Department at [prevailingwage@dllr.state.md.us](mailto:prevailingwage@dllr.state.md.us).

All certified payroll records shall have an accurate week beginning and ending date. The contractor shall be responsible for certifying and submitting to the Commissioner of Labor and Industry, Prevailing Wage Unit all of their subcontractors' payroll records covering work performed directly at the work site. By certifying the payroll records, the contractor is attesting to the fact that the wage rates contained in the payroll records are not less than those established by the Commissioner as set forth in the contract, the classification set forth for each worker or apprentice conforms with the work performed, and the contractor or subcontractor has complied with the provisions of the law.

A contractor or subcontractor may make deductions that are (1) required by law; (2) required by a collective bargaining agreement between a bona fide labor organization and the contractor or subcontractor; or (3) contained in a written agreement between an employee and an employer undertaken at the beginning of employment, if the agreement is submitted by the employer to the public body awarding the public work and is approved by the public body as fair and reasonable.

A contractor or subcontractor is required to submit information on-line on their fringe benefit packages including a list of fringe benefits for each craft employed by the contractor or subcontractor, by benefit and hourly amount. Where fringe benefits are paid in cash to the employee or to an approved plan, fund, or program, the contribution is required to be indicated.

Payroll records must be electronically submitted and received within 14 calendar days after the end of each payroll period. If the contractor is delinquent in submitting payroll records, processing of partial payment estimates may be held in abeyance pending receipt of the records. In addition, if the contractor is delinquent in submitting the payroll records, the contractor shall be liable to the contracting public body for liquidated damages. The liquidated damages are \$10.00 for each calendar day the records are late.

Only apprentices registered with the Maryland Apprenticeship and Training Council shall be employed on prevailing wage projects. Apprentices shall be paid a percentage of the determined journey person's wage for the specific craft.

Overtime rates shall be paid by the contractor and any subcontractors under its contracts and agreements with their employees which in no event shall be less than time and one-half the prevailing hourly rate of wages for all hours worked in excess of ten (10) hours in any one calendar day; in excess of forty (40) hours per workweek; and work performed on Sundays and legal holidays.

Contractors and subcontractors employing a classification of worker for which a wage rate was not issued SHALL notify the Commissioner of Labor & Industry, Prevailing Wage Unit, for the purpose of obtaining the wage rate for said classification PRIOR TO BEING EMPLOYED on the project. To obtain a prevailing wage rate which was NOT listed on the Wage Determination, a contractor or subcontractor can look on the DLLR webpage under prevailing wage.

Contractors and subcontractors shall maintain a valid copy of proper State and county licenses that permit the contractor and a subcontractor to perform construction work in the State of Maryland. These licenses must be retained at the worksite and available for review upon request by the Commissioner of Labor and Industry's designee.

**\*\*Each contractor under a public work contract subject to Section 17-219 shall:**

1. Post a clearly legible statement of each prevailing wage rate to be paid under the public work contract; and
2. Keep the statement posted during the full time that any employee is employed on the public work contract.
3. The statement of prevailing wage rates shall be posted in a prominent and easily accessible place at the site of the public work.

**\*\*Penalty - Subject to Section 10-1001 of the State Government Article, the Commissioner may impose on a person that violates this section a civil penalty of up to \$50.00 per violation.**

Under the Maryland Apprenticeship and Training Council requirements, consistent with proper supervision, training and continuity of employment and applicable provisions in collective bargaining agreements, a ratio of one journey person regularly employed to one apprentice shall be allowed. No deviation from this ratio shall be permitted without prior written approval from the Maryland Apprenticeship and Training Council.

Laborers may NOT assist mechanics in the performance of the mechanic's work, NOR USE TOOLS peculiar to established trades.

ALL contractors and subcontractors shall employ only competent workers and apprentices and may NOT employ any individual classified as a HELPER or TRAINEE on a prevailing wage project.

The State Apprenticeship and Training Fund (Fund) law provides that contractors and certain subcontractors performing work on certain public work contracts are required to make contributions toward apprenticeship. See §17-601 through 17-606, State Finance and Procurement, Annotated Code of Maryland. Contractors and subcontractors have three options where they can choose to make their contributions: (1) participate in a registered apprenticeship training program; (2) contribute to an organization that has a registered apprenticeship training program; or (3) contribute to the State Apprenticeship and Training Fund.

The Department of Labor, Licensing and Regulation (DLLR) is moving forward with final adoption of regulations. The regulations were published in the December 14, 2012 edition of the Maryland Register.

**IMPORTANT: Please note that the obligations under this law will become effective on JULY 1, 2013. This law will require that contractors and certain subcontractors make contributions toward apprenticeship and report those contributions on their certified payroll records that they submit pursuant to the prevailing wage law.**

**The Department is offering outreach seminars to any interested parties including contractors, trade associations, and any other stakeholders. Please contact the Department at [prevailingwage@dllr.state.md.us](mailto:prevailingwage@dllr.state.md.us) or (410) 767-2968 for seminar times and locations. In addition, information regarding this law will be provided at pre-construction meetings for projects covered by the Prevailing Wage law.**

**For additional information, contact:  
Division of Labor and Industry  
Maryland Apprenticeship and Training  
1100 North Eutaw Street, Room 606  
Baltimore, Maryland 21201  
(410) 767-2246  
E-Mail Address: [matp@dllr.state.md.us](mailto:matp@dllr.state.md.us).**

STATE OF MARYLAND

DEPARTMENT OF LABOR, LICENSING AND REGULATION  
DIVISION OF LABOR AND INDUSTRY  
PREVAILING WAGE SECTION  
1100 N. Eutaw Street, Room 607  
Baltimore, MD 21201  
(410) 767-2342

The wage rates to be paid laborers and mechanics for the locality described below is announced by order of Commissioner of Labor and Industry.

It is mandatory upon the successful bidder and any subcontractor under him, to pay not less than the specific rates to all workers employed by them in executing contracts in this locality. Reference: Annotated Code of Maryland State Finance and Procurement, Section 17-201 thru 17-226.

These wage rates were taken from the locality survey of 2014 for Montgomery County, issued pursuant to the Commissioner's authority under State Finance and Procurement Article Section 17-209, Annotated Code of Maryland or subsequent modification.

**\*\*Note:** If additional Prevailing Wage Rates are needed for this project beyond those listed below, contact the Prevailing Wage Unit. Phone: (410) 767-2342, email: prevailingwage@dllr.state.md.

Name and Title of Requesting Officer: Tom Young - Procurement Officer  
Department, Agency or Bureau: WSSC  
14501 Sweitzer Lane Laurel, MD 20707

|                |
|----------------|
| Project Number |
| PM0005A15 2015 |

Location and Description of work:  
Montgomery County: Water Main Replacement

|                      |
|----------------------|
| Determination Number |
| 23666                |

Date of Issue: Jan 27, 2015

**HIGHWAY CONSTRUCTION**

| CLASSIFICATION                       | MODIFICATION<br>REASON | BASIC<br>HOURLY<br>RATE | BORROWED<br>FROM | FRINGE<br>BENEFIT<br>PAYMENT |
|--------------------------------------|------------------------|-------------------------|------------------|------------------------------|
| CARPENTER                            | AD                     | \$26.81                 |                  | \$8.19                       |
| CARPENTER - SHORING SCAFFOLD BUILDER | AD                     | \$26.01                 | 021              | \$12.55                      |
| CEMENT MASON                         | AD                     | \$19.56                 |                  | \$5.08                       |
| ELECTRICIAN                          | AD                     | \$41.60                 |                  | \$14.86                      |
| INSULATION WORKER                    | AD                     | \$33.13                 |                  | \$13.88                      |
| IRONWORKER - FENCE ERECTOR           | AD                     | \$26.38                 |                  | \$16.44                      |
| IRONWORKER - REINFORCING             | AD                     | \$27.00                 |                  | \$18.35                      |
| IRONWORKER - STRUCTURAL              | AD                     | \$42.88                 |                  | \$0.00                       |
| MILLWRIGHT                           | AD                     | \$31.49                 |                  | \$9.18                       |
| PAINTER - BRIDGE                     | AD                     | \$33.23                 |                  | \$9.40                       |
| PILEDRIIVER                          | AD                     | \$26.89                 |                  | \$8.78                       |

|                                                   |    |         |     |           |
|---------------------------------------------------|----|---------|-----|-----------|
| POWER EQUIPMENT OPERATOR - BACKHOE                | AD | \$30.65 |     | \$6.48    |
| POWER EQUIPMENT OPERATOR - BROOM / SWEEPER        | AD | \$14.00 | 021 | \$0.66    |
| POWER EQUIPMENT OPERATOR - BULLDOZER              | AD | \$23.00 |     | \$9.34    |
| POWER EQUIPMENT OPERATOR - CRANE                  | AD | \$30.30 |     | \$15.30 a |
| POWER EQUIPMENT OPERATOR - EXCAVATOR              | AD | \$19.50 |     | \$3.51 a  |
| POWER EQUIPMENT OPERATOR - GRADALL                | AD | \$32.11 |     | \$1.89    |
| POWER EQUIPMENT OPERATOR - GRADER                 | AD | \$22.00 |     | \$9.25    |
| POWER EQUIPMENT OPERATOR - GUARD RAIL POST DRIVER | AD | \$24.85 |     | \$8.12    |
| POWER EQUIPMENT OPERATOR - LOADER                 | AD | \$17.93 |     | \$10.06   |
| POWER EQUIPMENT OPERATOR - MILLING MACHINE        | AD | \$24.73 |     | \$2.58    |
| POWER EQUIPMENT OPERATOR - PAVER                  | AD | \$20.75 |     | \$4.74    |
| POWER EQUIPMENT OPERATOR - ROLLER - ASPHALT       | AD | \$18.90 |     | \$1.08    |
| POWER EQUIPMENT OPERATOR - ROLLER - EARTH         | AD | \$18.16 |     | \$0.00    |
| POWER EQUIPMENT OPERATOR - SCREED                 | AD | \$19.66 |     | \$2.38    |
| POWER EQUIPMENT OPERATOR - SKID STEER (BOBCAT)    | AD | \$19.60 |     | \$3.82    |
| POWER EQUIPMENT OPERATOR - TRENCHER               | AD | \$29.01 |     | \$15.23   |
| TILE & TERRAZZO FINISHER                          | AD | \$21.48 |     | \$9.34    |
| TRUCK DRIVER - A FRAME                            | AD | \$22.97 | 033 | \$7.03    |
| TRUCK DRIVER - DUMP                               | AD | \$19.60 |     | \$4.36    |
| TRUCK DRIVER - DUMP - ARTICULATING                | AD | \$20.90 |     | \$8.13    |
| TRUCK DRIVER - FLATBED                            | AD | \$22.19 |     | \$9.48    |
| TRUCK DRIVER - LOWBOY                             | AD | \$22.28 |     | \$9.48    |
| TRUCK DRIVER - TACK/TAR TRUCK                     | AD | \$20.50 |     | \$1.08    |
| TRUCK DRIVER - TRACTOR TRAILER                    | AD | \$22.19 |     | \$9.48    |
| TRUCK DRIVER - WATER                              | AD | \$26.00 |     | \$9.48    |
| <b>LABORER GROUP II</b>                           |    |         |     |           |
| LABORER - ASPHALT RAKER                           | AD | \$21.79 |     | \$3.55    |
| LABORER - COMMON                                  | AD | \$21.79 |     | \$3.55    |
| LABORER - CONCRETE PUDDLER                        | AD | \$21.79 |     | \$3.55    |
| LABORER - CONCRETE TENDER                         | AD | \$21.79 |     | \$3.55    |
| LABORER - CONCRETE VIBRATOR                       | AD | \$21.79 |     | \$3.55    |
| LABORER - DENSITY GAUGE                           | AD | \$21.79 |     | \$3.55    |
| LABORER - FIREPROOFER - MIXER                     | AD | \$21.79 |     | \$3.55    |
| LABORER - FLAGGER                                 | AD | \$21.79 |     | \$3.55    |
| LABORER - GRADE CHECKER                           | AD | \$21.79 |     | \$3.55    |
| LABORER - HAND ROLLER                             | AD | \$21.79 |     | \$3.55    |
| LABORER - JACKHAMMER                              | AD | \$21.79 |     | \$3.55    |
| LABORER - LANDSCAPING                             | AD | \$21.79 |     | \$3.55    |
| LABORER - LAYOUT                                  | AD | \$21.79 |     | \$3.55    |
| LABORER - LUTEMAN                                 | AD | \$21.79 |     | \$3.55    |
| LABORER - MORTAR MIXER                            | AD | \$21.79 |     | \$3.55    |
| LABORER - PLASTERER - HANDLER                     | AD | \$21.79 |     | \$3.55    |
| LABORER - TAMPER                                  | AD | \$21.79 |     | \$3.55    |
| <b>LABORERS GROUP I</b>                           |    |         |     |           |
| LABORER - AIR TOOL OPERATOR                       | AD | \$21.02 |     | \$6.67    |
| LABORER - ASPHALT PAVER                           | AD | \$21.02 |     | \$6.67    |

|                                      |    |         |        |
|--------------------------------------|----|---------|--------|
| LABORER - BLASTER - DYNAMITE         | AD | \$21.02 | \$6.67 |
| LABORER - BURNER                     | AD | \$21.02 | \$6.67 |
| LABORER - CONCRETE SURFACER          | AD | \$21.02 | \$6.67 |
| LABORER - HAZARDOUS MATERIAL HANDLER | AD | \$21.02 | \$6.67 |
| LABORER - MASON TENDER               | AD | \$21.02 | \$6.67 |
| LABORER - PIPELAYER                  | AD | \$21.02 | \$6.67 |
| LABORER - SCAFFOLD BUILDER           | AD | \$21.02 | \$6.67 |

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FRINGE REFERENCES AS NOTED:

- a. PAID HOLIDAYS: New Year Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day & Christmas Day.
- b. PAID VACATIONS: Employees with 1 year service - 1 week paid vacation;  
2 years service - 2 weeks paid vacation;  
10 years service - 3 weeks paid vacation.

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**Incidental Craft Data: Caulker, Man Lift Operator, Rigger, Scaffold Builder, and Welder** receive the wage and fringe rates prescribed for the craft performing the operation to which welding, scaffold building, rigging, operating a Man Lift, or caulking is incidental.

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These **Informational Prevailing Wage Rates** may not be substituted for the requirements of pre-advertisement or onsite job posting for a public work contract that exceeds \$500,000 in value and either of the following criteria are met: (1) the contracting body is a unit of State government or an instrumentality of the State and there is any State funding for the project; or (2) the contracting body is a political subdivision, agency, person or entity (such as a county) and the State funds 50% or more of the project.

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Modification Codes:

- (AD) 17-209 Annual Determination from Survey Wage Data Received  
(CH) 17-211 Commissioners' Hearing  
(CR) 17-208 Commissioners' Review  
(SR) 17-208 Survey Review by Staff

Each "Borrowed From" county is identified with the FIPS 3-digit county code unique for the specific jurisdiction in Maryland.

For additional information on the FIPS (Federal Information Processing Standard) code, see <http://www.census.gov/datamap/fipslist/AllSt.txt>

The Prevailing Wage rates appearing on this form were originally derived from Maryland's annual Wage Survey. The Commissioner of Labor & Industry encourages all contractors and interested groups to participate in the voluntary Wage Survey, detailing wage rates paid to workers on various types of construction throughout Maryland.

A mail list of both street and email addresses is maintained by the Prevailing Wage Unit to enable up-to-date prevailing wage information, including Wage Survey notices to be sent to contractors and other interested parties. If you would like to be included in the mailing list, please forward (1) your Name, (2) the name of your company (if applicable), (3) your complete postal mailing address, (4) your email address and (5) your telephone number to PWMAILINGLIST@dlr.state.md.us. Requests for inclusion can also be mailed to: Prevailing Wage, 1100 N. Eutaw Street - Room 607, Baltimore MD 21201-2201.

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STATE OF MARYLAND

DEPARTMENT OF LABOR, LICENSING AND REGULATION  
DIVISION OF LABOR AND INDUSTRY  
PREVAILING WAGE SECTION  
1100 N. Eutaw Street, Room 607  
Baltimore, MD 21201  
(410) 767-2342

12/29/2014

***REQUEST FOR ADVERTISEMENT AND NOTICE TO PROCEED***

Ahmed Baig - Procurement Officer  
Washington Suburban Sanitary Commission  
14501 Sweitzer Lane  
Laurel, MD 20707

**Re: IDIQ for Water Main Replacement**  
**Project No: PM0005A15**

Enclosed please find the Prevailing Wage Determination and Instructions for Contractors for the project referenced above.

Upon advertisement for bid or proposal of this project, you are requested to submit to this office the date and name of publication in which such advertisement appeared.

Once awarded, you are further directed to submit to this office, the NOTICE TO PROCEED for the project, complete with the date of notice, the name of the general contractor, and the dollar amount of the project. In addition, we ask that a representative of the prevailing wage Unit be invited to attend the Pre-Construction Conference.

Any questions concerning this matter may be referred to [PrevailingWage@dllr.state.md.us](mailto:PrevailingWage@dllr.state.md.us)

Sincerely,

Enclosures  
Wage Determination  
Instruction for the Contractor

Prevailing Wage Unit



## **PREVAILING WAGE INSTRUCTIONS FOR THE CONTRACTOR & SUBCONTRACTOR**

The contractor shall electronically submit completed copies of certified payroll records to the Commissioner of Labor & Industry, Prevailing Wage Unit by going on-line to <https://www.dllr.state.md.us/prevwage> and following the instructions for submitting payroll information (NOTE: A contractor must register prior to submitting on-line certified payroll information).

If you have technical questions regarding electronic submittal, contact the Department at [prevailingwage@dllr.state.md.us](mailto:prevailingwage@dllr.state.md.us).

All certified payroll records shall have an accurate week beginning and ending date. The contractor shall be responsible for certifying and submitting to the Commissioner of Labor and Industry, Prevailing Wage Unit all of their subcontractors' payroll records covering work performed directly at the work site. By certifying the payroll records, the contractor is attesting to the fact that the wage rates contained in the payroll records are not less than those established by the Commissioner as set forth in the contract, the classification set forth for each worker or apprentice conforms with the work performed, and the contractor or subcontractor has complied with the provisions of the law.

A contractor or subcontractor may make deductions that are (1) required by law; (2) required by a collective bargaining agreement between a bona fide labor organization and the contractor or subcontractor; or (3) contained in a written agreement between an employee and an employer undertaken at the beginning of employment, if the agreement is submitted by the employer to the public body awarding the public work and is approved by the public body as fair and reasonable.

A contractor or subcontractor is required to submit information on-line on their fringe benefit packages including a list of fringe benefits for each craft employed by the contractor or subcontractor, by benefit and hourly amount. Where fringe benefits are paid in cash to the employee or to an approved plan, fund, or program, the contribution is required to be indicated.

Payroll records must be electronically submitted and received within 14 calendar days after the end of each payroll period. If the contractor is delinquent in submitting payroll records, processing of partial payment estimates may be held in abeyance pending receipt of the records. In addition, if the contractor is delinquent in submitting the payroll records, the contractor shall be liable to the contracting public body for liquidated damages. The liquidated damages are \$10.00 for each calendar day the records are late.

Only apprentices registered with the Maryland Apprenticeship and Training Council shall be employed on prevailing wage projects. Apprentices shall be paid a percentage of the determined journey person's wage for the specific craft.

Overtime rates shall be paid by the contractor and any subcontractors under its contracts and agreements with their employees which in no event shall be less than time and one-half the prevailing hourly rate of wages for all hours worked in excess of ten (10) hours in any one calendar day; in excess of forty (40) hours per workweek; and work performed on Sundays and legal holidays.

Contractors and subcontractors employing a classification of worker for which a wage rate was not issued SHALL notify the Commissioner of Labor & Industry, Prevailing Wage Unit, for the purpose of obtaining the wage rate for said classification PRIOR TO BEING EMPLOYED on the project. To obtain a prevailing wage rate which was NOT listed on the Wage Determination, a contractor or subcontractor can look on the DLLR webpage under prevailing wage.

Contractors and subcontractors shall maintain a valid copy of proper State and county licenses that permit the contractor and a subcontractor to perform construction work in the State of Maryland. These licenses must be retained at the worksite and available for review upon request by the Commissioner of Labor and Industry's designee.

**\*\*Each contractor under a public work contract subject to Section 17-219 shall:**

1. Post a clearly legible statement of each prevailing wage rate to be paid under the public work contract; and
2. Keep the statement posted during the full time that any employee is employed on the public work contract.
3. The statement of prevailing wage rates shall be posted in a prominent and easily accessible place at the site of the public work.



**\*\*Penalty - Subject to Section 10-1001 of the State Government Article, the Commissioner may impose on a person that violates this section a civil penalty of up to \$50.00 per violation.**

Under the Maryland Apprenticeship and Training Council requirements, consistent with proper supervision, training and continuity of employment and applicable provisions in collective bargaining agreements, a ratio of one journey person regularly employed to one apprentice shall be allowed. No deviation from this ratio shall be permitted without prior written approval from the Maryland Apprenticeship and Training Council.

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The Department of Labor, Licensing and Regulation (DLLR) is moving forward with final adoption of regulations. The regulations were published in the December 14, 2012 edition of the Maryland Register.

**IMPORTANT: Please note that the obligations under this law will become effective on JULY 1, 2013. This law will require that contractors and certain subcontractors make contributions toward apprenticeship and report those contributions on their certified payroll records that they submit pursuant to the prevailing wage law.**

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**For additional information, contact:**  
**Division of Labor and Industry**  
**Maryland Apprenticeship and Training**  
1100 North Eutaw Street, Room 606  
Baltimore, Maryland 21201  
(410) 767-2246  
E-Mail Address: [matp@dllr.state.md.us](mailto:matp@dllr.state.md.us).

STATE OF MARYLAND

DEPARTMENT OF LABOR, LICENSING AND REGULATION  
DIVISION OF LABOR AND INDUSTRY  
PREVAILING WAGE SECTION  
1100 N. Eutaw Street, Room 607  
Baltimore, MD 21201  
(410) 767-2342

The wage rates to be paid laborers and mechanics for the locality described below is announced by order of Commissioner of Labor and Industry.

It is mandatory upon the successful bidder and any subcontractor under him, to pay not less than the specific rates to all workers employed by them in executing contracts in this locality. Reference: Annotated Code of Maryland State Finance and Procurement, Section 17-201 thru 17-226.

These wage rates were taken from the locality survey of 2014 for Prince Georges County, issued pursuant to the Commissioner's authority under State Finance and Procurement Article Section 17-209, Annotated Code of Maryland or subsequent modification.

**\*\*Note:** If additional Prevailing Wage Rates are needed for this project beyond those listed below, contact the Prevailing Wage Unit. Phone: (410) 767-2342, email: prevailingwage@dlr.state.md.

Name and Title of Requesting Officer: Ahmed Baig - Procurement Officer  
Department, Agency or Bureau: Washington Suburban Sanitary Commission  
14501 Sweitzer Lane Laurel , MD 20707

Project Number  
PM0005A15

Determination Number  
23386

Location and Description of work:

Prince Georges County: This contract involves the routine replacements and/or relocations of water mains (up to 12 inch diameter) and sewer mains (up to 10 inch diameter) and their associated appurtenances in public rights of way or within WSSC easements.

Date of Issue: Dec 29, 2014

**HIGHWAY CONSTRUCTION**

| CLASSIFICATION                       | MODIFICATION<br>REASON | BASIC<br>HOURLY<br>RATE | BORROWED<br>FROM | FRINGE<br>BENEFIT<br>PAYMENT |
|--------------------------------------|------------------------|-------------------------|------------------|------------------------------|
| CARPENTER                            | AD                     | \$33.65                 |                  | \$3.52                       |
| CARPENTER - SHORING SCAFFOLD BUILDER | AD                     | \$26.01                 | 021              | \$12.55                      |
| CEMENT MASON                         | AD                     | \$19.56                 |                  | \$5.08                       |
| ELECTRICIAN                          | AD                     | \$41.60                 | 031              | \$14.86                      |
| INSULATION WORKER                    | AD                     | \$33.13                 | 031              | \$13.88                      |
| IRONWORKER - FENCE ERECTOR           | AD                     | \$26.38                 | 031              | \$16.44                      |
| IRONWORKER - REINFORCING             | AD                     | \$27.00                 | 031              | \$18.35                      |
| IRONWORKER - STRUCTURAL              | AD                     | \$42.88                 | 031              | \$0.00                       |
| MILLWRIGHT                           | AD                     | \$31.49                 |                  | \$9.18                       |
| PAINTER - BRIDGE                     | AD                     | \$33.23                 |                  | \$9.40                       |
| PILEDRIIVER                          | AD                     | \$26.89                 |                  | \$8.78                       |

|                                                   |    |         |     |           |
|---------------------------------------------------|----|---------|-----|-----------|
| POWER EQUIPMENT OPERATOR - BACKHOE                | AD | \$25.00 |     | \$7.92    |
| POWER EQUIPMENT OPERATOR - BROOM / SWEEPER        | AD | \$14.00 | 021 | \$0.66    |
| POWER EQUIPMENT OPERATOR - BULLDOZER              | AD | \$35.51 |     | \$2.04    |
| POWER EQUIPMENT OPERATOR - CRANE                  | AD | \$30.30 |     | \$15.30 a |
| POWER EQUIPMENT OPERATOR - EXCAVATOR              | AD | \$26.97 |     | \$7.55    |
| POWER EQUIPMENT OPERATOR - GRADALL                | AD | \$25.26 |     | \$0.00 a  |
| POWER EQUIPMENT OPERATOR - GRADER                 | AD | \$22.00 | 031 | \$9.25    |
| POWER EQUIPMENT OPERATOR - GUARD RAIL POST DRIVER | AD | \$24.85 | 031 | \$8.12    |
| POWER EQUIPMENT OPERATOR - LOADER                 | AD | \$26.97 |     | \$7.55    |
| POWER EQUIPMENT OPERATOR - MILLING MACHINE        | AD | \$29.92 |     | \$10.20 a |
| POWER EQUIPMENT OPERATOR - PAVER                  | AD | \$23.05 |     | \$10.20   |
| POWER EQUIPMENT OPERATOR - ROLLER - ASPHALT       | AD | \$34.17 |     | \$11.88   |
| POWER EQUIPMENT OPERATOR - ROLLER - EARTH         | AD | \$17.50 |     | \$1.05    |
| POWER EQUIPMENT OPERATOR - SCREED                 | AD | \$17.97 |     | \$5.85    |
| POWER EQUIPMENT OPERATOR - SKID STEER-BOBCAT      | AD | \$19.60 | 031 | \$3.82    |
| POWER EQUIPMENT OPERATOR - TRENCHER               | AD | \$29.01 | 031 | \$15.23   |
| TILE & TERRAZZO FINISHER                          | AD | \$21.48 | 031 | \$9.34    |
| TRUCK DRIVER - A FRAME                            | AD | \$22.97 |     | \$7.03    |
| TRUCK DRIVER - DUMP                               | AD | \$20.30 |     | \$3.75    |
| TRUCK DRIVER - DUMP - ARTICULATING                | AD | \$20.90 | 031 | \$8.13    |
| TRUCK DRIVER - FLATBED                            | AD | \$20.00 |     | \$9.48    |
| TRUCK DRIVER - LOWBOY                             | AD | \$22.19 |     | \$7.03    |
| TRUCK DRIVER - TACK/TAR TRUCK                     | AD | \$20.50 | 031 | \$1.08    |
| TRUCK DRIVER - TRACTOR TRAILER                    | AD | \$22.19 | 031 | \$9.48    |
| TRUCK DRIVER - WATER                              | AD | \$26.97 |     | \$7.55    |
| <b>LABORER GROUP II</b>                           |    |         |     |           |
| LABORER - ASPHALT RAKER                           | AD | \$18.54 |     | \$4.84    |
| LABORER - COMMON                                  | AD | \$18.54 |     | \$4.84    |
| LABORER - CONCRETE PUDDLER                        | AD | \$18.54 |     | \$4.84    |
| LABORER - CONCRETE TENDER                         | AD | \$18.54 |     | \$4.84    |
| LABORER - CONCRETE VIBRATOR                       | AD | \$18.54 |     | \$4.84    |
| LABORER - DENSITY GAUGE                           | AD | \$18.54 |     | \$4.84    |
| LABORER - FIREPROOFER - MIXER                     | AD | \$18.54 |     | \$4.84    |
| LABORER - FLAGGER                                 | AD | \$18.54 |     | \$4.84    |
| LABORER - GRADE CHECKER                           | AD | \$18.54 |     | \$4.84    |
| LABORER - HAND ROLLER                             | AD | \$18.54 |     | \$4.84    |
| LABORER - JACKHAMMER                              | AD | \$18.54 |     | \$4.84    |
| LABORER - LANDSCAPING                             | AD | \$18.54 |     | \$4.84    |
| LABORER - LAYOUT                                  | AD | \$18.54 |     | \$4.84    |
| LABORER - LUTEMAN                                 | AD | \$18.54 |     | \$4.84    |
| LABORER - MORTAR MIXER                            | AD | \$18.54 |     | \$4.84    |
| LABORER - PLASTERER - HANDLER                     | AD | \$18.54 |     | \$4.84    |
| LABORER - TAMPER                                  | AD | \$18.54 |     | \$4.84    |
| <b>LABORERS GROUP I</b>                           |    |         |     |           |
| LABORER - AIR TOOL OPERATOR                       | AD | \$17.25 |     | \$3.50    |
| LABORER - ASPHALT PAVER                           | AD | \$17.25 |     | \$3.50    |

|                                      |    |         |        |
|--------------------------------------|----|---------|--------|
| LABORER - BLASTER - DYNAMITE         | AD | \$17.25 | \$3.50 |
| LABORER - BURNER                     | AD | \$17.25 | \$3.50 |
| LABORER - CONCRETE SURFACER          | AD | \$17.25 | \$3.50 |
| LABORER - HAZARDOUS MATERIAL HANDLER | AD | \$17.25 | \$3.50 |
| LABORER - MASON TENDER               | AD | \$17.25 | \$3.50 |
| LABORER - PIPELAYER                  | AD | \$17.25 | \$3.50 |
| LABORER - SCAFFOLD BUILDER           | AD | \$17.25 | \$3.50 |

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FRINGE REFERENCES AS NOTED:

- a. PAID HOLIDAYS: New Year Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day & Christmas Day.
- b. PAID VACATIONS: Employees with 1 year service - 1 week paid vacation;  
2 years service - 2 weeks paid vacation;  
10 years service - 3 weeks paid vacation.

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**Incidental Craft Data: Caulker, Man Lift Operator, Rigger, Scaffold Builder, and Welder** receive the wage and fringe rates prescribed for the craft performing the operation to which welding, scaffold building, rigging, operating a Man Lift, or caulking is incidental.

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These **Informational Prevailing Wage Rates** may not be substituted for the requirements of pre-advertisement or onsite job posting for a public work contract that exceeds \$500,000 in value and either of the following criteria are met: (1) the contracting body is a unit of State government or an instrumentality of the State and there is any State funding for the project; or (2) the contracting body is a political subdivision, agency, person or entity (such as a county) and the State funds 50% or more of the project.

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Modification Codes:

- (AD) 17-209 Annual Determination from Survey Wage Data Received  
(CH) 17-211 Commissioners' Hearing  
(CR) 17-208 Commissioners' Review  
(SR) 17-208 Survey Review by Staff

Each "Borrowed From" county is identified with the FIPS 3-digit county code unique for the specific jurisdiction in Maryland.

For additional information on the FIPS (Federal Information Processing Standard) code, see <http://www.census.gov/datamap/fipslist/AllSt.txt>

The Prevailing Wage rates appearing on this form were originally derived from Maryland's annual Wage Survey. The Commissioner of Labor & Industry encourages all contractors and interested groups to participate in the voluntary Wage Survey, detailing wage rates paid to workers on various types of construction throughout Maryland.

A mail list of both street and email addresses is maintained by the Prevailing Wage Unit to enable up-to-date prevailing wage information, including Wage Survey notices to be sent to contractors and other interested parties. If you would like to be included in the mailing list, please forward (1) your Name, (2) the name of your company (if applicable), (3) your complete postal mailing address, (4) your email address and (5) your telephone number to PWMAILINGLIST@dlr.state.md.us. Requests for inclusion can also be mailed to: Prevailing Wage, 1100 N. Eutaw Street - Room 607, Baltimore MD 21201-2201.

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**PART IV**

**WASHINGTON SUBURBAN SANITARY COMMISSION**

**PROCUREMENT OFFICE**

**SCOPE / STATEMENT OF WORK (SOW) / TECHNICAL DOCUMENTS**

**Contract No. PM0005A15**

**INCORPORATION BY REFERENCE**

**This Solicitation incorporates by reference the Standard Specifications and Standard Details on the WSSC website ( with the exception of any “General Condition s” listed, which shall be specifically identified in Part II of this Solicitation)**

<https://www.wsscwater.com/business--construction/regulatory--licensing-services/general-conditions--standards-sp.html>

**The Standard Specifications and Standard Details listed are included and incorporated in this Solicitation as if specifically set forth herein.**

## **CONTRACTOR QUALIFICATIONS**

- A. The Prime Contractor must have successfully performed (within North America) on a minimum of five (5) water main rehabilitation/relocation contracts and demonstrate that it has been in business for a minimum of five (5) years.
- B. The Prime Contractor must have successfully rehabilitated (within North America) a minimum of 5 miles of water main of 8 to 12 inches in size in public rights of way.
- C. The Prime Contractor must have experience with the following types of pipeline material, PCCP, Ductile Iron, copper and PVC.
- D. All key personnel (foreman, supervisor) must have a minimum five (5) year work history in water main rehabilitation/relocation.
- E. Preference will be given to a Prime Contractor with a Master Plumber and/or Civil Engineer on staff would be preferred.
- F. The team (prime or sub) must have experience in each of the following areas of expertise: vault, pipe, valve and fittings installation, concrete and pavement saw-cutting, pipe tapping, concrete and pavement placement, hauling, removal and replacement of landscaping, tree removal, sediment control and traffic control. Any requests to replace a key person or subcontractor must meet these qualifications and must be approved in writing by WSSC.
- G. Minimum Traffic Control Qualifications: Provide resume of one field individual as a Flagger and one field individual as a Traffic Manager, both certified by the State of Maryland (the ATSSA – American Traffic Safety Services Association – Certification is recognized by SHA and accepted by WSSC to fulfill the requirement for Flagger.
- H. Minimum Erosion and Sediment Control Qualifications: Provide a resume of at least one supervisory field individual with a State of Maryland Erosion and Sediment Control Training and Certification.
- I. Minimum Chlorination and De-Chlorination Qualifications: Provide a resume of at least one Field Supervisor with 3 years of experience in chlorination and de-chlorination of pressurized water pipes using pressurized liquid chlorine as described in AWWA B301 or method described in AWWA C651.

**INDEFINITE DELIVERY, INDEFINITE QUANTITY FOR WATER MAIN  
REPLACEMENTS AND/OR RELOCATIONS WITHIN MONTGOMERY AND PRINCE  
GEORGE'S COUNTIES, MARYLAND**

**Description of Project:** This contract involves the routine replacements and/or relocations of water mains (up to 12 inch diameter) and sewer mains (up to 10 inch diameter) and their associated appurtenances in public rights of way or within WSSC easements in various locations in Montgomery and Prince George's Counties, Maryland. It is the intent of the Commission to provide the majority of the material for each task. The specifics details of the material supply will be laid out in the special provisions for each task. Contractor will be responsible for temporary and permanent patches; mill and overlay will be performed by others and is not part of this contract.

The COMMISSION intends to award a Contract to multiple Prime Contractors for a base term of two (2) years with two (2) two year option terms that can be exercised at the discretion of the Commission. The not to exceed amount for this multiple award contract is \$80,000,000.00 annually. Vendors are not guaranteed any work under this contract. This will be an indefinite delivery, indefinite quantity contract. Task Orders will be awarded on a competitive and/or negotiated basis.

## **AWARD OF TASK ORDERS**

### **1. CONTRACT DOCUMENTS**

Work described herein shall be in accordance with the most current WSSC General Conditions & Standard Specifications as modified, amplified or otherwise changed by the Supplemental General Conditions, Special Conditions, Special Provisions, and most current Standard Details along with other documents including additional or revised Standard Details contained in the Contract Specifications Book and in accordance with the Drawings. WSSC General Conditions & Standard Specifications and Standard Details are located on WSSC's website at:

<http://www.wsscwater.com/home/jsp/content/wwwwww.faces>

### **2. BACKGROUND CHECKS**

A. Prior to the execution of the Contract, background investigations must be completed for all Contractor employees that will work on this contract. The background investigations will be conducted by a Commission approved security agency which shall include work, driving, and criminal history.

B. Any changes in the list of Contractors' authorized personnel shall be forwarded to the Contract Manager for approval prior to the change being made.

### **3. BIDDING OF TASK ORDERS**

All task orders will be competitively bid and/or negotiated and will be awarded through the WSSC E-Builder document management system by the Procurement Office.

Contractors will be notified via E-Builder of a new task order and shall be provided via E-Builder the Construction Bid Documents that will include: the project scope of work, the required completion time, bid schedule, design plans and/or specifications, and any other relevant documents.

The Contractor shall review the Construction Bid Documents and submit their bid schedule via E-Builder by the due date specified in the task order. After receipt, the Commission will review the bids provided by each Contractor. Award of task orders will take into account the following factors:

Price  
Past Performance  
Schedule  
Contractor Availability

All participating contractors shall be notified of the task order award decision.



The unit costs submitted in the price proposal will be developed based on the attached bid item schedule, specifications, and the constructability assumptions listed below. The proposal bid schedule unit costs shall act as maximum ceiling price for the individual tasks when these assumptions are met on all or any task bid item or portion thereof. Vendors may submit lower unit prices for each task order or portions thereof to account for specific site conditions and design variability. Any bid schedule items or portions thereof that deviate from the assumptions listed below will be captured as separate items on the individual task bid schedule and shall be priced by the bidders at the time the individual tasks are bid.

- The Construction completion schedule is developed based on an overall project productivity rate that does not exceed 1.5 miles of substantially complete watermain replacements in one year. In the event the task specific construction completion schedule prescribes a higher productivity rate, the first 1.5 miles/year will be bid at or below the proposal ceiling unit prices. The remaining production length above the 1.5 miles/year threshold shall be captured as a separate item on the individual task bid schedule and shall be priced by the bidders at the time the individual tasks are bid.
- Mains to be replaced are not asbestos pipes.
- The watermain replacement length per task is not below 0.5 miles.
- Replacements take place on paved roads classified by the Federal Highway Administration (FHWA) as local, minor collectors, major collectors, or rural arterials as defined in the latest FHWA Highway Functional Classification report [http://www.fhwa.dot.gov/planning/processes/statewide/related/highway\\_functional\\_classifications/](http://www.fhwa.dot.gov/planning/processes/statewide/related/highway_functional_classifications/)
- Normal working hours based on the definition in the standard specification.
- The trench depth does not exceed 7 feet for open trench water main replacements and 10 feet for open trench sewer main replacements.
- The trench depth does not exceed 20 feet for Jack and Bore replacements.
- The Jack and Bore length shall not exceed 150 feet.
- Excavation does not encounter rock or high water tables.

Bid Bonds are required for all task orders. The Bid Bond maybe submitted electronically with the bid schedule via E-Builder. Bids submitted without a bid bond will be deemed non responsible. The selected awardee for the task order will submit an original fully executed bid bond to the Procurement Office within 24 hours of request.

WSSC reserves the right to award a task order on a negotiated basis or to use alternate procurement methods to award the work outside of this contract. WSSC may directly negotiate with a vendor for award of a task.

WSSC may request a Best and Final Offer (BAFO) from each vendor.

Vendors must bid on each task order. Failure to do so shall be construed as a breach of Contract and may result in termination by default of the Contract by the Commission.

Upon receipt of a Task Order Notice to Proceed, the Contractor shall secure and provide all labor, material, equipment and services which will be needed to perform the work. All work shall be inspected for conformance with the Contract and the Task Order by the Commission.

4. ASSIGNMENT OF WORK

- A. Performance Bond, Labor and Material Payment Bond and Maintenance Bond Letter of Intent shall each be provided at 100% of the price of the Task Order.
- B. Work will be assigned to the Contractors via a Task Order Notice to Proceed. The Task Order Notice to Proceed will state the specific scope, task order duration, and price.
- C. The Contractor will be responsible for printing Design Documents from E-Builder.
  - 1) Design Documents may include, but not be limited to, the following:
    - Additional Special Provisions/Special Conditions
    - Location and Layout of Work
    - Maps
    - Design Drawings
    - Geotechnical Investigation Report
    - Pavement Coring Results
    - Test Pit Results
    - All necessary Permits, other than those that are the responsibility of the Contractor, to complete the project
- D. No work shall begin until a Task Order Notice to Proceed is received from the Commission. Materials ordered or work done prior to receipt of a Task Order Notice to Proceed shall be at the Contractor's risk. The Contractor shall initiate field production work on the Task Order within 21 calendar days or as directed by the contract manager after the execution date of the Notice to Proceed. Failure to do so shall be construed as a breach of Contract and may result in termination by default of the Contract by the Commission.
- E. Within 10 calendar days after each Task Order Notice to Proceed, the Contract Manager may arrange a mandatory Pre-Construction Meeting with the Contractor. Discussions shall include but not be limited to, the following items: Task Order requirements; Contractor's suggested sequence of construction and progress

schedule; Erosion and Sediment Control Permit and compliance; Commission procedural requirements; Contractor Performance Evaluation; Contractor's coordination with the Commission, other agencies, other Contractors, and property owners; Contractor's Subcontractors and list of all material and equipment he/she will purchase giving name, address and telephone number of supplier. Failure of the Contractor to attend this meeting may be just cause for removal of the Task Order. The Contractor shall provide an emergency contact list five (5) days prior to the Pre-Construction Meeting including contact names, titles, and phone numbers

5. ADDITIONAL WORK

- A. The Commission may negotiate pricing for work that is not included in the Design Documents or for sites not specified in the Task Order. If additional work is required, the Contractor shall perform it on a negotiated all-inclusive lump sum price or time and materials basis, whichever is determined to be appropriate by the Commission. The Contractor shall not perform any additional work until such time as a written Task Order Amendment has been issued by the Contract Manager.
- B. All cost proposals for additional work prepared by the Contractor at the Commission's request shall be at no cost to the Commission. The Contractor agrees that the cost proposals shall be the maximum project cost if accepted by the Commission. The Contractor agrees that the Commission shall bear no liability or responsibility to the Contractor for payment of any costs or charges in excess of the amount identified in the proposal.
- C. Proposals shall be prepared and submitted in writing on the Contractor's letterhead. The Contractor's proposals shall include, at a minimum, the location of the project, a detailed description of the scope for the additional work, start and completion dates, and the lump sum price.

SPECIAL PROVISIONS  
SECTION 02510a  
WATER DISTRIBUTION SYSTEM

Follow requirements of Standard Specifications Section 02510 except as indicated herein for projects requiring the contractor furnish most materials.

PART 1 GENERAL

1.2 REQUIREMENTS FOR MANUFACTURERS AND SUPPLIERS AND CONTRACTORS BEFORE DELIVERY

ADD

G. Qualifications for insertion valve equipment installer:

1. Experience: Actively engaged in insertion valve installation for minimum of 3 years, with at least 5 projects in the last 3 years of similar size and type.
2. Field supervisory personnel: Experienced in performance of work and tasks stated herein for minimum of 3 years.

1.3 SUBMITTALS

A. Submit following Section 01330.

6. DELETE paragraph designation only, SUBSTITUTE 7.

ADD

6. Manufacturer's shop drawings for insertion valve installation, including but not limited to; pipe taps, drilling apparatus, insertion valves, tapping valves and all other equipment and materials necessary to complete the work.

PART 2 PRODUCTS

2.1 MATERIALS

A. Pipe and Fittings

1. General:

- c. The Commission will furnish:

~~DELETE 1) through 15) and 17) through 23)~~

2. DIP:

- c. Flanged Pipe and Fittings:

1) Flanged pipe: AWWA C115 and requirements for pipe above.

- a) Approved Manufacturers for Flanged Pipe:

ADD

(9) Custom Fab, Inc.

3. External Coating System: When shown on Drawings, coat outside of pipe, fittings, valves, valve boxes and extension stems with external coating system as identified below.
  - d. Shop Applied Materials.
    - 2) After “following”; ADD “NACE SP0185 and”
  - e. Field Applied Materials.
    - 2) Coating Ductile Iron Pipe Joints: One of the following systems.
      - a) DELETE in its entirety, SUBSTITUTE;
      - a) Joint wrap and repair tape: Two component extruded tape consisting of polyethylene and butyl rubber adhesive following AWWA C209.
        - (1) Thickness: 35 mils (7 mils polyethylene backing, 28 mils butyl rubber adhesive).
        - (2) Adhesion: 225 oz/in width (ASTM D1000).
        - (3) Tensile strength: 15 lbs/in width (ASTM 1000)
        - (4) Water vapor transmission rate: 0.05 gm/100 in<sup>2</sup>/24 hrs.
        - (5) Dielectric strength: 23kV (ASTM D149).
        - (6) Insulation resistance 1.4 x 10<sup>7</sup> M Ohms (ASTM D257)
        - (7) Tape width: As recommended by coating manufacturer.
        - (8) Use filler tape, recommended by the joint tape manufacturer to fill uneven areas at the top of pipe joint to assure smooth application of joint wrap tape.
        - (9) Approved manufacturer: Polyken 939 or equal.
        - (10)
4. PVC Pipe and Fittings.
  - a DELETE in its entirety, SUBSTITUTE;
  - a. Pipe 12 inch and smaller: AWWA C900, Pipe 14 inch and larger: AWWA C905 as modified herein or unless otherwise indicated elsewhere in Contract Documents, suitable for potable water use.
    - 1) Class and thickness: DR14 or as noted on the drawings, with DIP equivalent outer diameters.
    - 2) Potable water use: NSF61.
    - 3) Pipe markings: AWWA C900 and AWWA C905
    - 4) Joining pipes: Utilize elastomeric gasket push on joints following AWWA C900 and AWWA C905
    - 5) Approved Manufacturers:
      - a) For PVC Pipe requiring joint deflections:
        - (1) IPEX
        - (2) National Pipe and Plastic, Inc.
        - (3) Plastic Trends US Subsidiary of Royal Building Products
      - b) For PVC Pipe requiring no joint deflections:
        - (1) JM Eagle<sup>TM</sup>
        - (2) Diamond Plastic Corp.
        - (3) North American Pipe

10. and 11. DELETE paragraph designations only, SUBSTITUTE 11. and 12., respectively.

ADD

10. Insertion Valve.

a. General.

- 1) Rated at minimum working pressure of 150 psi and hydrostatic test pressure of 250 psi.
- 2) Vertical orientation required.
- 3) Lined waterways of all ferrous materials: Fusion bonded epoxy, EPA or NSF approved for potable water, minimum thickness 12 mils, following AWWA C213.
- 4) Exterior coating of all ferrous materials: Fusion bonded epoxy minimum thickness 12 mils, following AWWA C-213.
- 5) Externally accessible bolts, nuts and washers:
  - a) High strength, low alloy, following ANSI A21.11.
  - b) Type 304 Stainless Steel.

b. Valve Body.

- 1) Three part pressure-tight assembly suitable for potable water ranging in temperature from 32 degrees F to 100 degrees F.
  - a) Two piece sleeve properly shaped and of adequate strength to ensure proper mounting and pressure tight seal around existing cast iron or ductile iron pipes.
  - b) Bonnet or Cartridge Closure Flange.
    - (1) To complete the pressure tight seal for the insertion valve.
  - c) Cast from gray iron, ductile iron or material manufactured from ASTM A283 Grade C, ASTM A36, Stainless Steel Type 304, or equal.
- 2) Valve seat: Resilient rubber to provide pressure-tight bi-directional seal when valve is closed.
- 3) Valve stem: Stainless steel or bronze following requirements of AWWA C500, C509 or C515.
- 4) Operating nut: AWWA, 2-inch square, turned counterclockwise to open for non-rising stem with standard AWWA numbers of turns to open valve.

c. Tapping Equipment.

- 1) Furnished by Fabricator/Installer.
- 2) Remove existing pipe material during tapping or milling operation.

d. Approved Valve, Tapping Equipment Fabricator/Installers:

- 1) Advanced Valve Technologies, LLC; 4 inch through 12 inch.
- 2) Hydra-Stop (Divisiton of ADS, LLC); 4 inch through 12 inch
- 3) Team Industrial Services; 4 inch through 12 inch.
- 4) Or equal.

B. Joint Material:

4. Joint Restraining Material.

d. Restrained joint for PVC Pipe push-on joint: Meet Uni-B-13.

2) DELETE in its entirety.

C. Valves:

1. Gate Valves, Resilient Seated, sizes 3 inch through 14 inch: Designed, built and tested following AWWA C509 or AWWA C515 except as modified herein.
  - d. Valve stem extension: Follow Standard Details.
    - 1) DELETE in its entirety, SUBSTITUTE;
    - 1) Approved manufacturers:
      - a) The General Engineering Company, Model/Series WVR-XXWS4D
      - b) Kravitch Machine Company, Model/Series GVENXXXCR.
      - c) Or equal.
2. Gate Valves, Double Disc, Class 125: Built and tested following AWWA C500 with gray or ductile iron body, bronze mounted, parallel seat, double disc with nonrising stem, nut operated to open left with 2-inch square operating nut.
  - f. DELETE in its entirety, SUBSTITUTE;
  - f. Valve Stem Extension: See Resilient Seated Gate Valves.
3. Gate Valves, double disc, sizes 16 inch through 48 inch for high working pressure applications.
  - e. DELETE in its entirety, SUBSTITUTE;
  - e. Valve Stem Extension: See Resilient Seated Gate Valves.
4. through 14. DELETE paragraph designations only; SUBSTITUTE 5. through 15. respectively.

ADD

4. Gate Valves, double disc, sizes 16 inch through 48 inch for normal working pressure applications.
  - a. Designed, built and tested following AWWA C500 except as modified herein.
  - b. Working pressure rating: 150 psi.
  - c. General Configuration:
    - 1) Non-rising stem, metal seated, parallel, double disc design for installation in horizontal or near horizontal pipe lines.
    - 2) Operated with AWWA, 2 inch square operating nut turned counterclockwise to open.
  - d. Non-Direct buried only.
    - 1) Horizontal orientation required.
    - 2) ANSI B16.1 Class 125 flanges..
  - e. Valve Stem extension: See Resilient Seated Gate Valves.
  - f. Corrosion resistant coating:
    - 1) Follow AWWA C550 and NSF 61 certified.
    - 2) Minimum 8 mils dry film thickness.
    - 3) Tnemec N140-1211 epoxy or Amerlock 2 red oxide epoxy by Ameron International: Applied in two coats to interior and exterior ferrous metal surfaces after rendering surfaces free from grease, dirt and moisture, and performing near-white, blast cleaning following SSPC-SP10/NACE 2.
    - 4) Do not coat fasteners or machined surfaces subject to contact and relative movement against other surfaces during operation of valve or other surfaces

where such a coating would compromise the proper installation or functionality of the valve.

- g. Externally accessible bolts, nuts and washers: Type 304 Stainless steel.
- h. Pipe plug:
  - 1) Minimum 3/4 inch solid brass.
  - 2) Install with Teflon tape seal in tapped boss on bonnet or body.
- i. Gear case: Following AWWA C500. Sealed, grease filled with bevel gearing operated from above via 2 inch square nut. Acceptable gear ratios:

| Valve Size | Ratio      | Valve Size | Ratio      |
|------------|------------|------------|------------|
| 16"        | 2:1 to 4:1 | 30"        | 4:1 to 6:1 |
| 18"        | 3:1 to 4:1 | 36"        | 4:1 to 6:1 |
| 20"        | 3:1 to 4:1 | 42"        | 6:1 to 8:1 |
| 24"        | 3:1 to 4:1 | 48"        | 8:1        |

- j. Bypass gate valve: Following AWWA C500.
  - 1) Locate at end of body opposite stem location.
  - 2) Operation of bypass from above via 2 inch square nut.
- k. Rollers, tracks and scrapers required or rolling disc design with tracks and scrapers acceptable in lieu of separate rollers on disc.
- l. Manufacturers and Models:
  - 1) American R/D 52.
  - 2) Ludlow Rensselaer Division of Patterson Pump Co. Model List 13a.
  - 3) Clow Valve Co. figure no. F-5070,
  - 4) Kennedy Valve Co. style #C561/F5070,
  - 5) Mueller Company catalog no 2380.
- m. Tapping Valves.
  - 1) Waterway sized to provide clearance for tapping machine cutter with minimum diameter 1/2 inch less than size of valve.
  - 2) Non-Direct buried.
    - a) Horizontal orientation required.
    - b) Inlet end.
      - (1) ANSI B16.1 class 125.
      - (2) Flange with face having annular projection (configured following Manufacturers Standardization Society of Valve and Fitting Industry, SP-60) to center valve in recess of tapping flange (for gray iron and ductile iron pipe) or tapping assembly (for PCC pipe)
    - c) Outlet end: Following ANSI B16.1, class 125 Flange for connection to tapping machine adapter.
    - d) Gear case: Following AWWA C500. Sealed, grease filled with bevel gearing operated from above via 2 inch square nut. Acceptable gear ratios:

| Valve Size | Ratio | Valve Size | Ratio |
|------------|-------|------------|-------|
|------------|-------|------------|-------|



|     |            |     |            |
|-----|------------|-----|------------|
| 16" | 2:1 to 4:1 | 30" | 4:1 to 6:1 |
| 18" | 3:1 to 4:1 | 36" | 4:1 to 6:1 |
| 20" | 3:1 to 4:1 | 42" | 6:1 to 8:1 |
| 24" | 3:1 to 4:1 | 48" | 8:1        |

- 3) Bypass gate valve: Following AWWA C500.
    - a) Locate at end of body opposite stem location.
    - b) Operation of bypass from above via 2 inch square nut.
  - 4) Rollers, tracks and scrapers required or rolling disc design with tracks and scrapers acceptable in lieu of separate rollers on disc.
  - 5) Approved Manufacturers and Models:
    - a) American R/D 52.
    - b) Ludlow Rensselaer Division of Patterson Pump Co. Model List 13a.
- F. Backflow Preventer and Basket Strainer for Temporary Water Main and Hydrostatic Testing: Reduced pressure principal type, flanged and supplied complete with integral valves, following the American Society of Safety Engineers Standard No. 1013 and AWWA C510.
3. Approved Manufacturer.
    - a. through d. DELETE in its entirety, SUBSTITUTE
      - a. Wilkins (Zurn Industries)
      - b. Or equal.
- H. DELETE in its entirety, SUBSTITUTE;
- H. Field Applied Coating: Cold applied petrolatum or petroleum wax.
1. Primer, Mastic, and Tape/wrap: AWWA C217 or NACE RP0375 and manufactured for buried or submerged applications.
  2. Petrolatum or Petroleum Wax Tape/Wrap: Minimum thickness of 40 mils.
  3. Approved Manufacturers:
    - a. Denso Incorporated.
    - b. Tapecoat Company.
    - c. Trenton Corporation.
- I Polyethylene Encasement: AWWA C105.
4. Approved Manufacturers:
    - ADD
      - f. T. Christy Enterprise, Inc.
- J. DELETE in its entirety, SUBSTITUTE;
- J. Detectable Warning Tape: See Section 02315

## PART 3 EXECUTION

### 3.2 INSTALLATION OF WATER MAIN

B. Handling of Pipe and Fittings: Ductile iron pipe and fittings, valves, and appurtenances handled following AWWA C600, and PVC pipe following AWWA C605.

3. Coated Pipe.

- b. DELETE in its entirety, SUBSTITUTE;
- b. Test coating for flaws electrically with holiday detector, following NACE SP0274 or SP0188. Repair holidays and recheck. Coating must be verified free of holidays prior to use.

D. Pipe Placement

ADD

7. Detectable Warning Tape.

- a. Place detectable tape in trench as follows;
  - 1) Use Blue tape for water mainlines and water service connections. See section 02315.
  - 2) Use Yellow tape for coated pipe and test station lead wires. See Section 02315 and 13110.
  - 3) Use Red tape for restrained joint pipe. See below and Section 02315.

3.10 through 3.16, DELETE paragraph designations only, SUBSTITUTE; 3.11 through 3.17 respectively.

ADD

3.10 INSERTION VALVE

A. Before ordering insertion valve.

- 1. Clean existing pipe. Make circumferential measurement of pipe. Check for roundness to verify sleeve will fit.
- 2. Prior to backfilling, repair any damage to existing pipe coating, with suitable coating material to original line of coating as directed by pipe manufacturer's technical representative at no additional expense to the Commission.

B. Installation of Insertion valve.

- 1. Excavate around and clean existing pipe.
- 2. Check pipe outside diameter and roundness to verify assembly will fit.
- 3. Provide materials and equipment to perform installation of insertion valve.
- 4. Provide blocking/ support following Drawings.
- 5. Approved Tapping Equipment Fabricator/Installer to install insertion valve.
  - 1) Advance Valve, Tapping Equipment Fabricator/Installers:
  - 2) Hydra-Stop (Division of ADS, LLC) 4 inch through 12 inch.
  - 3) Team Industrial Services, 4 inch through 12 inch.
  - 4) Or equal.

C. Tapping Sleeve and Valve Procedure for Gray Iron and DIP and PVC pipe.

- 1. Before Tapping Pipe:
  - a. Clean existing pipe and check pipe outside diameter and roundness to verify that sleeve will fit.

ADD

- b. If poured lead joint is encountered during excavation, the contractor shall submit photographic evidence to the contract manager. The contractor shall instead install a tee and valve, restrain valve to tee, remove the existing joint, and connect the new main to the existing main using mechanical joints. Before removing and replacing the joint, clean the existing pipe and check the existing pipe outside diameter and roundness to verify that the new solid sleeve and pipe will be watertight.

### 3.13 CONNECTIONS TO EXISTING MAINS

B. Before pipe installation see Excavation under INSTALLATION OF WATER MAIN previously specified herein.

- 1. Do not cut existing pipe closer than 18 inches to joint bell unless joint bell will be removed.

ADD

- 2. If poured lead joint is encountered during excavation, the contractor shall submit photographic evidence to the contract manager. Connect the new main to the existing main using mechanical joints. Before removing and replacing the joint, clean the existing pipe and check the existing pipe outside diameter and roundness to verify that the new solid sleeve and pipe will be watertight.

C. Shutdowns.

- 1. Mains smaller than 16 inches: Operate valves for shutdown. Mains 16 inches and larger: Commission will operate valves for shutdown.

ADD

- f. Prior to any modification that involves the penetration of PCCP mains (i.e. the installation of valves, tees, etc.), confirm that the affected portions of PCCP main had been depressurized, using available service connections, hydrants or blow offs. If none exist, provide a minimum 2 inch service tap prior to cutting the PCCP main to confirm that a sealed shutdown was successful.

ADD

- 2. When the trench excavation encounters existing poured lead joint on existing pipe, the contractor shall submit photographic evidence to the contract manager. Before removing and replacing the joint, clean the existing pipe and check the existing pipe outside diameter and roundness to verify that the new solid sleeve and pipe will be watertight.

### 3.17 TEMPORARY BYPASS WATER SERVICE SYSTEM

- E. DELETE in its entirety, SUBSTITUTE;
- E. Provide temporary service connection for existing water services less than 2 inch diameter affected by required water main shutdowns.

1. Existing inside meters:
  - a. Connect temporary service using temporary curb stop following Special Detail W/5.16a.
  - b. When temporary service is no longer required, reconnect water service and provide new curb stop and curb box assembly.
2. Existing outside meters:
  - a. Connect temporary service to existing meter following Special Detail W/5.16.
  - b. Use notched meter covers when temporary services are connected.
  - c. Angle ball valves improperly connected to existing meter will be removed and correctly installed by the Commission.
    - 1) A cost of \$500 per incident will be deducted from payment to Contractor.
  - d. When temporary service connection is no longer required:
    - 1) Reconnect water service and provide new meter assembly.
    - 2) Reset existing meter in new assembly.
    - 3) Meters improperly installed will be removed and correctly installed by the Commission.
      - a) A cost of \$500 per incident will be deducted from payment to Contractor.
- I. Disinfect temporary bypass piping, including temporary house services, utilizing distribution system residual.
  2. DELETE in its entirety, SUBTITUTE;
  2. Results of sample analysis will be available within 3 working days after sampling.

ADD

#### 4.15 TEMPORARY BYPASS

- A. Measurement: By linear foot of mainline to be bypassed. Measured horizontally along the mainline from point of bypass connection at mainline to opposite end of bypass at mainline.
- B. Payment: At unit price for each linear foot listed in Bid Schedule.
  1. Payment includes installation of bypass piping, hoses, corporation stops, valves, fire hydrants, fittings and appurtenances, disinfecting and maintaining bypass line (including all repairs), connection and disconnection to mainline.

SPECIAL PROVISIONS  
SECTION 02510b  
WATER DISTRIBUTION SYSTEM

Follow requirements of Standard Specifications Section 02510 except as indicated herein (intended for projects where WSSC furnishes most materials).

PART 1 GENERAL

1.2 REQUIREMENTS FOR MANUFACTURERS AND SUPPLIERS AND CONTRACTORS BEFORE DELIVERY

ADD

G. Qualifications for insertion valve equipment installer:

1. Experience: Actively engaged in insertion valve installation for minimum of 3 years, with at least 5 projects in the last 3 years of similar size and type.
2. Field supervisory personnel: Experienced in performance of work and tasks stated herein for minimum of 3 years.

1.3 SUBMITTALS

A. Submit following Section 01330.

6. DELETE paragraph designation only, SUBSTITUTE 7.

ADD

6. Manufacturer's shop drawings for insertion valve installation, including but not limited to; pipe taps, drilling apparatus, insertion valves, tapping valves and all other equipment and materials necessary to complete the work.

PART 2 PRODUCTS

2.1 MATERIALS

A. Pipe and Fittings

1. General

2. DIP:

c. Flanged Pipe and Fittings:

- 1) Flanged pipe: AWWA C115 and requirements for pipe above.

- a) Approved Manufacturers for Flanged Pipe:

ADD

(9) Custom Fab, Inc.

3. External Coating System: When shown on Drawings, coat outside of pipe, fittings, valves, valve boxes and extension stems with external coating system as identified below.

- d. Shop Applied Materials.
  - 1) After “following”; ADD “NACE SP0185 and”
- e. Field Applied Materials.
  - 2) Coating Ductile Iron Pipe Joints: One of the following systems.
    - b) DELETE in its entirety, SUBSTITUTE;
    - a) Joint wrap and repair tape: Two component extruded tape consisting of polyethylene and butyl rubber adhesive following AWWA C209.
      - (1) Thickness: 35 mils (7 mils polyethylene backing, 28 mils butyl rubber adhesive).
      - (2) Adhesion: 225 oz/in width (ASTM D1000).
      - (3) Tensile strength: 15 lbs/in width (ASTM 1000)
      - (4) Water vapor transmission rate: 0.05 gm/100 in<sup>2</sup>/24 hrs.
      - (5) Dielectric strength: 23kV (ASTM D149).
      - (6) Insulation resistance 1.4 x 10<sup>7</sup> M Ohms (ASTM D257)
      - (7) Tape width: As recommended by coating manufacturer.
      - (8) Use filler tape, recommended by the joint tape manufacturer to fill uneven areas at the top of pipe joint to assure smooth application of joint wrap tape.
      - (9) Approved manufacturer: Polyken 939 or equal.

4. PVC Pipe and Fittings.

- a DELETE in its entirety, SUBSTITUTE;
- a. Pipe 12 inch and smaller: AWWA C900, Pipe 14 inch and larger: AWWA C905 as modified herein or unless otherwise indicated elsewhere in Contract Documents, suitable for potable water use.
  - 1) Class and thickness: DR14 or as noted on the drawings, with DIP equivalent outer diameters.
  - 2) Potable water use: NSF61.
  - 3) Pipe markings: AWWA C900 and AWWA C905
  - 4) Joining pipes: Utilize elastomeric gasket push on joints following AWWA C900 and AWWA C905
  - 5) Approved Manufacturers:
    - a) For PVC Pipe requiring joint deflections:
      - (1) IPEX
      - (2) National Pipe and Plastic, Inc.
      - (3) Plastic Trends US Subsidiary of Royal Building Products
    - b) For PVC Pipe requiring no joint deflections:
      - (1) JM Eagle<sup>TM</sup>
      - (2) Diamond Plastic Corp.
      - (3) North American Pipe

10. and 11. DELETE paragraph designations only, SUBSTITUTE 11. and 12., respectively.

ADD

10. Insertion Valve.

- a. General.
  - 1) Rated at minimum working pressure of 150 psi and hydrostatic test pressure of 250 psi.
  - 2) Vertical orientation required.
  - 3) Lined waterways of all ferrous materials: Fusion bonded epoxy, EPA or NSF approved for potable water, minimum thickness 12 mils, following AWWA C213.
  - 4) Exterior coating of all ferrous materials: Fusion bonded epoxy minimum thickness 12 mils, following AWWA C-213.
  - 5) Externally accessible bolts, nuts and washers:
    - a) High strength, low alloy, following ANSI A21.11.
    - b) Type 304 Stainless Steel.
- b. Valve Body.
  - 1) Three part pressure-tight assembly suitable for potable water ranging in temperature from 32 degrees F to 100 degrees F.
    - a) Two piece sleeve properly shaped and of adequate strength to ensure proper mounting and pressure tight seal around existing cast iron or ductile iron pipes.
    - b) Bonnet or Cartridge Closure Flange.
      - (1) To complete the pressure tight seal for the insertion valve.
    - c) Cast from gray iron, ductile iron or material manufactured from ASTM A283 Grade C, ASTM A36, Stainless Steel Type 304, or equal.
  - 2) Valve seat: Resilient rubber to provide pressure-tight bi-directional seal when valve is closed.
  - 3) Valve stem: Stainless steel or bronze following requirements of AWWA C500, C509 or C515.
  - 4) Operating nut: AWWA, 2-inch square, turned counterclockwise to open for non-rising stem with standard AWWA numbers of turns to open valve.
- c. Tapping Equipment.
  - 1) Furnished by Fabricator/Installer.
  - 2) Remove existing pipe material during tapping or milling operation.
- d. Approved Valve, Tapping Equipment Fabricator/Installers:
  - 1) Advanced Valve Technologies, LLC; 4 inch through 12 inch.
  - 2) Hydra-Stop (Division of ADS, LLC); 4 inch through 12 inch
  - 3) Team Industrial Services; 4 inch through 12 inch.
  - 4) Or equal.

B. Joint Material:

- 4. Joint Restraining Material.
  - d. Restrained joint for PVC Pipe push-on joint: Meet Uni-B-13.
  - 2) DELETE in its entirety.

C. Valves:

- 1. Gate Valves, Resilient Seated, sizes 3 inch through 14 inch: Designed, built and tested following AWWA C509 or AWWA C515 except as modified herein.

- d. Valve stem extension: Follow Standard Details.
  - 1) DELETE in its entirety, SUBSTITUTE;
  - 1) Approved manufacturers:
    - a) The General Engineering Company, Model/Series WVR-XXWS4D
    - b) Kravitch Machine Company, Model/Series GVENXXXCR.
    - c) Or equal.
- 2. Gate Valves, Double Disc, Class 125: Built and tested following AWWA C500 with gray or ductile iron body, bronze mounted, parallel seat, double disc with nonrising stem, nut operated to open left with 2-inch square operating nut.
  - f. DELETE in its entirety, SUBSTITUTE;
  - f. Valve Stem Extension: See Resilient Seated Gate Valves.
- 3. Gate Valves, double disc, sizes 16 inch through 48 inch for high working pressure applications.
  - e. DELETE in its entirety, SUBSTITUTE;
  - e. Valve Stem Extension: See Resilient Seated Gate Valves.
- 4. through 14. DELETE paragraph designations only; SUBSTITUTE 5. through 15. respectively.

ADD

- 4. Gate Valves, double disc, sizes 16 inch through 48 inch for normal working pressure applications.
  - a. Designed, built and tested following AWWA C500 except as modified herein.
  - b. Working pressure rating: 150 psi.
  - c. General Configuration:
    - 1) Non-rising stem, metal seated, parallel, double disc design for installation in horizontal or near horizontal pipe lines.
    - 2) Operated with AWWA, 2 inch square operating nut turned counterclockwise to open.
  - d. Non-Direct buried only.
    - 1) Horizontal orientation required.
    - 2) ANSI B16.1 Class 125 flanges..
  - e. Valve Stem extension: See Resilient Seated Gate Valves.
  - f. Corrosion resistant coating:
    - 1) Follow AWWA C550 and NSF 61 certified.
    - 2) Minimum 8 mils dry film thickness.
    - 3) Tnemec N140-1211 epoxy or Amerlock 2 red oxide epoxy by Ameron International: Applied in two coats to interior and exterior ferrous metal surfaces after rendering surfaces free from grease, dirt and moisture, and performing near-white, blast cleaning following SSPC-SP10/NACE 2.
    - 4) Do not coat fasteners or machined surfaces subject to contact and relative movement against other surfaces during operation of valve or other surfaces where such a coating would compromise the proper installation or functionality of the valve.
  - g. Externally accessible bolts, nuts and washers: Type 304 Stainless steel.
  - h. Pipe plug:
    - 1) Minimum 3/4 inch solid brass.



- 2) Install with Teflon tape seal in tapped boss on bonnet or body.
- i. Gear case: Following AWWA C500. Sealed, grease filled with bevel gearing operated from above via 2 inch square nut. Acceptable gear ratios:

| Valve Size | Ratio      | Valve Size | Ratio      |
|------------|------------|------------|------------|
| 16"        | 2:1 to 4:1 | 30"        | 4:1 to 6:1 |
| 18"        | 3:1 to 4:1 | 36"        | 4:1 to 6:1 |
| 20"        | 3:1 to 4:1 | 42"        | 6:1 to 8:1 |
| 24"        | 3:1 to 4:1 | 48"        | 8:1        |

- j. Bypass gate valve: Following AWWA C500.
  - 1) Locate at end of body opposite stem location.
  - 2) Operation of bypass from above via 2 inch square nut.
- k. Rollers, tracks and scrapers required or rolling disc design with tracks and scrapers acceptable in lieu of separate rollers on disc.
- l. Manufacturers and Models:
  - 1) American R/D 52.
  - 2) Ludlow Rensselaer Division of Patterson Pump Co. Model List 13a.
  - 3) Clow Valve Co. figure no. F-5070,
  - 4) Kennedy Valve Co. style #C561/F5070,
  - 5) Mueller Company catalog no 2380.
- m. Tapping Valves.
  - 1) Waterway sized to provide clearance for tapping machine cutter with minimum diameter 1/2 inch less than size of valve.
  - 2) Non-Direct buried.
    - a) Horizontal orientation required.
    - b) Inlet end.
      - (1) ANSI B16.1 class 125.
      - (2) Flange with face having annular projection (configured following Manufacturers Standardization Society of Valve and Fitting Industry, SP-60) to center valve in recess of tapping flange (for gray iron and ductile iron pipe) or tapping assembly (for PCC pipe)
    - c) Outlet end: Following ANSI B16.1, class 125 Flange for connection to tapping machine adapter.
    - d) Gear case: Following AWWA C500. Sealed, grease filled with bevel gearing operated from above via 2 inch square nut. Acceptable gear ratios:

| Valve Size | Ratio      | Valve Size | Ratio      |
|------------|------------|------------|------------|
| 16"        | 2:1 to 4:1 | 30"        | 4:1 to 6:1 |
| 18"        | 3:1 to 4:1 | 36"        | 4:1 to 6:1 |
| 20"        | 3:1 to 4:1 | 42"        | 6:1 to 8:1 |
| 24"        | 3:1 to 4:1 | 48"        | 8:1        |

- 3) Bypass gate valve: Following AWWA C500.
    - a) Locate at end of body opposite stem location.
    - b) Operation of bypass from above via 2 inch square nut.
  - 4) Rollers, tracks and scrapers required or rolling disc design with tracks and scrapers acceptable in lieu of separate rollers on disc.
  - 5) Approved Manufacturers and Models:
    - a) American R/D 52.
    - b) Ludlow Rensselaer Division of Patterson Pump Co. Model List 13a.
- F. Backflow Preventer and Basket Strainer for Temporary Water Main and Hydrostatic Testing: Reduced pressure principal type, flanged and supplied complete with integral valves, following the American Society of Safety Engineers Standard No. 1013 and AWWA C510.
3. Approved Manufacturer.
    - a. through d. DELETE in its entirety, SUBSTITUTE
      - a. Wilkins (Zurn Industries)
      - b. Or equal.
- H. DELETE in its entirety, SUBSTITUTE;
- H. Field Applied Coating: Cold applied petrolatum or petroleum wax.
1. Primer, Mastic, and Tape/wrap: AWWA C217 or NACE RP0375 and manufactured for buried or submerged applications.
  2. Petrolatum or Petroleum Wax Tape/Wrap: Minimum thickness of 40 mils.
  3. Approved Manufacturers:
    - a. Denso Incorporated.
    - b. Tapecoat Company.
    - c. Trenton Corporation.
- I Polyethylene Encasement: AWWA C105.
4. Approved Manufacturers:
    - ADD
      - f. T. Christy Enterprise, Inc.
- J. DELETE in its entirety, SUBSTITUTE;
- J. Detectable Warning Tape: See Section 02315

## PART 3 EXECUTION

### 3.2 INSTALLATION OF WATER MAIN

- B. Handling of Pipe and Fittings: Ductile iron pipe and fittings, valves, and appurtenances handled following AWWA C600, and PVC pipe following AWWA C605.
3. Coated Pipe.
    - b. DELETE in its entirety, SUBSTITUTE;

- b. Test coating for flaws electrically with holiday detector, following NACE SP0274 or SP0188. Repair holidays and recheck. Coating must be verified free of holidays prior to use.

#### D. Pipe Placement

#### ADD

7. Detectable Warning Tape.
  - a. Place detectable tape in trench as follows;
    - 1) Use Blue tape for water mainlines and water service connections. See section 02315.
    - 2) Use Yellow tape for coated pipe and test station lead wires. See Section 02315 and 13110.
    - 3) Use Red tape for restrained joint pipe. See below and Section 02315.

3.10 through 3.16, DELETE paragraph designations only, SUBSTITUTE; 3.11 through 3.17 respectively.

#### ADD

#### 3.10 INSERTION VALVE

- A. Before ordering insertion valve.
  1. Clean existing pipe. Make circumferential measurement of pipe. Check for roundness to verify sleeve will fit.
  2. Prior to backfilling, repair any damage to existing pipe coating, with suitable coating material to original line of coating as directed by pipe manufacturer's technical representative at no additional expense to the Commission.
- B. Installation of Insertion valve.
  1. Excavate around and clean existing pipe.
  2. Check pipe outside diameter and roundness to verify assembly will fit.
  3. Provide materials and equipment to perform installation of insertion valve.
  4. Provide blocking/ support following Drawings.
  5. Approved Tapping Equipment Fabricator/Installer to install insertion valve.
    - 1) Advance Valve, Tapping Equipment Fabricator/Installers:
    - 2) Hydra-Stop (Division of ADS, LLC) 4 inch through 12 inch.
    - 3) Team Industrial Services, 4 inch through 12 inch.
    - 4) Or equal.

#### ADD

- C. Tapping Sleeve and Valve Procedure for Gray Iron and DIP and PVC pipe.
  1. Before Tapping Pipe:
    - a. Clean existing pipe and check pipe outside diameter and roundness to verify that sleeve will fit.
    - b. If poured lead joint is encountered during excavation, the contractor shall submit photographic evidence to the contract manager. The contractor shall remove the existing joint and install a mechanical joint tee and valve, restrain

valve to tee.

### 3.13 CONNECTIONS TO EXISTING MAINS

B. Before pipe installation see Excavation under INSTALLATION OF WATER MAIN previously specified herein.

1. Do not cut existing pipe closer than 18 inches to joint bell unless joint bell will be removed.

ADD

2. If poured lead joint is encountered during excavation, the contractor shall submit photographic evidence to the contract manager. Connect the new main to the existing main using mechanical joints. Before removing and replacing the joint, clean the existing pipe and check the existing pipe outside diameter and roundness to verify that the new solid sleeve and pipe will be watertight.

C. Shutdowns.

1. Mains smaller than 16 inches: Operate valves for shutdown. Mains 16 inches and larger: Commission will operate valves for shutdown.

ADD

- f. Prior to any modification that involves the penetration of PCCP mains (i.e. the installation of valves, tees, etc.), confirm that the affected portions of PCCP main had been depressurized, using available service connections, hydrants or blow offs. If none exist, provide a minimum 2 inch service tap prior to cutting the PCCP main to confirm that a sealed shutdown was successful.

ADD

2. When the trench excavation encounters existing poured lead joint on existing pipe, the contractor shall submit photographic evidence to the contract manager. Before removing and replacing the joint, clean the existing pipe and check the existing pipe outside diameter and roundness to verify that the new solid sleeve and pipe will be watertight.

### 3.17 TEMPORARY BYPASS WATER SERVICE SYSTEM

E. DELETE in its entirety, SUBSTITUTE;

E. Provide temporary service connection for existing water services less than 2 inch diameter affected by required water main shutdowns.

1. Existing inside meters:

- a. Connect temporary service using temporary curb stop following Special Detail W/5.16a.
  - b. When temporary service is no longer required, reconnect water service and provide new curb stop and curb box assembly.

2. Existing outside meters:
  - a. Connect temporary service to existing meter following Special Detail W/5.16.
  - b. Use notched meter covers when temporary services are connected.
  - c. Angle ball valves improperly connected to existing meter will be removed and correctly installed by the Commission.
    - 1) A cost of \$500 per incident will be deducted from payment to Contractor.
  - d. When temporary service connection is no longer required:
    - 1) Reconnect water service and provide new meter assembly.
    - 2) Reset existing meter in new assembly.
    - 3) Meters improperly installed will be removed and correctly installed by the Commission.
      - a) A cost of \$500 per incident will be deducted from payment to Contractor.
- I. Disinfect temporary bypass piping, including temporary house services, utilizing distribution system residual.
  2. DELETE in its entirety, SUBTITUTE;
  2. Results of sample analysis will be available within 3 working days after sampling.

#### PART 4 MEASUREMENT AND PAYMENT

##### ADD

##### 4.15 TEMPORARY BYPASS

- A. Measurement: By linear foot of mainline to be bypassed. Measured horizontally along the mainline from point of bypass connection at mainline to opposite end of bypass at mainline.
- B. Payment: At unit price for each linear foot listed in Bid Schedule.
  1. Payment includes installation of bypass piping, hoses, corporation stops, valves, fire hydrants, fittings and appurtenances, disinfecting and maintaining bypass line (including all repairs), connection and disconnection to mainline.

SPECIAL PROVISIONS  
SECTION 02510c  
WATER DISTRIBUTION SYSTEM

Follow requirements of Standard Specifications Section 02510 except as indicated herein (intended to provide more clarifications relating to valves and meters)

PART 1 GENERAL

1.2 REQUIREMENTS FOR MANUFACTURERS AND SUPPLIERS AND CONTRACTORS BEFORE DELIVERY

ADD

G. Qualifications for insertion valve equipment installer:

1. Experience: Actively engaged in insertion valve installation for minimum of 3 years, with at least 5 projects in the last 3 years of similar size and type.
2. Field supervisory personnel: Experienced in performance of work and tasks stated herein for minimum of 3 years.

1.3 SUBMITTALS

A. Submit following Section 01330.

6. DELETE paragraph designation only, SUBSTITUTE 7.

ADD

6. Manufacturer's shop drawings for insertion valve installation, including but not limited to; pipe taps, drilling apparatus, insertion valves, tapping valves and all other equipment and materials necessary to complete the work.

PART 2 PRODUCTS

2.1 MATERIALS

A. Pipe and Fittings

1. General:

- c. The Commission will furnish:

DELETE 1) through 15) and 17) through 23)

2. DIP:

- c. Flanged Pipe and Fittings:

1) Flanged pipe: AWWA C115 and requirements for pipe above.

- a) Approved Manufacturers for Flanged Pipe:

ADD

(9) Custom Fab, Inc.

3. External Coating System: When shown on Drawings, coat outside of pipe, fittings, valves, valve boxes and extension stems with external coating system as identified below.
  - d. Shop Applied Materials.
    - 2) After “following”; ADD “NACE SP0185 and”
  - e. Field Applied Materials.
    - 2) Coating Ductile Iron Pipe Joints: One of the following systems.
      - a) DELETE in its entirety, SUBSTITUTE;
      - a) Joint wrap and repair tape: Two component extruded tape consisting of polyethylene and butyl rubber adhesive following AWWA C209.
        - (1) Thickness: 35 mils (7 mils polyethylene backing, 28 mils butyl rubber adhesive).
        - (2) Adhesion: 225 oz/in width (ASTM D1000).
        - (3) Tensile strength: 15 lbs/in width (ASTM 1000)
        - (4) Water vapor transmission rate: 0.05 gm/100 in<sup>2</sup>/24 hrs.
        - (5) Dielectric strength: 23kV (ASTM D149).
        - (6) Insulation resistance 1.4 x 10<sup>7</sup> M Ohms (ASTM D257)
        - (7) Tape width: As recommended by coating manufacturer.
        - (8) Use filler tape, recommended by the joint tape manufacturer to fill uneven areas at the top of pipe joint to assure smooth application of joint wrap tape.
        - (9) Approved manufacturer: Polyken 939 or equal.
4. PVC Pipe and Fittings.
  - a DELETE in its entirety, SUBSTITUTE;
  - a. Pipe 12 inch and smaller: AWWA C900, Pipe 14 inch and larger: AWWA C905 as modified herein or unless otherwise indicated elsewhere in Contract Documents, suitable for potable water use.
    - 1) Class and thickness: DR14 or as noted on the drawings, with DIP equivalent outer diameters.
    - 2) Potable water use: NSF61.
    - 3) Pipe markings: AWWA C900 and AWWA C905
    - 4) Joining pipes: Utilize elastomeric gasket push on joints following AWWA C900 and AWWA C905
    - 5) Approved Manufacturers:
      - a) For PVC Pipe requiring joint deflections:
        - (1) IPEX
        - (2) National Pipe and Plastic, Inc.
        - (3) Plastic Trends US Subsidiary of Royal Building Products
      - b) For PVC Pipe requiring no joint deflections:
        - (1) JM Eagle™
        - (2) Diamond Plastic Corp.
        - (3) North American Pipe

10. and 11. DELETE paragraph designations only, SUBSTITUTE 11. and 12., respectively.

ADD

10. Insertion Valve.

a. General.

- 1) Rated at minimum working pressure of 150 psi and hydrostatic test pressure of 250 psi.
- 2) Vertical orientation required.
- 3) Lined waterways of all ferrous materials: Fusion bonded epoxy, EPA or NSF approved for potable water, minimum thickness 12 mils, following AWWA C213.
- 4) Exterior coating of all ferrous materials: Fusion bonded epoxy minimum thickness 12 mils, following AWWA C-213.
- 5) Externally accessible bolts, nuts and washers:
  - a) High strength, low alloy, following ANSI A21.11.
  - b) Type 304 Stainless Steel.

b. Valve Body.

- 1) Three part pressure-tight assembly suitable for potable water ranging in temperature from 32 degrees F to 100 degrees F.
  - a) Two piece sleeve properly shaped and of adequate strength to ensure proper mounting and pressure tight seal around existing cast iron or ductile iron pipes.
  - b) Bonnet or Cartridge Closure Flange.
    - (1) To complete the pressure tight seal for the insertion valve.
  - c) Cast from gray iron, ductile iron or material manufactured from ASTM A283 Grade C, ASTM A36, Stainless Steel Type 304, or equal.
- 2) Valve seat: Resilient rubber to provide pressure-tight bi-directional seal when valve is closed.
- 3) Valve stem: Stainless steel or bronze following requirements of AWWA C500, C509 or C515.
- 4) Operating nut: AWWA, 2-inch square, turned counterclockwise to open for non-rising stem with standard AWWA numbers of turns to open valve.

c. Tapping Equipment.

- 1) Furnished by Fabricator/Installer.
- 2) Remove existing pipe material during tapping or milling operation.

d. Approved Valve, Tapping Equipment Fabricator/Installers:

- 1) Advanced Valve Technologies, LLC; 4 inch through 12 inch.
- 2) Hydra-Stop (Division of ADS, LLC); 4 inch through 12 inch
- 3) Team Industrial Services; 4 inch through 12 inch.
- 4) Or equal.

B. Joint Material:

4. Joint Restraining Material.

- d. Restrained joint for PVC Pipe push-on joint: Meet Uni-B-13.
  - 2) DELETE in its entirety.



C. Valves:

1. Gate Valves, Resilient Seated, sizes 3 inch through 14 inch: Designed, built and tested following AWWA C509 or AWWA C515 except as modified herein.
  - d. Valve stem extension: Follow Standard Details.
    - 1) DELETE in its entirety, SUBSTITUTE;
    - 1) Approved manufacturers:
      - a) The General Engineering Company, Model/Series WVR-XXWS4D
      - b) Kravitch Machine Company, Model/Series GVENXXXCR.
      - c) Or equal.
2. Gate Valves, Double Disc, Class 125: Built and tested following AWWA C500 with gray or ductile iron body, bronze mounted, parallel seat, double disc with nonrising stem, nut operated to open left with 2-inch square operating nut.
  - f. DELETE in its entirety, SUBSTITUTE;
  - f. Valve Stem Extension: See Resilient Seated Gate Valves.
3. Gate Valves, double disc, sizes 16 inch through 48 inch for high working pressure applications.
  - e. DELETE in its entirety, SUBSTITUTE;
  - e. Valve Stem Extension: See Resilient Seated Gate Valves.
4. through 14. DELETE paragraph designations only; SUBSTITUTE 5. through 15. respectively.

ADD

4. Gate Valves, double disc, sizes 16 inch through 48 inch for normal working pressure applications.
  - a. Designed, built and tested following AWWA C500 except as modified herein.
  - b. Working pressure rating: 150 psi.
  - c. General Configuration:
    - 1) Non-rising stem, metal seated, parallel, double disc design for installation in horizontal or near horizontal pipe lines.
    - 2) Operated with AWWA, 2 inch square operating nut turned counterclockwise to open.
  - d. Non-Direct buried only.
    - 1) Horizontal orientation required.
    - 2) ANSI B16.1 Class 125 flanges..
  - e. Valve Stem extension: See Resilient Seated Gate Valves.
  - f. Corrosion resistant coating:
    - 1) Follow AWWA C550 and NSF 61 certified.
    - 2) Minimum 8 mils dry film thickness.
    - 3) Tnemec N140-1211 epoxy or Amerlock 2 red oxide epoxy by Ameron International: Applied in two coats to interior and exterior ferrous metal surfaces after rendering surfaces free from grease, dirt and moisture, and performing near-white, blast cleaning following SSPC-SP10/NACE 2.
    - 4) Do not coat fasteners or machined surfaces subject to contact and relative movement against other surfaces during operation of valve or other surfaces

where such a coating would compromise the proper installation or functionality of the valve.

- g. Externally accessible bolts, nuts and washers: Type 304 Stainless steel.
- h. Pipe plug:
  - 1) Minimum 3/4 inch solid brass.
  - 2) Install with Teflon tape seal in tapped boss on bonnet or body.
- i. Gear case: Following AWWA C500. Sealed, grease filled with bevel gearing operated from above via 2 inch square nut. Acceptable gear ratios:

| Valve Size | Ratio      | Valve Size | Ratio      |
|------------|------------|------------|------------|
| 16"        | 2:1 to 4:1 | 30"        | 4:1 to 6:1 |
| 18"        | 3:1 to 4:1 | 36"        | 4:1 to 6:1 |
| 20"        | 3:1 to 4:1 | 42"        | 6:1 to 8:1 |
| 24"        | 3:1 to 4:1 | 48"        | 8:1        |

- j. Bypass gate valve: Following AWWA C500.
  - 1) Locate at end of body opposite stem location.
  - 2) Operation of bypass from above via 2 inch square nut.
- k. Rollers, tracks and scrapers required or rolling disc design with tracks and scrapers acceptable in lieu of separate rollers on disc.
- l. Manufacturers and Models:
  - 1) American R/D 52.
  - 2) Ludlow Rensselaer Division of Patterson Pump Co. Model List 13a.
  - 3) Clow Valve Co. figure no. F-5070,
  - 4) Kennedy Valve Co. style #C561/F5070,
  - 5) Mueller Company catalog no 2380.
- m. Tapping Valves.
  - 1) Waterway sized to provide clearance for tapping machine cutter with minimum diameter 1/2 inch less than size of valve.
  - 2) Non-Direct buried.
    - a) Horizontal orientation required.
    - b) Inlet end.
      - (1) ANSI B16.1 class 125.
      - (2) Flange with face having annular projection (configured following Manufacturers Standardization Society of Valve and Fitting Industry, SP-60) to center valve in recess of tapping flange (for gray iron and ductile iron pipe) or tapping assembly (for PCC pipe)
    - c) Outlet end: Following ANSI B16.1, class 125 Flange for connection to tapping machine adapter.
    - d) Gear case: Following AWWA C500. Sealed, grease filled with bevel gearing operated from above via 2 inch square nut. Acceptable gear ratios:

| Valve Size | Ratio | Valve Size | Ratio |
|------------|-------|------------|-------|
|------------|-------|------------|-------|

|     |            |     |            |
|-----|------------|-----|------------|
| 16" | 2:1 to 4:1 | 30" | 4:1 to 6:1 |
| 18" | 3:1 to 4:1 | 36" | 4:1 to 6:1 |
| 20" | 3:1 to 4:1 | 42" | 6:1 to 8:1 |
| 24" | 3:1 to 4:1 | 48" | 8:1        |

- 3) Bypass gate valve: Following AWWA C500.
  - a) Locate at end of body opposite stem location.
  - b) Operation of bypass from above via 2 inch square nut.
- 4) Rollers, tracks and scrapers required or rolling disc design with tracks and scrapers acceptable in lieu of separate rollers on disc.
- 5) Approved Manufacturers and Models:
  - a) American R/D 52.
  - b) Ludlow Rensselaer Division of Patterson Pump Co. Model List 13a.

#### ADD

16. Detector Check Valve.
  - a. Prevents water from re-entering the potable water system, while detecting leaks in the private fire water system or unauthorized use of the private fire water system.
  - b. Design:
    - 1) Rated at a minimum working pressure of 175 psi and hydrostatic test pressure of 350 psi.
    - 2) Suitable for potable water ranging from 33-100 degree Fahrenheit.
  - c. Operation:
    - 1) Positively shut off flow of water until a pressure differential of approximately 2.0 psi is met through the by-pass meter.
    - 2) Main check valve to open freely at 2.0 psi and allow an unobstructed flow.
  - d. Valve size: 3-inch to 10-inch.
  - e. Valve ends: Flange ends, see Joint Material.
  - f. Valve body: Ductile or cast iron with stainless steel trim internally.
  - g. Check Valve:
    - 1) Spring loaded main check valve.
    - 2) Rubber clapper on bronze seat.
    - 3) All operating parts of the spring and clapper mechanism attached to the cover.
    - 4) Full spring tension is not achieved until cover is bolted to the body.
  - h. By-pass meter and piping:
    - 1) Consists of two shutoff valves, swing check valve, union and spool pipe
      - a. Spool pipe to allow WSSC to install 3/4" meter after detector check valve is install.
    - 2) To withstand and operate under non-shock working pressure of 175 psi.
    - 3) Pipe sizes: 3/4" diameter.
    - 4) Piping and fittings: Bronze ASTM B62.
  - i. Internal body parts of valves: See interior coating of valves specified herein.
  - j. Exterior coating of valves: Fusion bonded epoxy following AWWA C550.

- k. Approved Manufacturer: Hersey-Meters, Model EDC IV.
- F. Backflow Preventer and Basket Strainer for Temporary Water Main and Hydrostatic Testing: Reduced pressure principal type, flanged and supplied complete with integral valves, following the American Society of Safety Engineers Standard No. 1013 and AWWA C510.
  - 3. Approved Manufacturer.
    - a. through d. DELETE in its entirety, SUBSTITUTE
    - a. Wilkins (Zurn Industries)
    - b. Or equal.
- H. DELETE in its entirety, SUBSTITUTE;
- H. Field Applied Coating: Cold applied petrolatum or petroleum wax.
  - 1. Primer, Mastic, and Tape/wrap: AWWA C217 or NACE RP0375 and manufactured for buried or submerged applications.
  - 2. Petrolatum or Petroleum Wax Tape/Wrap: Minimum thickness of 40 mils.
  - 3. Approved Manufacturers:
    - a. Denso Incorporated.
    - b. Tapecoat Company.
    - c. Trenton Corporation.
- I Polyethylene Encasement: AWWA C105.
  - 4. Approved Manufacturers:
    - ADD
    - f. T. Christy Enterprise, Inc.
- J. DELETE in its entirety, SUBSTITUTE;
- J. Detectable Warning Tape: See Section 02315

### PART 3 EXECUTION

#### 3.2 INSTALLATION OF WATER MAIN

- B. Handling of Pipe and Fittings: Ductile iron pipe and fittings, valves, and appurtenances handled following AWWA C600, and PVC pipe following AWWA C605.
  - 3. Coated Pipe.
    - b. DELETE in its entirety, SUBSTITUTE;
    - b. Test coating for flaws electrically with holiday detector, following NACE SP0274 or SP0188. Repair holidays and recheck. Coating must be verified free of holidays prior to use.
- D. Pipe Placement
  - ADD
  - 7. Detectable Warning Tape.
    - a. Place detectable tape in trench as follows;

- 1) Use Blue tape for water mainlines and water service connections. See section 02315.
- 2) Use Yellow tape for coated pipe and test station lead wires. See Section 02315 and 13110.
- 3) Use Red tape for restrained joint pipe. See below and Section 02315.

3.10 through 3.16, DELETE paragraph designations only, SUBSTITUTE; 3.11 through 3.17 respectively.

ADD

### 3.10 INSERTION VALVE

#### A. Before ordering insertion valve.

1. Clean existing pipe. Make circumferential measurement of pipe. Check for roundness to verify sleeve will fit.
2. Prior to backfilling, repair any damage to existing pipe coating, with suitable coating material to original line of coating as directed by pipe manufacturer's technical representative at no additional expense to the Commission.

#### B. Installation of Insertion valve.

1. Excavate around and clean existing pipe.
2. Check pipe outside diameter and roundness to verify assembly will fit.
3. Provide materials and equipment to perform installation of insertion valve.
4. Provide blocking/ support following Drawings.
5. Approved Tapping Equipment Fabricator/Installer to install insertion valve.
  - 1) Advance Valve, Tapping Equipment Fabricator/Installers:
  - 2) Hydra-Stop (Division of ADS, LLC) 4 inch through 12 inch.
  - 3) Team Industrial Services, 4 inch through 12 inch.
  - 4) Or equal.

#### C. Tapping Sleeve and Valve Procedure for Gray Iron and DIP and PVC pipe.

##### 1. Before Tapping Pipe:

- a. Clean existing pipe and check pipe outside diameter and roundness to verify that sleeve will fit.

ADD

- b. If poured lead joint is encountered during excavation, the contractor shall submit photographic evidence to the contract manager. The contractor shall remove the existing joint and install a mechanical joint tee and valve, restrain valve to tee. remove the existing joint, and connect the new main to the existing main using mechanical joints. Before removing and replacing the joint, clean the existing pipe and check the existing pipe outside diameter and roundness to verify that the new solid sleeve and pipe will be watertight.

### 3.13 CONNECTIONS TO EXISTING MAINS

B. Before pipe installation see Excavation under INSTALLATION OF WATER MAIN previously specified herein.

1. Do not cut existing pipe closer than 18 inches to joint bell unless joint bell will be removed.

ADD

2. If poured lead joint is encountered during excavation, the contractor shall submit photographic evidence to the contract manager. Connect the new main to the existing main using mechanical joints. Before removing and replacing the joint, clean the existing pipe and check the existing pipe outside diameter and roundness to verify that the new solid sleeve and pipe will be watertight.

C. Shutdowns.

1. Mains smaller than 16 inches: Operate valves for shutdown. Mains 16 inches and larger: Commission will operate valves for shutdown.

ADD

- f. Prior to any modification that involves the penetration of PCCP mains (i.e. the installation of valves, tees, etc.), confirm that the affected portions of PCCP main had been depressurized, using available service connections, hydrants or blow offs. If none exist, provide a minimum 2 inch service tap prior to cutting the PCCP main to confirm that a sealed shutdown was successful.

ADD

2. When the trench excavation encounters existing poured lead joint on existing pipe, the contractor shall submit photographic evidence to the contract manager. Before removing and replacing the joint, clean the existing pipe and check the existing pipe outside diameter and roundness to verify that the new solid sleeve and pipe will be watertight.

### 3.17 TEMPORARY BYPASS WATER SERVICE SYSTEM

E. DELETE in its entirety, SUBSTITUTE;

E. Provide temporary service connection for existing water services less than 2 inch diameter affected by required water main shutdowns.

1. Existing inside meters:

- a. Connect temporary service using temporary curb stop following Special Detail W/5.16a.
  - b. When temporary service is no longer required, reconnect water service and provide new curb stop and curb box assembly.

2. Existing outside meters:

- a. Connect temporary service to existing meter following Special Detail W/5.16.
  - b. Use notched meter covers when temporary services are connected.
  - c. Angle ball valves improperly connected to existing meter will be removed and correctly installed by the Commission.

- 1) A cost of \$500 per incident will be deducted from payment to Contractor.
- d. When temporary service connection is no longer required:
  - 1) Reconnect water service and provide new meter assembly.
  - 2) Reset existing meter in new assembly.
  - 3) Meters improperly installed will be removed and correctly installed by the Commission.
    - a) A cost of \$500 per incident will be deducted from payment to Contractor.
- I. Disinfect temporary bypass piping, including temporary house services, utilizing distribution system residual.
  2. DELETE in its entirety, SUBSTITUTE;
  2. Results of sample analysis will be available within 3 working days after sampling.

#### PART 4 MEASUREMENT AND PAYMENT

#### ADD

##### 4.15 TEMPORARY BYPASS

- A. Measurement: By linear foot of mainline to be bypassed. Measured horizontally along the mainline from point of bypass connection at mainline to opposite end of bypass at mainline.
- B. Payment: At unit price for each linear foot listed in Bid Schedule.
  1. Payment includes installation of bypass piping, hoses, corporation stops, valves, fire hydrants, fittings and appurtenances, disinfecting and maintaining bypass line (including all repairs), connection and disconnection to mainline.



# **Washington Suburban Sanitary Commission**

## **SMALL, LOCAL AND MINORITY BUSINESS ENTERPRISE (SLMBE) PROGRAM**

### **APPENDIX A FOR CONSTRUCTION**

***“Diversity... just the way we do business!”***





## **Washington Suburban Sanitary Commission**

### **SMALL, LOCAL AND MINORITY BUSINESS ENTERPRISE (SLMBE) PROGRAM**

#### **APPENDIX A FOR CONSTRUCTION**

***“Diversity... just the way we do business!”***

***SPECIAL NOTE:***

***If any of the information contained within this section conflicts with the Standard Procedures MBE 11-01 or SLBE 12-01, the Standard Procedures will take precedence.***



# Washington Suburban Sanitary Commission

14501 Sweltzer Lane • Laurel, Maryland 20707-5901

COMMISSIONERS  
Omar M. Boulware, Chair  
Hon. Adrienne A. Mandel, Vice Chair  
Gene W. Counihan  
Mary Hopkins-Navies  
Chris Lawson  
Dr. Roscoe M. Moore, Jr.

GENERAL MANAGER  
Jerry N. Johnson

Dear Prospective Bidder or Proposer:

The Washington Suburban Sanitary Commission (WSSC or Commission), through the Small, Local and Minority Business Enterprise (SLMBE) Office is dedicated to creating an inclusive purchasing environment while building sustainable relationships; expanding opportunities; and cultivating growth of small, local and minority business enterprises, which adds value to the Commission and community we serve. In accordance with the Public Utilities Article, Annotated Code of Maryland<sup>1</sup>, the WSSC is authorized to establish both a Minority Business Enterprise (MBE) Program and Small Local Business Enterprise (SLBE) Program, collectively referred to as the SLMBE Programs. The Commission is further authorized to ensure compliance with these SLMBE Programs.

The SLMBE Programs facilitate fair and equal access to opportunities for those MBE/SLBE primes and subcontractors/subconsultants and suppliers ready, willing and able to compete for work on WSSC-funded contracts. Prime bidders and proposers are required to ensure that prospective subcontractors/consultants, vendors and suppliers are afforded fair and equal access to opportunities for inclusion on WSSC-funded contracts, where applicable. WSSC's commitment to the inclusion of small local business enterprises, certified minority- and women-owned (MBE/WBE), and other socially-disadvantaged (DBE) business enterprises in the MBE/SLBE Programs include those firms recognized as MBE/WBE/DBE as certified by the following entities or approved SLBE firms:

1. Maryland Department of Transportation (MDOT);
2. Prince George's County Supplier Development & Diversity Division (SDDD);
3. District of Columbia's Department of Small and Local Business Development (DC-DSLBD);
4. Capital Region Minority Supplier Development Council (CRMSDC);
5. Women Presidents' Educational Organization (WPEO); and
6. Small Local Business Enterprise (SLBE) Firms approved by WSSC.

**Please read all of the information contained in this Section.** Be sure to carefully review the specific MBE/SLBE subcontracting/subconsulting requirements for this project or purchase. If you have any questions about the information included in this Section of the Solicitation, please contact the Buyer noted on this Solicitation.

Sincerely,

Tracey Edwards  
Acting Director, Small, Local and Minority Business Enterprise Office

1. In the Public Utilities Article, Maryland Annotated Code regarding the MBE Program refer to §20-204 thru §20-206 and for the SLBE Program refer to §20-302 thru §20-304.

## **I. SLMBE OFFICE PROGRAMS**

This Solicitation is for the applicable SLMBE Office Program indicated below:

**Minority Business Enterprise (MBE) Program** is intended to facilitate participation of responsible certified-MBEs in Architectural and Engineering (A&E), Construction, Professional Services, and Goods and Services contracts awarded by WSSC.

☐

### **MBE PROGRAM**

Solicitation/Contract No.: \_\_\_\_\_

Contract/Project Title: \_\_\_\_\_

**Small Local Business Enterprise (SLBE) Program** is intended to assist small businesses located in Montgomery County and Prince George's County, Maryland by establishing a Sheltered Market Program, and/or subcontracting, or other appropriate preferences in connection with A&E, Construction, Professional Services and Goods and Services contracts awarded by WSSC.

☐

### **SLBE PROGRAM**

Solicitation/Contract No.: \_\_\_\_\_

Contract/Project Title: \_\_\_\_\_

**Small, Local and Minority Business Enterprise (SLMBE) Program** are those programs, which provide opportunities for MBE and SLBE participation in A&E, Construction, Professional Services and Goods and Services contracts awarded by WSSC.

☒

### **SLMBE PROGRAMS**

Solicitation/Contract No.: **PM0005A15**

Contract/Project Title: **WMR3 IDIQ Construction Contract**

## **II. MBE/SLBE GOAL FOR THIS ELIGIBLE CONTRACT/PROJECT**

Solicitation/Contract No.: PM0005A15

Contract/Project Title: WMR3 IDIQ Construction Contract

This Solicitation contains the following Subcontracting Requirement (as a percentage of the total Contract value, inclusive of Amendments, Change Orders, etc.) for the:

MBE Program – In accordance with WSSC Standard Procedure (SP) MBE 11-01:

**MBE Requirement:** \_\_\_\_\_ %

SLBE Program – In accordance with WSSC Standard Procedure (SP) SLBE 12-01:

**SLBE Requirement:** \_\_\_\_\_ %

SLMBE Program – In accordance with WSSC SPs MBE 11-01 and SLBE 12-01:

**SLMBE Requirement:** 20 \_\_\_\_\_ %

The MBE subcontracting requirement may only be satisfied by the **certified**-MBE classifications or **WSSC-Approved SLBE** indicated below:

- |                                                      |                                                        |
|------------------------------------------------------|--------------------------------------------------------|
| <input checked="" type="checkbox"/> African American | <input type="checkbox"/> Hispanic American             |
| <input checked="" type="checkbox"/> Asian American   | <input checked="" type="checkbox"/> Native American    |
| <input type="checkbox"/> Female/Women-Owned          | <input checked="" type="checkbox"/> WSSC-Approved SLBE |

*(Please note that ALL Bidders/Proposers regardless of MBE/DBE/WBE or SLBE status (es) are required to address the subcontracting requirement indicated above.)*

The SLMBE Office will validate the status of all certified-MBEs or self-identified as approved SLBEs Bidders/Proposers and/or as indicated on the submitted Subcontracting/Subconsultant and Supplier Certification Form(s).

If requesting a full or partial waiver, please be reminded that no Bidder or Proposer shall be awarded a Contract on an Eligible Contract/Project unless the SLMBE Office determines that the Bidder or Proposer has satisfied the WSSC's Good Faith Efforts requirement contained in this document on such Eligible Contract/Project. For more information regarding the WSSC Good Faith Efforts, review the information here within or please visit [www.wsscwater.com](http://www.wsscwater.com).

The above referenced MBE or SLBE subcontracting requirement will be measured against the total Contract value (inclusive of Amendments and Change Orders) over the life of the Eligible Contract/Project.

### **III. SLMBE SHELTERED MARKET PROGRAM FOR THIS ELIGIBLE CONTRACT/PROJECT**

Solicitation/Contract No.: \_\_\_\_\_

Contract/Project Title: \_\_\_\_\_

This Solicitation is a Sheltered Market Program opportunity in accordance with WSSC SP MBE 11-01 and/or SP SLBE 12-01 indicated below:

- ☐ **MBE Sheltered Market Program**
- ☐ **SLBE Sheltered Market Program**
- ☐ **SLMBE Sheltered Market Program**

This Sheltered Market Program opportunity only applies to the **certified-MBE classifications and/or WSSC-Approved SLBE** if indicated below:

- |                                                    |                                                    |
|----------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> <b>African American</b>   | <input type="checkbox"/> <b>Hispanic American</b>  |
| <input type="checkbox"/> <b>Asian American</b>     | <input type="checkbox"/> <b>Native American</b>    |
| <input type="checkbox"/> <b>Female/Women-Owned</b> | <input type="checkbox"/> <b>WSSC-Approved SLBE</b> |

The SLMBE Office will validate the status of all certified-MBEs or self-identified as approved SLBEs bidders/proposers and/or as indicated on the submitted Subcontracting/Subconsultant and Supplier Certification Form(s).

If requesting a full or partial waiver, please be reminded that no bidder or proposer shall be awarded a contract on an Eligible Contract/Project unless the SLMBE Office determines that the bidder or proposer has satisfied the WSSC's GFE requirement contained in this document on such Eligible Contract/Project. For more information regarding the WSSC GFE, review the information here within or please visit [www.wsscwater.com](http://www.wsscwater.com).

**IV. SMALL CONTRACTS ROTATION PROGRAM FOR THIS ELIGIBLE CONTRACT/PROJECT**

Solicitation/Contract No.: \_\_\_\_\_

Contract/Project Title: \_\_\_\_\_

This Solicitation is a Small Contracts Rotation Program opportunity in accordance with WSSC SP MBE 11-01 and/or SP SLBE 12-01 indicated below:

- ☐ **MBE Small Contracts Rotation Program**
- ☐ **SLBE Small Contracts Rotation Program**
- ☐ **SLMBE Small Contracts Rotation Program**

This Small Contracts Rotation opportunity only applies to the **certified-MBE classifications and/or WSSC-Approved SLBE** and approved in the Small Contracts Rotation Program if indicated below:

- |                                                    |                                                    |
|----------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> <b>African American</b>   | <input type="checkbox"/> <b>Hispanic American</b>  |
| <input type="checkbox"/> <b>Asian American</b>     | <input type="checkbox"/> <b>Native American</b>    |
| <input type="checkbox"/> <b>Female/Women-Owned</b> | <input type="checkbox"/> <b>WSSC-Approved SLBE</b> |

The SLMBE Office will validate the status of all certified-MBEs or self-identified as approved SLBEs bidders/proposers and/or as indicated on the submitted Subcontracting/Subconsultant and Supplier Certification Form(s).

If requesting a full or partial waiver, please be reminded that no bidder or proposer shall be awarded a contract on an Eligible Contract/Project unless the SLMBE Office determines that the bidder or proposer has satisfied the WSSC's GFE requirement contained in this document on such Eligible Contract/Project. For more information regarding the WSSC GFE, review the information here within or please visit [www.wsscwater.com](http://www.wsscwater.com).

**V. MBE/SLBE/SLMBE POINT PREFERENCES FOR THIS ELIGIBLE  
CONTRACT/PROJECT**

Solicitation/Contract No.: \_\_\_\_\_

Contract/Project Title: \_\_\_\_\_

This Solicitation contains the following Point Preference(s) based on subcontracting participation in accordance with the WSSC SP MBE 11-01 and SP SLBE 12-01.

MBE Program – In accordance with WSSC SP MBE 11-01:

**MBE Point Preference: Criteria \_\_\_\_\_ Points \_\_\_\_\_**

SLBE Program – In accordance with WSSC SP SLBE 12-01:

**SLBE Point Preference: Maximum Possible Points \_\_\_\_\_**

SLMBE Program – In accordance with WSSC SP MBE 11-01 and SP SLBE 12-01:

**SLMBE Point Preference: \_\_\_\_\_**

\_\_\_\_\_

This Point Preference only applies to the **certified MBE, SLMBE or WSSC-Approved SLBE** classification(s) is indicated below:

- |                                                    |                                                    |
|----------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> <b>African American</b>   | <input type="checkbox"/> <b>Hispanic American</b>  |
| <input type="checkbox"/> <b>Asian American</b>     | <input type="checkbox"/> <b>Native American</b>    |
| <input type="checkbox"/> <b>Female/Women-Owned</b> | <input type="checkbox"/> <b>WSSC-Approved SLBE</b> |

The SLMBE Office will validate the status of all certified-MBEs or self-identified as approved SLBEs bidders/proposers and/or as indicated on the submitted Subcontracting/Subconsultant and Supplier Certification Form(s).

If requesting a full or partial waiver, please be reminded that no bidder or proposer shall be awarded a contract on an Eligible Contract/Project unless the SLMBE Office determines that the bidder or proposer has satisfied the WSSC's Good Faith Efforts requirement contained in this document on such Eligible Contract/Project. For more information regarding the WSSC GFE, review the information here within or please visit [www.wsscwater.com](http://www.wsscwater.com).



**VI. MBE PRICE PREFERENCE FOR THIS ELIGIBLE  
CONTRACT/PROJECT**

Solicitation/Contract No.: \_\_\_\_\_

Contract/Project Title: \_\_\_\_\_

This Solicitation contains the following MBE Price Preference percentage in accordance with WSSC SP MBE 11-01:

**MBE Price Preference: \_\_\_\_\_ %**

This MBE Price Preference only applies to the **certified-MBE** classifications indicated below:

- ☐ **African American**
- ☐ **Hispanic American**
- ☐ **Asian American**
- ☐ **Native American**
- ☐ **Female/Women-Owned**

The SLMBE Office will validate the status of all certified-MBE bidders/proposers and/or as indicated on the submitted Subcontractor/Subconsultant and Supplier Certificate Form(s). How the Price Preference is applied, please refer to the example below.

**For example only, Price Preference percentage may vary:**

Firm A – A majority firm is the apparent lowest bidder. Firm A is not a certified-MBE firm in the Commission's SLMBE Program.

Firm B – A certified-MBE firm in the Commission's SLMBE Program is the next lowest bidder.

If Firm B's bid/quote is within five percent (5%) of Firm A's bid/quote, Firm B may be considered for the award of the Solicitation.

**Special Note:**

If the apparent lowest bidder is a certified-MBE firm, but not one of the certified-MBE firms specified in the Solicitation, they will be treated as a majority firm.

**VII. SLBE PRICE PREFERENCE FOR THIS ELIGIBLE  
CONTRACT/PROJECT**

Solicitation/Contract No.: \_\_\_\_\_

Contract/Project Title: \_\_\_\_\_

This Solicitation contains the following SLBE Price Preference percentage based on in accordance with WSSC SP SLBE 12-01:

**SLBE Price Preference: \_\_\_\_\_ %**

This SLBE Price Preference only applies to the business classification indicated below:

☐ **WSSC-Approved SLBE**

The SLMBE Office will validate the status of all self-reporting SLBE bidders/proposers and/or are approved as indicated on the submitted Subcontractor/Subconsultant and Supplier Certificate forms.

**For example only, Price Preference percentage may vary:**

Firm A – A majority firm is the apparent lowest bidder. Firm A is not a certified-MBE firm in the Commission's SLMBE Program.

Firm B – A certified-MBE firm in the Commission's SLMBE Program is the next lowest bidder.

If Firm B's bid/quote is within five percent (5%) of Firm A's bid/quote, Firm B may be considered for the award of the Solicitation.

**Special Note:**

**If the apparent lowest bidder is a certified-MBE firm, but not one of the certified-MBE firms specified in the Solicitation, they will be treated as a majority firm.**

## **VIII. POSSIBLE SUBCONTRACTOR/SUBCONSULTANT OPPORTUNITIES**

The SLMBE Office has identified the following **potential** subcontractor/subconsultant opportunities indicated below:

### **Construction and Construction related-services Trades:**

- ☐ Automotive Service Technician
- ☐ Boilermaker
- ☐ Bricklayer
- ☐ Building Cathodic Protection
- ☐ Carpenter
- ☐ Carpentry
- ☐ Cement Mason/Concrete Finisher
- ☐ CCTV
- ☐ Chlorination and Dechlorination
- ☐ Cladding
- ☐ Community Outreach
- ☒ Concrete Placement
- ☐ Construction Craft Laborer
- ☐ Collision Repair Technician Demolition
- ☐ Crane Operator
- ☐ Dogger
- ☐ Drainage
- ☐ Electrician
- ☐ Electrician (Construction Below 600V)
- ☐ Electrician (Residential)
- ☐ Elevator Mechanic
- ☐ Environmental Service Technician/HVAC Installer-Technician
- ☐ Excavation
- ☒ Fire Hydrant Installation
- ☐ Fireproofing
- ☐ Fire Stopping
- ☐ Formwork Technician
- ☐ Framing
- ☒ Geotechnical Services
- ☐ Geothermal Heating Technician
- ☐ Glazier Sealer
- ☐ Glazing Hauling/Trucking
- ☒ Hauling
- ☐ Heat and Frost Insulator
- ☐ Heating, Ventilation & Air Conditioning
- ☐ Heavy Equipment Operator
- ☐ Hod Carrier
- ☐ Insulation
- ☐ Iron Worker
- ☐ Joinery
- ☐ Laborer
- ☐ Laborer (Construction Craft Laborer)
- ☒ Landscaper, Landscaping

- ☐ Low Voltage Installer Manhole Lining
- ☐ Manhole Replacement
- ☐ Masonry
- ☐ Materials/Supplies/Fuel
- ☐ Millwright
- ☐ Miscellaneous Metal Work
- ☒ Paving
- ☐ Painter and Decorator
- ☐ Painting and Decorating
- ☐ Pipe Bursting
- ☐ Pipe Cleaning
- ☐ Pipe Fitter
- ☐ Plasterer
- ☐ Plastering
- ☐ Plumber, Plumbing
- ☐ Operating Engineer/Heavy Equipment Operator
- ☐ Rig Technician
- ☐ Roofer & Waterproofer
- ☐ Roofing Rural Building
- ☐ Project Manager
- ☒ Saw-cutting
- ☒ Sediment control
- ☒ Service Connection
- ☐ Service Connection Industrial Instrument Mechanics
- ☐ Site work
- ☐ Sheet Metal
- ☐ Sheet Metal Worker
- ☐ Sprinkler Fitter Steamfitter (Construction)
- ☐ Staff Augmentation
- ☐ Steamfitter (Refrigeration/Service)
- ☐ Steel Fixer Structural Concrete
- ☐ Stonemason
- ☐ Stonework
- ☒ Structural restoration (concrete curbs, gutters, driveways)
- ☐ Taper & Finisher
- ☐ Teledata Communications
- ☐ Temporary Bypass Piping
- ☒ Temporary Bypass Piping installation and removal
- ☐ Terrazzo Worker
- ☒ Testing (lines and/or manholes)
- ☒ Traffic Control
- ☒ Tree Removal
- ☒ Utility Locating
- ☐ Vac-a-Tee
- ☐ Vault Demolition
- ☒ Water Main Installation
- ☐ Water Pipe Lining
- ☐ Waterproofing
- ☐ Welder

- ☐ Welder Level "C"
- ☐ Well Driller
- ☐ Window Installer

**Architectural & Engineering Disciplines:**

- ☐ Acoustical Engineer
- ☐ Acoustics, Noise Abatement
- ☐ Administrative
- ☐ Aerial Photographer
- ☐ Aerial Photography; Airborne Data and Imagery Collection and Analysis
- ☐ Aeronautical Engineer
- ☐ Air Pollution Control
- ☐ Airports; Nav aids; Airport Lighting; Aircraft Fueling
- ☐ Airports; Terminals and Hangars; Freight Handling
- ☐ Agricultural Development; Grain Storage; Farm Mechanization
- ☐ Animal Facilities
- ☐ Archeologist
- ☐ Architect
- ☐ Artic Facilities
- ☐ Auditoriums and Theaters
- ☐ Automation; Controls; Instrumentation
- ☐ Biologist
- ☐ Barracks; Dormitories
- ☐ Bridges
- ☐ CADD Technician
- ☐ Cartographer
- ☐ Cemeteries (Planning and Relocation)
- ☐ Charting; Nautical and Aeronautical
- ☐ Chemical Engineer
- ☐ Chemical Processing and Storage
- ☐ Chemist
- ☐ Civil Engineer
- ☐ Child Care/Development Facilities
- ☐ Churches; Chapels
- ☐ Coastal Engineering
- ☐ Codes; Standards; Ordinances
- ☐ Cold Storage; Refrigeration and Fast Freeze
- ☐ Commercial Building (Low Rise); Shopping Centers
- ☐ Communications Engineer
- ☐ Community Facilities
- ☐ Community Outreach
- ☐ Computer Programmer
- ☐ Construction Inspector
- ☐ Construction Manager
- ☐ Corrosion Engineer
- ☐ Communications Systems; TV; Microwave
- ☐ Computer Facilities; Computer Service
- ☐ Conservation and Resource Management
- ☐ Construction Management Construction Surveying

- ☐ Corrosion Control; Cathodic Protection Electrolysis
- ☐ Cost Engineer/Estimator
- ☐ Cost Estimating; Cost Engineering and Analysis; Parametric Costing; Forecasting
- ☐ Cryogenic Facilities
- ☐ Dams (Concrete; Arch)
- ☐ Dams (Earth; Rock); Dikes; Levees
- ☐ Desalinization (Process and Facilities)
- ☐ Design-Build – Preparation of RFPs
- ☐ Digital Elevation and Terrain Model Development
- ☐ Digital Orthophotography
- ☐ Dining Halls; Clubs; Restaurants
- ☐ Dredging Studies and Design
- ☐ Ecologist
- ☐ Ecological/Archeological Investigations
- ☐ Economist
- ☐ Educational Facilities; Classrooms
- ☐ Electrical Engineer
- ☐ Electrical Studies and Design
- ☐ Electronics
- ☐ Electronics Engineer
- ☐ Elevators; Escalators; People-Movers
- ☐ Embassies and Chanceries
- ☐ Energy Conservation; New Energy Sources
- ☐ Engineering Economics
- ☐ Environmental Engineer
- ☐ Environmental Impact Studies, Assessment or Statements
- ☐ Environmental/Natural Resource Mapping
- ☐ Environmental Planning
- ☐ Environmental Remediation
- ☐ Environmental Scientist
- ☐ Environmental Testing and Analysis Anti-Terrorisms and Theaters
- ☐ Facilities; Parking Decks
- ☐ Fallout Shelters; Blast-Resistant Design Asbestos Abatement
- ☐ Field Houses; Gyms; Stadiums
- ☐ Fire Protection
- ☐ Fire Protection Engineer
- ☐ Fisheries; Fish Ladders
- ☐ Forensic Engineer
- ☐ Forensic Engineering
- ☒ Forestry and Forest Products
- ☐ Foundation/Geotechnical Engineer
- ☐ Garages; Vehicles Maintenance
- ☐ Gas Systems (Propane; Natural, Etc.)
- ☐ Geodetic Surveyor
- ☐ Geodetic Surveying: Ground and Airborne
- ☐ Geographic Information System Services; Development, Analysis, and Data Collection
- ☐ Geographic Information System Specialist
- ☐ Geologist
- ☐ Geospatial Data Conversion; Scanning, Digitizing, Compilation, Attributing, Scribing, Drafting

- ☐ Graphic Design
- ☐ Health Facility Planner
- ☐ Hydraulic Engineer
- ☐ Hydrographic Surveyor
- ☐ Hydrologist
- ☐ Industrial Engineer
- ☐ Industrial Hygienist
- ☐ Interior Designer
- ☐ Land Surveyor
- ☐ Landscape Architect
- ☐ Materials Engineer
- ☐ Materials Handling Engineer
- ☐ Mechanical Engineer
- ☐ Mining Engineer
- ☐ Oceanographer
- ☐ Photo Interpreter
- ☐ Photogrammetric
- ☐ Planner: Urban/Regional
- ☐ Project Manager
- ☐ Remote Sensing Specialist
- ☐ Risk Assessor
- ☐ Safety/Occupational Health Engineer
- ☐ Sanitary Engineer
- ☐ Scheduler
- ☐ Security Specialist
- ☐ Soils Engineer
- ☐ Specifications Writer
- ☐ Staff Augmentation
- ☐ Structural Engineer
- ☐ Technician/Analyst
- ☐ Toxicologist
- ☐ Transportation Engineer
- ☐ Value Engineer
- ☐ Water Resources Engineer

**Other Goods, General Services and/or Professional Services potential subcontracting:**

(Cathodic Protection); (Structural Steel and Precast Concrete Contractors); (Construction, Iron Foundry); and

(Mining and Forestry Machinery and Equipment Rental and Leasing)

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## **IX. MBE PURPOSE STATEMENT**

In accordance with §20-204 thru §20-206 of the Public Utilities Article, Maryland Annotated Code, WSSC shall establish:

- A. A MBE Utilization Program to facilitate the participation of responsible certified minority business enterprises in design/build and construction contracts awarded by the Commission; and
- B. A MBE Utilization Program to facilitate the participation of responsible certified minority business enterprises in goods and services contracts awarded by the Commission, other than those covered by the program for design/build and construction contracts.

This program is, in part, intended to further WSSC's compelling interest in avoiding either active or passive participation in private sector marketplace discrimination, and in promoting equal opportunity for all segments of the contracting community to participate in WSSC contracts.

## **X. SLBE PURPOSE STATEMENT**

In accordance with §20-302 thru §20-304 of Public Utilities Article, Maryland Annotated Code, WSSC may establish:

- A. A SLBE Program to assist small businesses in Montgomery County and Prince George's County by:
  - 1. Establishing a Sheltered Market Program or other appropriate preference; or
  - 2. Facilitating the award of Commission Construction contracts or procurement contracts for Goods and Services to small businesses in Montgomery County and Prince George's County.

This program is, in part, intended to further WSSC's compelling interest in avoiding either active or passive participation in private sector marketplace discrimination, and in promoting equal opportunity for all segments of the contracting community to participate in WSSC contracts.

## **XI. ADMINISTRATION OF THE MBE AND SLBE POLICIES**

The SLMBE Office will administer both the MBE and SLBE Programs (Standard Procedure Policies). The SLMBE Office will review and validate information submitted by bidders or proposers or primes pre- and post-award.



If a vendor requests a full or partial waiver, the SLMBE Office will verify the GFE to include and/or promote contracting opportunities with SLBEs, MBEs and female/woman-owned businesses (WBE) to compete for business as prime contractors, subcontractors/subconsultants and/or suppliers. If requesting a full or partial waiver, a bidder or proposer is eligible for award of a WSSC contract upon a finding by the SLMBE Office that the bidder or proposer has utilized GFE to attract all businesses regardless of size, race or ethnicity.

To assist bidders or proposers in this effort, the SLMBE Office has set forth in this Solicitation document the MBE or SLBE subcontracting requirement within the relevant North American Industry Classification System codes (NAICS) for this Eligible Contract/Project and identified potential subcontracting opportunities.

For subcontracting/subconsulting, the appropriate MBE/SLBE Participation Plan for Professional Services, Goods & Services and Construction must include all MBE, SLBE and Non-MBE subcontractors to be utilized on the Eligible Contract/Project, detail the services to be performed, the dollar value of the work to be performed by each subcontractor/subconsultant, and the MBE certification number, if applicable.

For suppliers, the Subcontractor Participation Plan must include all MBE, SLBE and Non-MBE Suppliers to be utilized on the Eligible Contract/Project, the supplies to be provided, including the dollar value of the supplies being provided and the MBE certification number, if applicable.

## **XII. DISCRIMINATION POLICY**

Consistent with Section 19-101 *et seq.* of the State Finance & Procurement Article, Maryland Annotated Code, the Commission will not enter into a contract with any business entity that has discriminated in the Solicitation, selection or treatment of subcontractors, suppliers, vendors or commercial customers on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation or on the basis of disability or any otherwise unlawful use of characteristics regarding the vendor's, Supplier's, or commercial customer's employees or owners.

## **XIII. SLMBE PROGRAM DETERMINATION OF GOOD FAITH EFFORTS**

No prospective bidder or proposer, requesting a full or partial waiver, shall be awarded a contract on an Eligible Contract/Project unless the SLMBE Office determines that the bidder or proposer has satisfied the requirement of demonstrating a GFE equal to or greater than a minimum of 90 out of 125 points for the **evaluation criteria on the Eligible Contract/Project**.

Accordingly, each bidder or proposer shall submit with the bid the following:

1. **Declaration of Non-Discrimination.** Each bidder or proposer shall submit with their bid/proposal a Declaration of Non-Discrimination.
2. **Outreach Efforts Documentation.** If requesting a full or partial waiver, each bidder or proposer shall submit with their bid a Subcontractor/Subconsultant and Supplier Summary form, which is a contact form demonstrating the bidder's or proposer's outreach efforts to identify, contract

with, or utilize all (*i.e.*, MBEs, WBEs and Non-MBE/WBEs) potential subcontractors/subconsultants or suppliers on the Eligible Contract/Project.

3. MBE/SLBE Participation Plan (if applicable). Each bidder shall submit with their MBE/SLBE Participation Plan the name, address, telephone number and contact person of each subcontractor/subconsultant or supplier to be used during the Eligible Contract/Project, the NAICS Code and the type of work or service each business will perform, the dollar value of the work and the scope of work, certificate number of each business, and any other information requested by the SLMBE Office.
4. MBE Certification (if applicable). The SLMBE Office shall verify that all entities claiming MBE status have been validly certified by either: The state certification agency designated under Section 14–303(b) of the State Finance and Procurement Article (or any successor Section thereto); or by any other certification program that the Commission determines substantially duplicates the requirements of the state certification agency, provided that, before accepting an alternate certification guide, the Commission examines that program to ensure compliance with the requirements of Section 20-204(c) of the Public Utilities Article (or any successor Section thereto). The following is a list of third party certification agencies that are recognized by the Commission’s SLMBE Program:
  - **Maryland Department of Transportation (MDOT);**
  - **Prince George's County Supplier Development & Diversity Division (SDDD);**
  - **District of Columbia's Department of Small and Local Business Development (DC-DSLBD);**
  - **Capital Region Minority Supplier Development Council (CRMSDC); and**
  - **Women Presidents' Educational Organization (WPEO).**

#### Determination of Good Faith Efforts

The GFE will be determined on a point system. Points are awarded for Indicators 1 through 13 when required and completed documentation is submitted at the time the partial or full waiver is being requested (*i.e.*, at bid or post award).

Points are awarded for each Indicator on an “all or nothing” basis. Points are not awarded for bid documentation deemed to be partially completed. There are 13 Indicators for the GFE documentation. Indicators 1 through 13 award points when the required documentation is submitted. **Failure to include the required and completed GFE documentation and failure to achieve a minimum of 90 out of 125 points may render the bid non-responsive and could result in its rejection.**

#### **Points for each Indicator:**

| Indicator: | 1 | 2 | 3 | 4  | 5 | 6  | 7  | 8  | 9  | 10 | 11 | 12 | 13 | Total |
|------------|---|---|---|----|---|----|----|----|----|----|----|----|----|-------|
| Points:    | 5 | 5 | 5 | 10 | 5 | 10 | 10 | 15 | 15 | 15 | 10 | 10 | 10 | 125   |

Each Indicator has a different point value equal to 5, 10 or 15 and several Indicators are given credit in two or more areas. For example, acceptable documentation submitted for:

- Indicators 1, 2 and 3 credit also satisfies Indicator 5.

Indicators 8, 9 and 10 are each worth (15) points. Without sufficient documentation for Indicator 10 (including all MBE/SLBE firms that submitted bids and a summary sheet) your firm will not be able to achieve the minimum 90 points.

| Indicator | Good Faith Efforts Criteria Summary Description                                                          |
|-----------|----------------------------------------------------------------------------------------------------------|
| 1         | Evidence of ads regarding subcontracting opportunities                                                   |
| 2         | List of MBE/SLBE firms contacted                                                                         |
| 3         | List of subcontracting opportunities                                                                     |
| 4         | Information sent to potential subcontracting firms                                                       |
| 5         | Evidence of justifiable rejection of bid                                                                 |
| 6         | Assist MBEs/SLBEs to obtain bonding and/or insurance                                                     |
| 7         | Evidence of use of WSSC's CBR and SLMBE Office                                                           |
| 8         | List of MBEs/SLBEs invited to bid on subcontracting work - Not available to work                         |
| 9         | List of MBEs/SLBEs invited to bid on subcontracting work - Did not respond to IFB                        |
| 10        | List of MBEs/SLBEs invited to bid on subcontracting work - Not low acceptable bid or fiscally sound      |
| 11        | List of selected portions of subcontracting work                                                         |
| 12        | Evidence that MBEs/SLBEs were invited to meetings                                                        |
| 13        | Evidence of written notice of Prime's intent to bid and invitation for potential Subcontractors for work |

#### **XIV. GOOD FAITH EFFORTS**

*It is important to understand that a bidder seeking a waiver request must submit the request, in writing, at the time of bid.* In support of the waiver request, the bidder must also submit proof (documentation) of their GFE at the time of bid. The GFE's supporting documentation must show what actions the bidder has taken to maximize the participation/utilization of certified minority firm(s) or approved small local business enterprise(s). The extent of such efforts will be evaluated by the Commission's SLMBE Office. The GFE of the bidders' intent to comply with the MBE/SLBE subcontracting requirement and evaluation of that intent from a review (and verification) of, but not limited to, the following (*This effort must continue through the life of the contract, if awarded*):

1. Provide a copy of the advertisement(s) in local and/or trade publications and the services that they are attempting to subcontract. This effort would need to be made well in advance of pre-bid meetings, and at the very least, well before the bid or proposal due date.
2. Provide a list of MBE/SLBE firms that were contacted. There should also be a statement regarding what type of contact was made with each firm and why these firms were not suitable to service this project.

3. Provide the list of opportunities that the prime contractor (bidder and/or proposer) had in regards to the portion of the project they intended to subcontract out. What areas would be better served by an entity that may have specialized services (*i.e.*, trucking, paving, special supplies, electrical engineering, or asbestos abatement).
4. Submit a copy of the information that was forwarded to the list of potential subcontracting firms. This step is to illustrate that adequate information was provided to firms that were contacted.
5. Provide evidence that no bid was rejected without a sound reason. This can be addressed adequately by complying with requirements 2-3.
6. Demonstrate attempts were made to assist interested MBE/SLBE firms with obtaining bonding and/or insurance that the bidder/proposer may make as a requirement of the MBE/SLBE firm to subcontract.
7. Demonstrate that they (prime contractor - bidder and/or proposer) utilized the services of the SLMBE Office and the Centralized Bidder Registration (CBR) or any successor web-based compliance system thereto, or one of the certifying agencies recognized by the WSSC in establishing the initial contact list. Provide a copy of the information that was furnished by these agencies and was used in contacting bidders.
8. Provide the list of MBE/SLBE firms that were invited to bid on subcontracting work, but were not available to work.
9. Provide the list of MBE/SLBE firms that were invited to bid on subcontracting work, but did not respond to the Invitation for Bid (IFB).
10. Provide the list of MBE/SLBE firms that submitted bids which were not the low acceptable bid or fiscally sound according to my company's contracting policies.
11. Demonstrate that the bidder selected portions of the work that could be performed by MBE/SLBE firms in order to increase the likelihood of meeting the subcontracting requirements (including, where applicable, breaking down the contract work into economically feasible units to facilitate subcontractor participation).
12. Provide documentation that MBE/SLBE firms were invited, where appropriate, to meetings/conferences to inform them of subcontracting opportunities.
13. Provide documentation of written notice, to a reasonable number of specific MBE/SLBE firms of the bidder's interest in the contract that is being solicited; in sufficient time in order to allow MBE/SLBE firms to participate effectively.

## **XV. MBE/SLBE PROGRAMS - RFP/IFB SUBMITTALS**

The Declaration of Non-Discrimination, GFE documentation, and MBE/SLBE Participation Plan(s), and any other information required by the SLMBE Office in the Solicitation document

must be completed in its entirety by each bidder or proposer and submitted with the other required bid or proposal documentation in order for the bid or proposal to be considered responsive. Failure to timely submit these forms, fully completed will result in the bid or proposal being considered as non-responsive, and therefore excluded from consideration.

**Note:** The SLMBE Office will validate all Subcontracting Plans for MBE, SLBE and Non-MBE participation, and GFE submitted by the bidders or proposers.

## **XVI. SUBCONTRACTING AND SUPPLIER COMPLIANCE REPORTING**

### **Submission of Appropriate Certification Form(s)**

The Commission requires all bidders or proposers to identify ALL subcontractor(s)/subconsultant(s) and/or supplier(s) to be utilized under this Eligible Contract/Project.

**Each bidder or proposer must submit, at the time of bid, the appropriate and original copy of the completed SLMBE Subcontracting and Supplier Certification form with two (2) authorized signatures (*"original" is defined as original signatures*).**

Failure to submit the appropriate and original copy of the Certification form(s) may render the bid non-responsive, and the bid may not be considered for award. Photocopies are not acceptable.

### **Compliance Reporting Requirement**

The Commission requires all prime contractors to report subcontractor(s)/subconsultant(s) and supplier(s) payments on a monthly basis utilizing the Commission's web-enabled tracking and compliance system. The prime contractor shall enter all payments, and the subcontractor(s)/subconsultant(s) or supplier(s) shall validate payment by the 30<sup>th</sup> of each month until final payment. Instructions on entering payment data will be distributed to the successful awardee (prime contractor) and subcontractor(s)/subconsultant(s) or supplier(s).

Failure to report payments on the web-enabled system as described above will result in the delay of payment(s). Final payment will not be made until the subcontractor(s)/subconsultant(s) and supplier(s) payment(s) are reported and verified. Failure to comply with all or part of the SLMBE Program may result in the prime contractor not being awarded additional contracts by the Commission.

**Failure to comply with the requirements of this Clause will be considered in determining if the Commission will exercise the renewal option under this contract and/or future contracts with the Commission.** A determination of non-compliance on any WSSC-funded contract will be used in the determination of any future contracts, Change Orders, Amendments, and/or Option-years with the Commission.

Prime contractors are required to pay subcontractors for satisfactory performance of their contracts no later than fifteen (15) days from receipt of each payment WSSC makes to the prime contractor;

and pay subcontractors/subconsultants retainage within fifteen (15) days after the subcontractor's/  
subconsultant's work is satisfactorily completed.

## **XVII. MINORITY BUSINESS ENTERPRISE PROGRAM**

### **STANDARD PROCEDURE (SP) MBE 11-01**

**Click title to access SP MBE 11-01 or cut/paste the following link in your web browser:**

**<http://www.wssewater.com/file/SLMBEGrp/DisparityStudy/SP%20MBE%2011-01-FINAL%20SIGNED%20VERSION.pdf>**

## **XVIII. SMALL AND LOCAL BUSINESS ENTERPRISE PROGRAM**

### **STANDARD PROCEDURE (SP) SLBE 12-01**

**Click title to access SP SLBE 12-01 or cut/paste the following link in your web browser:**

**<http://www.wsscwater.com/file/SLMBEGrp/SP%20SLBE%2012-01.pdf>**



## **XIX. WSSC'S AUDIT CLAUSE AND PAYMENT CLAUSE**

### **Audit Right and Retention of Records**

The Commission shall have the right, upon serving reasonably advanced notice and during ordinary business hours, to audit the books, records, and accounts of contractor and its subcontractor(s)/subconsultant(s). Prime contractor and its subcontractor(s)/subconsultant(s) shall keep such books, records, and accounts as may be necessary, in order to record complete and correct entries related to the Project. All books, records, and accounts shall be kept in written form or in a form capable of conversion into written form within a reasonable time. Upon request to do so, contractor or its subcontractor(s)/subconsultant(s), as applicable, shall make same available at no cost to the Commission, in written form.

Prime contractor and its subcontractor(s)/subconsultant(s) shall preserve and make available, at reasonable times for examination and audit by the Commission, all financial records, supporting documents, statistical records, and any other documents pertinent to this Agreement for the required retention period, in accordance with the Maryland Public Information Act Manual (8<sup>th</sup> edition, December 2000), *Right of Access to Records*, SG 10-617(f)(3), as may be amended from time to time, if applicable, or, if the Maryland Public Information Act is not applicable, for a minimum period of five (5) years after termination of this Agreement. If any audit has been initiated and audit findings not been resolved at the end of the retention period or three (3) years, whichever is longer, the books, records, and accounts shall be retained until resolution of the audit findings. If the Maryland Public Information Act is determined by the Commission to be applicable to contractor and its subcontractor(s)/subconsultant(s), they shall comply with all requirements thereof; however, no confidentiality or non-disclosure requirement of either federal or state law shall be violated by contractor or its Subcontractor(s)/Subconsultant(s). Any incomplete or incorrect entry in such books, records, and accounts shall be a basis for contractor disallowance and recovery of any payment upon such entry. Prime contractor shall, by written contract, require its subcontractor(s)/subconsultant(s) to agree to the requirement and obligations of this Clause.

### **Payment Clause**

Prime contractors are required to pay subcontractor(s)/subconsultant(s) for satisfactory performance of their contracts no later than fifteen (15) days from receipt of each payment WSSC makes to the Prime contractor; and pay subcontractors/subconsultants retainage within fifteen (15) days after the subcontractor's/subconsultant's work is satisfactorily completed.

### **Subcontract Compliance Clause**

All awarded prime contractors are required to report to the Commission any payment made to **ALL** subcontractors/suppliers/vendors, and such subcontractors/suppliers/vendors are required to report to validate these payments by utilizing the Commission's web-enabled tracking and compliance system.

## **XX. DETERMINATION OF COMMERCIALLY USEFUL FUNCTION**

The Commission defines Commercially Useful Function as follows:

A business enterprise or firm performs a Commercially Useful Function when, based on all relevant facts and circumstances, when it is responsible for execution of the work of the contract by actually performing, managing and supervising the work involved. Thus, the enterprise or firm must be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material and installing (where applicable) and paying for the material itself. A MBE or SLBE **does not** perform a Commercially Useful Function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of MBE or SLBE participation. In determining whether an MBE or SLBE is such an extra participant, the SLMBE Office will examine similar transactions, particularly those in which MBEs or SLBEs do not participate.

**Example:** A certified-MBE or WSSC-approved SLBE prime contractor is not considered to be performing a Commercially Useful Function if it is requiring that the subcontractor perform all aspects of the contract as if the subcontractor/subconsultant had independently bid and been awarded the contract as the prime.

The Commission seeks to prevent a certified-MBE or WSSC-approved SLBE prime contractor from acting as a “pass through” or “front”, exchanging the benefits of certification and/or approval for payment from a non-certified/non-approved business. When subcontracting to MBE or SLBE subcontractors, the intent is for the subcontractor to provide goods or services required for the performance of the contract rather than artificial or incidental participation that provides an “appearance” of participation to meet the socio-economic objectives of these programs. Typically, the determination of whether a MBE or approved SLBE is performing a Commercially Useful Function is determined during the certification process (by the certifying entities accepted by the Commission) for MBE firms and during the approval process for SLBE firms.

As part of the bid evaluation process, the bidder must provide proof sufficient to satisfy that a Commercially Useful Function will be performed by the bidder, subcontractor or supplier specific to the work identified in the statement of work or contract. To ensure compliance prior to contract award, the Commission must obtain documentation of Commercially Useful Function with any bid submitted by or that includes a certified-MBE or WSSC-approved SLBE firms.

Failure of a certified-MBE or WSSC-approved SLBE business to demonstrate performance of a Commercially Useful Function, when bidding as a prime contractor, will result in that certified-MBE and/or approved SLBE bidder being eliminated from consideration. When the analysis discloses that a certified/approved subcontractor/supplier is not providing a Commercially Useful Function, a contract may still be awarded if the prime contractor is a responsible Bidder without the involvement of the firm that has been determined not to provide a Commercially Useful Function and/or the work can be performed by an alternate(s) MBE or SLBE firms where the substitution is determined to have no material effect on the bid.

The SLMBE Office must review information provided on the Bidder Declaration to determine whether certified-MBE businesses or WSSC-approved SLBE firms are performing a Commercially Useful Function. Supplemental information related to supplier roles and responsibilities might also be provided in other sections of the bid.

During the evaluation, if permitted for the particular Solicitation, the SLMBE Office through the Buyer may seek clarification through written request to the bidder. Evaluators might also need to perform additional research or market analysis.

The following identifies available options when a determination is made during the evaluation that a certified supplier is not Commercially Useful Function compliant:

| When the certified | Is not Commercially Useful Function compliant then                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bidder             | The bid must be rejected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Subcontractor(s)   | When all of the following pertain, a purchase <b>may be</b> awarded: <ul style="list-style-type: none"> <li>• The prime bidder is responsible (and the bid is responsive) without the involvement of the subcontractor, and</li> <li>• The work can be performed by an alternate certified subcontractor firm that is properly substituted, and</li> <li>• The transaction/Solicitation permits substitution, and</li> <li>• The result has no material effect on the bid and resulting contract, including heightening the risk to the WSSC of possible contract non-performance.</li> </ul> |

**Exception:** Any time a certified-MBE or WSSC-approved SLBE prime contractor does not propose the use of Subcontractors and is the manufacturer of goods furnished under the contract or providing personnel to perform services sought in the contract, the prime is Commercially Useful Function compliant.

Businesses that possess appropriate contractor licenses and are performing a public works aspect of a proposed contract are Commercially Useful Function compliant for the corresponding public works portion of the contract.

Follow the steps below to determine Commercially Useful Function compliance. This pertains to:

- Certified primes who are not the direct manufacturer of the contracted goods or direct provider of contracted services and not using subcontractors;
- Certified primes using subcontractors (whether or not the subcontractor(s) is certified); and
- Certified subcontractors.

From the Bidder Declaration, analyze the description of goods/services the firm is to provide. Determine whether the supplier's role is limited to that of an extra participant and/or through

which funds are passed in order to obtain the appearance of certified-MBE and/or WSSC-approved SLBE participation.

To be considered compliant, four tests must be passed as described in the following Table below:

**Examples:** The following Table provides examples that are based on a Solicitation that specifies goods be provided, delivered “F.O.B. Destination” to an identified location, and installed.

**File Documentations:** The SLMBE Office will document to the procurement file to capture results of the Commercially Useful Function assessment for each certified supplier. Also the SLMBE Office shall document the rationale for conclusion and include any follow-up measure taken by the SLMBE Office to verify compliance.

| TEST | QUESTIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1    | Is the supplier (whether it is the Prime or a Subcontractor) responsible for the execution of a distinct element of the resulting WSSC contract?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 2    | Will the Supplier actually be performing, managing, or supervising an element of the resulting WSSC contract?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 3    | Will the supplier be performing work that is normal for its business, services and function?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 4    | Is there any further subcontracting that is greater than that expected to be subcontracted by normal industry practices?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 1    | The prime is not certified and proposes the use of one subcontractor who is not certified.<br>Result: Since no businesses possess a certification, a Commercially Useful Function evaluation is not performed. Bidder responsibility and bid responsiveness are still evaluated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 2    | The prime is a certified-MBE or approved SLBE who does not propose the use of subcontractors. The Bidder Declaration states that the bidder will provide and install the goods. It is known that the brand of goods bid is manufactured by the MBE or SLBE.<br>Result: Commercially Useful Function compliant – Since no subcontractors are proposed, and the MBE or SLBE manufactures and installs the goods with its own personnel, compliance is achieved.<br><b>Note:</b> For this hypothetical example, delivery of the goods by sources external to the prime does not preclude Commercially Useful Function compliance since delivery is incidental, not a separately priced line item and standard industry practice includes utilizing external delivery sources.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 3    | The prime is a certified small business who does not propose the use of subcontractors. The Bidder Declaration states that the bidder will provide and install the goods. Identified elsewhere within the bid is that the bidder is an authorized reseller of the goods.<br>Test #1 – The resulting contract requires that goods be provided, delivered and installed. The prime will be responsible for the execution of the entire contract.<br>Test #2 – The prime is an authorized reseller of the goods and is the entity that will provide the goods and thus perform that contract element. It appears that the prime will also be using its own personnel to provide installation.<br>Test #3 – When the Certification website or approval list is checked, the prime is currently certified or approved and is consistent with the goods provided.<br>Test #4 – The prime is not further subcontracting elements greater than what is expected by normal industry practices.<br>Result: Commercially Useful Function compliant – The Prime met all four tests.<br><b>Note:</b> For this hypothetical example, delivery of the goods by sources external to the Prime does not preclude Commercially Useful Function compliance since delivery is incidental, not a separately priced line item and standard industry practice includes utilizing external delivery sources. |

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4 | <p>The prime is a certified-MBE or approved SLBE who does not propose the use of subcontractors. The Bidder Declaration states that the prime will provide everything needed for the contract, including oversight and coordination.</p> <p>Test #1 – The resulting contract requires that goods be provided, delivered and installed. The prime will be responsible for the execution of the entire contract.</p> <p>Test #2 – The prime does not appear to be a manufacturer or an authorized reseller. It is not clear whether their personnel will actually be performing, managing, or supervising an element of the resulting contract.</p> <p>Test #3 – Since the role of the prime is not clear; it is not known whether work performed is normal for its business, services and function. When certification database or SLBE approved list is checked, the prime is currently certified or approved but there is no indication of Commercially Useful Function.</p> <p>Test #4 – Since the prime does not appear to be a manufacturer or an authorized reseller; it is possible that a supplier(s) is being used to perform all elements of the resulting contract which would not be considered a normal industry practice.</p> <p>Result: Clarification is required. Information may either be acquired through written request to the bidder (<b>if allowed for the Solicitation</b>), research or market analysis.</p>                                                                                                                                                                                                                       |
| 5 | <p>The prime is a certified-MBE or approved SLBE who proposes the use of one subcontractor who is not certified. The Bidder Declaration states that the Prime will provide the goods and handle the delivery. The Subcontractor will perform the installation.</p> <p>Test #1 – The resulting contract requires that goods be provided, delivered and installed. The prime will execute two elements of the contract and be responsible for the installation work performed by the subcontractor, thus responsible for the entire contract.</p> <p>Test #2 – The prime is the entity that will provide the goods and handle the delivery and thus perform those contract elements.</p> <p>Test #3 – Although the Certification database and/or approved SLBE list identifies the prime as currently certified or approved, there is no way to determine the Commercially Useful Function. The goods solicited are products normally provided by the prime.</p> <p>Test #4 – For the type of goods solicited, it is not unusual that other entities might be used to install the goods.</p> <p>Result: Commercially Useful Function compliant – The prime met all four tests.</p> <p><b>Note:</b> Since the only certified business is the prime, Commercially Useful Function compliance is not evaluated for the subcontractor.</p>                                                                                                                                                                                                                                                                                                                       |
| 6 | <p>The prime is not certified-MBE or approved SLBE and proposes the use of two Subcontractors who are both certified and approved businesses. The bidder is a non-small business claiming small business preference for use of approved small business subcontractors. The Bidder Declaration states that the prime will manage the contract with one subcontractor providing the goods and the other subcontractor delivering the goods and performing the installation.</p> <p>Test #1 – The resulting contract requires that goods be provided, delivered and installed. The prime will hold subcontractors responsible for execution of all contract elements.</p> <p>Test #2 – The two subcontractors will perform all elements of the contract.</p> <p>Test #3 – The certification databases or approved SLBE list identifies that both Subcontractors possess current certifications or approvals but only one firm can be determined to provide a Commercially Useful Function indicator. The determination is consistent with the work being performed by that subcontractor. What is proposed in the Solicitation for the other Subcontractor are goods normally provided by that subcontractor?</p> <p>Test #4 – The subcontractors are not further subcontracting with other entities.</p> <p><b>Result:</b> Commercially Useful Function compliant – Both subcontractors met all four tests.</p> <p><b>Note:</b> Since the only certified-MBE or approved SLBE businesses are the subcontractors, compliance is evaluated for each subcontractor but not for the Prime. Bidder responsibility and bid responsiveness are still evaluated.</p> |

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7 | <p>The prime is a certified-MBE or approved SLBE who proposes the use of one subcontractor who is not certified and/or approved. The Bidder Declaration states that the prime will be “performing a Commercially Useful Function since it will be managing the contract, placing orders, verifying timeliness of delivery, and handling billing.” Stated is that the subcontractor will provide/deliver the goods and handle the installation.</p> <p>Test #1 – The resulting contract requires that goods be provided, delivered and installed. The prime is responsible for execution of the contract.</p> <p>Test #2 – The prime is not identified as the entity that will actually be performing one or more contract elements.</p> <p>Test #3 – The certification databases or SLBE approval list identifies the prime as currently certified/approved and Commercially Useful Function can be determined. However, the Commercially Useful Function is not consistent with elements in the resulting contract.</p> <p>Test #4 – The prime is subcontracting all contract elements. This would not be a normal industry practice.</p> <p>Not CUF compliant – Tests #2, #3, and #4 were not met. It appears that the prime is an extra participant in the contract and acting as a “pass through.” The work to be performed by the MBE or SLBE as stated in the Bidder Declaration is not work for which WSSC is placing the contract. Since the prime is not Commercially Useful Function compliant, the bid must be rejected. The situation should be reported to the SLMBE to identify the disparity between the prime’s proposed contract performance and the Commercially Useful Function assessment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 8 | <p>The prime is not certified/approved and proposes the use of two subcontractors who are either certified-MBEs or approved SLBEs. The Solicitation included the MBE or SLBE requirement. Properly documented is a good faith effort, but the bid identifies compliance through goal attainment. The Bidder Declaration states that the prime will provide some of the goods, plus be responsible for delivery and installation. Subcontractor #1 will provide the remainder of the goods. Subcontractor #2 is listed as providing accounting services for the contract.</p> <p>Test #1 – The resulting contract requires that goods be provided, delivered and installed. subcontractor #1 is responsible for a portion of the goods. Subcontractor #2 is responsible for activities related to the contract but not a specific element of the contract.</p> <p>Test #2 – Subcontractor #1 will perform a portion of the contract. The activities performed by subcontractor #2 were not requested by the State.</p> <p>Test #3 – Although the certification databases or approval list identifies both subcontractors as certified or approved, a Commercially Useful Function of the firms can be determined. What is proposed in the Solicitation are goods and services normally provided by the respective subcontractors.</p> <p>Test #4 – The subcontractors are not further subcontracting with other entities.</p> <p>Result: Subcontractor #1 is Commercially Useful Function compliant. Since Tests #1, #2, and #3 were not met, subcontractor #2 is not Commercially Useful Function compliant. Subcontractor #2 is being used to provide an “appearance” of participation to meet the MBE or SLBE requirement. Even though subcontractor #2 is not Commercially Useful Function compliant, bid rejection is not required. Without inclusion of subcontractor #2 the MBE or SLBE requirement will not be met; however, the good faith effort was adequately documented. If awarded the contract, subcontractor #2 would not be included in the contract. Should this occur, both the Prime and the eliminated subcontractor should be notified. The prime should be notified in conjunction with the letter of intent to award (or as applicable) and a letter sent to the subcontractor following award. This situation should be reported to SLMBE Office to identify a Bidder’s proposed inappropriate use of a certified or approved subcontractor.</p> <p><b>Note:</b> Since the only certified businesses are the subcontractors, compliance is evaluated for each subcontractor but not for the prime. Bidder responsibility and bid responsiveness are still evaluated.</p> |

## **XXI. MBE/SLBE PROGRAM REMINDERS**

1. **Subcontract Certification.** It is the bidder's or proposer's responsibility to verify that MBEs/SLBEs included on their Small, Local and/or Minority Business Subcontracting Certifications are registered in CBR and the MBEs are certified with an approved third-party certifying agency listed in SP MBE 11-01 (SP MBE 11-01 adopted by the Commission on March 11, 2011 and effective May 1, 2011) or approved in accordance with the Commission's SLBE Program, (SP SLBE 12-01 adopted by the Commission on July 20, 2011 and effective August 26, 2011).
2. **MBE Program - Regulatory Authority.** In accordance with §20-204 thru §20-206 of the Public Utilities Article, Maryland Annotated Code, WSSC shall establish a MBE Utilization Program to facilitate the participation of responsible certified MBE's in design/build and Construction contracts awarded by WSSC; and a MBE Utilization Program to facilitate the participation of responsible certified-MBEs in Goods and Services contracts awarded by the Commission other than those covered by the program for design/build and Construction contracts.
3. **SLBE Program - Regulatory Authority.** In accordance with §20-302 and §20-304 of the Public Utilities Article, Maryland Annotated Code, WSSC may establish a local, small business enterprise program to establish a Sheltered Market Program or other preference facilitating the award of Construction contracts or Procurement contracts for Goods and Services to small businesses in Montgomery County and Prince George's County.
4. **Commercially Useful Function.** A bidder performs a Commercially Useful Function when, based on all relevant facts and circumstances, when it is responsible for execution of the work of the contract by actually performing, managing and supervising the work involved. Thus, the bidder must be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material and installing (where applicable) and paying for the material itself. A MBE/SLBE does not perform a Commercially Useful Function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of MBE/SLBE participation. In determining whether an MBE/SLBE is such an extra participant, the SLMBE Office will examine similar transactions, particularly those in which MBEs/SLBEs do not participate.
5. **Pre-Award** - A bidder, respondent or prime contractor may request a full or partial waiver of a MBE/SLBE subcontracting requirement by submitting either the MBE/SLBE Unavailability Utilization Certification form contained in the Solicitation or written request **and** appropriate documentation. When requesting a full or partial waiver, bidders and respondents are required to submit the MBE/SLBE Unavailability Utilization Certification (or written request) simultaneous with bid or proposal submission, if the bidder is unable to obtain a certified-MBE or WSSC-approved SLBE firm or meet the minimum MBE/SLBE subcontracting requirement and presents adequate evidence of its GFE, as defined herein.
6. **Post-Award** - A prime contractor shall **promptly** request in writing a full or partial waiver of the MBE/SLBE subcontracting requirement as soon as possible after contractor becomes aware

that it will be unable to comply with an approved MBE/SLBE subcontracting plan. The written request shall detail the prime contractor's GFE to execute the MBE/SLBE subcontracting plan and shall include a revised MBE subcontracting plan, if applicable.

7. **Procedure** - All waiver requests shall be submitted to the SLMBE Office and the Acquisition Office for resolution by the SLMBE Director. The waiver will be granted and the award process should the SLMBE Director determine that the bidder has demonstrated GFE. Should the SLMBE Director determine that the bidder did not satisfy the requirement; the bidder's request for a waiver will be denied and the bidder will be notified of the decision and appropriate appeal or dispute processes. The SLMBE Director's decision in these matters shall be final.
8. **Substitution/Replacement of MBE/SLBE Subcontractors/Subconsultants (typically applies Post Award)** - No substitution/replacement for any MBE/SLBE subcontractor, vendor or supplier, previously selected by the prime shall be made without written notification to the Commission and the approval of the Commission. A prime cannot arbitrarily terminate a MBE/SLBE subcontractor and self-perform the work without requesting a waiver and written approval from the Commission. MBE/SLBE subcontractors can be replaced if they are unable, unwilling to perform the contracted work and/or other documented reasons. If it appears that the MBE/SLBE subcontracting requirement cannot be achieved, the prime shall immediately notify the Commission in writing accompanied by with the appropriate documentation. GFE used to try to meet at least a portion of the requirement should be documented and submitted to the Commission for evaluation.
9. **Subcontract Participation Goal** - A subcontract participation goal, if accepted by the Commission, will be incorporated into the contract requirements and will be subject to the Commission's contract compliance policy.



## XXII. CERTIFICATION FORMS CHECKLIST

Solicitation/Contract No.: PM0005A15

Contract/Project Title: WMR3 IDIQ Construction Contract

### Guidelines

1. Bidders and proposers are prohibited from requiring of prospective subcontractor(s)/ subconsultant(s) or supplier(s) pre-signed with ink or a pre-signed photocopy of blank Certification Forms.
2. Bidders and proposers are prohibited from maintaining on file pre-signed blank Certification Forms.
3. A photocopy of any Certification Form is not acceptable. Only original Certification Forms will be accepted. Submittals including photocopied forms will be rendered as non-responsive (*"original" is defined as original signatures*).
4. The two (2) authorized signatures on all forms must be signed in ink.
  - a) Use the applicable mandatory form and complete and submit at the time of bid an original, signed Certification Form for the applicable Eligible Contract/Project.
  - b) Complete and submit at the time of bid an original, signed Non-Discrimination Declaration and Good Faith Efforts Affidavit.
  - c) If requesting a waiver, complete and submit with applicable documentation at the time of bid an original, signed Unavailability Form.
  - d) If requesting a waiver, complete and submit with applicable documentation at the time of bid an original, signed Subcontractors/Subconsultants and Suppliers Summary Contact Form.

### Checklist

#### **Professional Services, Goods and Services, and Construction**

**For each subcontractor/subconsultant, provide the following, if applicable:**

- ☐ SLMBE Subcontracting and Supplier Certification
- ☐ Subcontracting and Supplier Certification

#### **Professional Services, Goods and Services, and Construction**

- ☐ Non-Discrimination Declaration – Required with all proposals
- ☐ Good Faith Efforts Affidavit – Required with all proposals
- ☐ MBE/SLBE Unavailability – Required if submitting a waiver request
- ☐ All Subcontractor/Subconsultant and Supplier Summary Contact – Optional submission

## **XXIII. CERTIFICATION FORMS**

The following Certification forms are attached:

- Good Faith Efforts Affidavit
- SLMBE Subcontracting and Supplier Certification for Professional Services, Goods and Services, and Construction
- Subcontracting and Supplier Certification for Professional Services, Goods and Services, and Construction
- WSSC Non-Discrimination Declaration
- MBE/SLBE Unavailability Form
- All Subcontractors and Suppliers Summary Contact Form

# WASHINGTON SUBURBAN SANITARY COMMISSION

## GOOD FAITH EFFORTS AFFIDAVIT

It is the Policy of the Washington Suburban Sanitary Commission (WSSC) to involve qualified Minority/Female/Women-Owned Business Enterprises (MBE/WBE) and Small Local Business Enterprises (SLBE) to the greatest extent feasible on WSSC contracts. WSSC and its prime contractors shall not discriminate on the basis of race, color, religion, national origin, or sex in the award and performance of contracts. In consideration of this Policy, WSSC has established the Good Faith Efforts (GFE) Guide for all WSSC contracts. ***(ALL BID DOCUMENTS AND PROPOSAL PACKAGES MUST INCLUDE THIS SIGNED AFFIDAVIT.)***

### **MBE/WBE/SLBE Participation Requirements**

On March 16, 2011, WSSC adopted by Resolution Number 2011-1909, race- and gender-conscious remedies codified in Standard Procedure (SP) MBE 11-01. WSSC also adopted by Resolution No. 2012-1933, a small local business enterprise program codified in SP SLBE 12-01. Both SPs authorize the Small, Local and Minority Business Enterprise (SLMBE) Director to establish subcontracting/subconsulting supplier requirements or goals for all prospective bidders/proposers to ensure a reasonable degree of MBE/WBE/SLBE participation in WSSC contracts. It is the aspirational goal of the WSSC that a certain percentage of work under each contract be executed by one or more MBEs/WBEs or SLBEs. **Complete the following information:**

Solicitation/Contract No.: \_\_\_\_\_

MBE Proffered Subcontracting: \_\_\_\_\_ %

SLBE Proffered Subcontracting: \_\_\_\_\_ %

SLMBE Proffered Subcontracting: \_\_\_\_\_ %

| African American | Hispanic American | Asian American | Native American | Female/Women-Owned Business | WSSC-Approved SLBE |
|------------------|-------------------|----------------|-----------------|-----------------------------|--------------------|
| %                | %                 | %              | %               | %                           | %                  |

The apparent low bidder/proposer shall agree to meet the established subcontracting requirement or must demonstrate and document its GFE to include MBEs/WBEs or SLBEs in subcontracting, subconsulting or purchase of material supplies opportunities when requesting a full or partial waiver. The apparent low bidder/proposer who fails to adequately document GFE, when requesting a waiver, to subcontract, subconsult or purchase significant material supplies from MBEs/WBEs or SLBEs may be denied award of the contract by the WSSC based on the prime contractor's failure to be a "responsive" or "responsible" bidder/proposer.

**Certification:** By signing below, I agree that I understand the GFE Criteria, Evaluation Point System and all information pertaining to the submission of GFE documentation and I agree to provide the WSSC's SLMBE Office with a completed copy of all required forms provided within the GFE Guide when requesting a full or partial waiver at the time of bid or at any point throughout the life of the contract. I understand that, if applicable, I fail to provide all of the required documents at the time of submission of my bid packet or proposal package, my bid may be deemed "non-responsive" or "non-responsible" and I may be denied award of the contract. I understand that all bid documents and proposal packages must include this signed affidavit.

\_\_\_\_\_  
Signature of Authorized Officer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Printed Name of Authorized Officer

\_\_\_\_\_  
Date

**WASHINGTON SUBURBAN SANITARY COMMISSION**  
**SLMBE SUBCONTRACTING AND SUPPLIER CERTIFICATION**  
**FOR PROFESSIONAL SERVICES, GOODS AND SERVICES AND CONSTRUCTION**

The undersigned certifies that they have entered into a subcontracting or supplier agreement to provide the services/commodities described herein for the percentage of the contract value stated herein.

Solicitation/Contract No.: \_\_\_\_\_ Contract Value: \$ \_\_\_\_\_

Contract Title: \_\_\_\_\_

Please check the appropriate business classifications (check all that apply):

- ☐ Certified Minority Business Enterprise Firm   ☐ Approved Small Local Business Enterprise Firm  
☐ African American   ☐ Hispanic American   ☐ Asian American   ☐ Native American   ☐ Female/WBE

Is this a subcontracting requirement (circle one option)?      Yes      or      No

Value of Subcontracted Services/Commodities: \$ \_\_\_\_\_

Percentage of Contract Value: \_\_\_\_\_ %

Small Local and/or Minority Business Enterprise Subcontractor's or Supplier's Name \_\_\_\_\_

|               |            |              |             |           |
|---------------|------------|--------------|-------------|-----------|
| Address _____ | City _____ | County _____ | State _____ | Zip _____ |
|---------------|------------|--------------|-------------|-----------|

Detailed Description and Plan of Subcontracted or Supplier Services/Commodities: \_\_\_\_\_  
\_\_\_\_\_

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Printed Name of Contractor

\_\_\_\_\_  
Printed Name of Subcontractor or Supplier

By: \_\_\_\_\_ (Seal)  
Authorized Signature

By: \_\_\_\_\_ (Seal)  
Authorized Signature

\_\_\_\_\_  
Printed Name/Title

\_\_\_\_\_  
Printed Name/Title

\_\_\_\_\_  
Witness/Attest:

\_\_\_\_\_  
Witness/Attest:

\_\_\_\_\_  
Signature/Title

\_\_\_\_\_  
Signature/Title

\_\_\_\_\_  
FEIN No.:

\_\_\_\_\_  
Firm's Telephone No.:

\_\_\_\_\_  
Firm's Facsimile No.:

\_\_\_\_\_  
Firm's E-Mail Address:

**The two (2) Authorized Signatures on this form must be signed in ink. Photocopies are not acceptable.**

**WASHINGTON SUBURBAN SANITARY COMMISSION  
SUBCONTRACTING AND SUPPLIER CERTIFICATION  
FOR PROFESSIONAL SERVICES, GOODS AND SERVICES AND CONSTRUCTION**

The undersigned certifies that they have entered into a subcontracting or supplier agreement to provide the services/commodities described herein for the percentage of the contract value stated herein.

Solicitation/Contract No.: \_\_\_\_\_ Contract Value: \$ \_\_\_\_\_

Contract Title: \_\_\_\_\_

Value of Subcontracted or Supplier Services/Commodities: \$ \_\_\_\_\_

Percentage of Contract Value: \_\_\_\_\_ %

Please check the appropriate business classification: (Optional)

☐ African American ☐ Hispanic American ☐ Asian American ☐ Native American ☐ Female/WBE

\_\_\_\_\_  
Name of Subcontractor or Supplier

\_\_\_\_\_  
Address City County State Zip

\_\_\_\_\_  
Detailed Description and Plan of Subcontracted or Supplier Services/Commodities: \_\_\_\_\_

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Printed Name of Contractor

\_\_\_\_\_  
Printed Name of Subcontractor or Supplier

By: \_\_\_\_\_ (Seal)  
Authorized Signature

By: \_\_\_\_\_ (Seal)  
Authorized Signature

\_\_\_\_\_  
Printed Name/Title

\_\_\_\_\_  
Printed Name/Title

\_\_\_\_\_  
Witness/Attest:

\_\_\_\_\_  
Witness/Attest:

\_\_\_\_\_  
Signature/Title

\_\_\_\_\_  
Signature/Title

\_\_\_\_\_  
FEIN No.:

\_\_\_\_\_  
Firm's Telephone No.:

\_\_\_\_\_  
Firm's Facsimile No.:

\_\_\_\_\_  
Firm's E-Mail Address:

**The two (2) Authorized Signatures on this form must be signed in ink. Photocopies are not acceptable.**

**WASHINGTON SUBURBAN SANITARY COMMISSION  
NON-DISCRIMINATION DECLARATION**

The undersigned understands that it is the policy of WSSC to promote full and equal business opportunities for all businesses seeking or conducting business with WSSC. The undersigned declares that we have not discriminated, on the basis of a firm's revenue or employee size with regard to prime contracting, subcontracting or partnering opportunities. The undersigned further declares that we have completed truthfully and fully the required Small/Local Minority Business Enterprise Subcontracting and Subcontracting/Subconsulting certificates included in this document as applicable. Set forth below is the signature of the officer of the bidding entity with the authority to bind the entity.

\_\_\_\_\_  
Printed Name of Authorized Officer

\_\_\_\_\_  
Signature of Authorized Officer

Signed and sealed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me appeared \_\_\_\_\_,  
the authorized person for the bidding entity who signed above declaration in my presence.

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Date

(SEAL)

**WASHINGTON SUBURBAN SANITARY COMMISSION  
MBE/SLBE UNAVAILABILITY FORM**

I, \_\_\_\_\_, \_\_\_\_\_  
of \_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_  
(Title) (Date)

I contacted the following MBE or SLBE to obtain a bid for work items to be performed on  
Solicitation/Contract No.: \_\_\_\_\_.

MBE/SLBE (Insert Name): \_\_\_\_\_

Services Sought (Describe): \_\_\_\_\_

Form of Bid Sought (*i.e.*, Unit Price, Materials and Labor, Labor Only, etc.):  
\_\_\_\_\_

**CERTIFICATION:** To the best of my knowledge and belief, the said MBE/SLBE was unavailable  
(exclusive of unavailability due to lack of agreement on price) for the service(s) sought on this contract, or unable to  
prepare a bid, for the following reason(s) provided by the MBE/SLBE:  
\_\_\_\_\_

Authorized Signature (Contractor): \_\_\_\_\_

Typed Name & Title: \_\_\_\_\_ Date: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_ was offered an opportunity to bid as a Subcontractor/Subconsultant on the above  
(Name of MBE/SLBE)

Solicitation/Contract No. on \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_  
(Seal) (Source)

**CERTIFICATION:** I certify that the above statement is a true and accurate account of why the stated  
MBE/SLBE named on this certificate did not submit a bid as a subcontractor/subconsultant on this  
Solicitation/Contract.

Authorized Signature (MBE/SLBE): \_\_\_\_\_

(Seal) Typed Name & Title: \_\_\_\_\_ Date: \_\_\_\_\_, 20\_\_\_\_

**The two (2) Authorized Signatures on this form must be signed in ink. Photocopies are not acceptable.**

**FORM MBE/SLBE-U – Rev. SP 12-01**

# WASHINGTON SUBURBAN SANITARY COMMISSION

## ALL SUBCONTRACTORS/SUBCONSULTANTS AND SUPPLIERS CONTACT SUMMARY FORM

Note: Must be submitted with a Request for Wavier, otherwise may be submitted as an optional document for information purposes only.

Bidder or Proposer Name: \_\_\_\_\_

Bidder or Proposer shall record their contacts with all subcontractors or suppliers. Additional forms may be copied if needed. Indicate Page number and initial.

| Name of MBE/SLBE Subcontractor/ Subconsultant or Supplier | Contact Name Address Phone No. | Type of Work | Good Faith Effort Division of Work | Phone Contact |                       | Type of Classification and Business | Date Solicitation Letter/Fax Sent | Results of Contact |
|-----------------------------------------------------------|--------------------------------|--------------|------------------------------------|---------------|-----------------------|-------------------------------------|-----------------------------------|--------------------|
|                                                           |                                |              |                                    | Date of Call  | Person Receiving Call |                                     |                                   |                    |
|                                                           |                                |              |                                    |               |                       |                                     |                                   |                    |
|                                                           |                                |              |                                    |               |                       |                                     |                                   |                    |
|                                                           |                                |              |                                    |               |                       |                                     |                                   |                    |

Type of Work: (A) Architectural & Engineering, (C) Construction, (G) Goods & Services, (P) Professional Services  
 Type of Classification: (AA) African American, (HA) Hispanic American, (SA) Asian American, (NA) Native American, (F/WBE) Female/Women-Owned Business Enterprise  
 Type of Businesses: (MBE) Minority Business Enterprise, (SLBE) Small Local Business Enterprise, (WBE) Women Business Enterprise

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Typed Name & Title: \_\_\_\_\_ Telephone Phone No.: \_\_\_\_\_  
 Page \_\_\_\_ of \_\_\_\_: \_\_\_\_\_ Initial Additional Page: \_\_\_\_\_



## **GOOD FAITH EFFORTS GUIDE**

**Click title to access the Good Faith Efforts Guide or cut/paste the following link in your web browser:**

<http://www.wsscwater.com/file/SLMBEGrp/GOOD%20FAITH%20EFFORT%20Version%201%2005-07-2014.pdf>

**APPENDIX B**

**WASHINGTON SUBURBAN SANITARY COMMISSION**

**PROCUREMENT OFFICE**

**INSURANCE AND BONDING**

## **1. INSURANCE REQUIREMENTS**

### **A. INSURANCE:**

The Contractor shall be required to maintain insurance for the term of this Contract as specified in the “Insurance Requirements” Section herein. The Certificate of Insurance and Endorsements shall be submitted to the Contract Administrator within 10 days after receipt of the Notice of Award. All insurance required by this Appendix B must be maintained during the entire term of the contract, including any renewal or extension terms, until all work has been completed. Also, certain coverages must be continued following completion of the work as shown in the section B.

The Contractor shall instruct an insurance broker or agent to provide the Washington Suburban Sanitary Commission a certificate of insurance and endorsements, i.e. additional insured, waiver of subrogation, attesting to the issuance of insurance policies affording coverage as required and listed in B below. Please note that such certificate of insurance and endorsements along with any required bonds must be issued and then approved by the Washington Suburban Sanitary Commission prior to the issuance of a Notice to Proceed by the Contract Administrator. The following requirements apply to all work under the contract. To the extent permitted by applicable law, the Washington Suburban Sanitary Commission reserves the right to adjust or waive any insurance or bonding requirements contained in this Appendix B and applicable to the contract.

The Contractor shall not allow any subcontractor to start work on any subcontract until all insurance required of the subcontractor has been obtained and approved by the Contractor. The Contractor shall require all subcontractors to maintain workers compensation and employers liability, business auto liability, commercial general liability and any other applicable coverage in the same manner as specified for the Contractor.

### **B. TYPES OF COVERAGE:**

The Contractor shall provide and keep in full force the following insurance noted as minimum liability limits and mandatory coverage during the term of this Contract:

("X" EQUALS MANDATORY)

| <u>Coverage Required</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <u>Limits (Figures Denote Minimums)</u>                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <div>X</div> <div>1. Worker's Compensation &amp; Employer's Liability</div> <div>_____</div> <div>_____</div>                                                                                                                                                                                                                                                                                                                                                                                              | Statutory workers compensation<br>\$500,000 accident, \$500,000 disease,<br>\$500,000 policy limit disease<br><br>Statutory USL&H or \$1,000,000                                                                                                                                                          |
| <div>X</div> <div>3. Commercial General Liability</div> <div>_____</div> <div><u>Occurrence form, including but not limited to the below</u></div> <div>a. General aggregate applies per project</div> <div>b. Premises/Operations</div> <div>c. Independent Contractors</div> <div>d. Products/Completed Operations (to apply for two years following termination of contract)</div> <div>e. Contractual Liability</div> <div>f. Personal Injury Liability</div> <div>g. Any XCU exclusions removed</div> | Items b. and e. require a \$1,000,000 signal limit for bodily injury and property damage each occurrence with a \$2,000,000 general aggregate that applies to project under contract, and a separate \$2,000,000 aggregate for products/completed operations.<br><br>\$1,000,000 each offence for Item f. |
| <div>X</div> <div>4. Business Auto Liability</div> <div>_____</div> <div>a. All Owned, Hired &amp; Non-owned</div> <div>b. Motor Carrier Act Endorsement</div>                                                                                                                                                                                                                                                                                                                                             | <u>\$1,000,000</u> Bodily Injury & Property Damage liability each accident                                                                                                                                                                                                                                |
| <div>X</div> <div>5. Umbrella Liability</div> <div>_____</div>                                                                                                                                                                                                                                                                                                                                                                                                                                             | <u>\$2,000,000</u> BI, PD, & Personal Injury                                                                                                                                                                                                                                                              |
| <div>_____</div> <div>6. Pollution Liability</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                         | \$1,000,000 each claim and aggregate                                                                                                                                                                                                                                                                      |
| <div>_____</div> <div>7. Errors or Omissions Liability</div>                                                                                                                                                                                                                                                                                                                                                                                                                                               | \$1,000,000 each claim and aggregate                                                                                                                                                                                                                                                                      |
| <div>_____</div> <div>8. Employee Dishonesty Coverage</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$_____ Limit of Insurance                                                                                                                                                                                                                                                                                |
| <div>_____</div> <div>9. Builder's Risk</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Insurable Value = 100% of the Contract Value                                                                                                                                                                                                                                                              |
| <div>_____</div> <div>10. Installation Floater</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Insurable Value = ____% of the Contract Value                                                                                                                                                                                                                                                             |
| <div>_____</div> <div>Other Insurance Required:</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                           |

### C. ADDITIONAL INSURED:

The Commission, its agents and employees shall be included as additional insured(s) in the Commercial General Liability insurance policy. Coverage for the Commission its agents and employees shall apply for defense of claims and damages for injury to persons, including bodily injury, death or any form of personal or advertising injury, or property damage arising out of or resulting from the performance of the work or product, whether caused or alleged to be caused in whole or in part by any negligent act or omission of the Contractor, or any subcontractor, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them or the Commission or its agents or employees may be liable. See below for acceptable forms. The multiple forms combination shown below, or their equivalent, shall be provided by Contractors performing work for the Commission that would be considered your work as defined in ISO form CG 0001. Other contractors or vendors shall provide additional insured status per form CG 2010 or its equivalent. The additional insured endorsement(s) must be attached to the certificate of insurance in order to effectuate additional insured status in accordance with the Washington Suburban Sanitary Commission contractual requirements. This endorsement requirement does not apply so long as the contractor and broker/agent warrant that there is a blanket additional insured provision included in the insurance policy.

**Special Note:** The following combinations of ISO forms, or their equivalent, shall be acceptable:

- **CG 2010** entitled "Additional Insured - Owners, Lessees or Contractors – Scheduled Person or Organization" and **CG 2037** entitled "Additional Insured - Owners, Lessees or Contractors – Completed Operations";

**OR**

- **CG 2033** entitled "Additional Insured - Owners, Lessees or Contractors - Automatic Status When Required in Construction Agreement With You" and **CG 2037** entitled "Additional Insured - Owners, Lessees or Contractors – Completed Operations".

### D. SUBROGATION:

The Workers Compensation and Business Auto policy must each provide for a waiver of subrogation in favor of the Commission, its agents and employees. The waiver of subrogation endorsement must be attached to the certificate of insurance in order to effectuate waiver of subrogation in accordance with the Washington Suburban Sanitary Commission contractual requirements. This endorsement requirement does not apply so long as the contractor and broker/agent warrant that there is a blanket waiver of subrogation included in the insurance policy provisions.

**E. PREMIUM PAYMENTS, DEDUCTIBLES/RETENTIONS, AND COMMISSION ACCEPTANCE:**

The premium to be expended for all of the above-referenced policies of insurance and bonds shall be paid by the Contractor. Payment of any deductibles or self-insured retentions applying under any policies shall be the responsibility of the Contractor. The policies of insurance, certificates of insurance and the insurance company or insurance companies issuing such bonds or policies of insurance must be acceptable to the Commission. All companies providing such coverage, for all contracts, regardless of size, must **be allowed to conduct and transact insurance business in the State of Maryland.**

**F. DESIGNATION AS TO APPLICABILITY:**

All certificates of insurance and applicable endorsements must be issued indicating a specific Contract number or to all work contract numbers performed by the Contractor for the Washington Suburban Sanitary Commission.

**G. CLAIMS MADE LIABILITY INSURANCE**

If any liability insurance purchased by the Contractor has been issued on a “claims made” basis, the Contractor must comply with the following additional conditions. The limits of liability and the extensions as described in section 1 B, remain the same. The Contractor must either:

- i. Agree to provide certificates of insurance evidencing the above coverages for a period of three years after final payment for the contract. Such certificates shall evidence a retroactive date, no later than the beginning of the Contractors or subcontractors’ work under this contract, or
- ii. Purchase an extended (minimum three years) reporting period endorsement for the policy or policies in force during the term of this contract and evidence the purchase of this extended reporting period endorsement by means of a certificate of insurance or a copy of the endorsement itself.

**H. NOTIFICATION OF CANCELLATION OR NON-RENEWAL:**

A minimum of thirty days written notification must be given by an insurer of any alteration, material change or cancellation or non-renewal of any insurance required under this Contract. Such required notification must be sent via Registered or Certified Mail to the address indicated below:

Washington Suburban Sanitary Commission  
Procurement Office, 8<sup>th</sup> Floor  
14501 Sweitzer Lane  
Laurel, Maryland 20707-5902.

**I. COMPLIANCE:**

Contractor's failure to comply with all insurance and bonding requirements set forth in this Appendix B and applicable to the contract will not relieve the Contractor from any liability under the contract. Contractor's obligations to comply with all insurance and bonding requirements set forth in Appendix B and applicable to the contract will not be construed to conflict with or limit Contractor's indemnification obligations under the contract.

**2. BOND REQUIREMENTS**

|          |                  |                           |
|----------|------------------|---------------------------|
| <u>X</u> | Bid Guarantee    | \$100,000.00              |
| <u>X</u> | Performance Bond | 100% of Task Order Value  |
| <u>X</u> | Payment Bond     | 100 % of Task Order Value |
| <u>X</u> | Maintenance Bond | 100% of Task Order Value  |

**A. BID GUARANTEE**

Each Bidder must furnish with his Bid, a Bid Guarantee in an amount of \$100,000.00.

The Bid Guarantee shall be in the form of a firm commitment, such as a postal money order, certified check or cashier's check, or bid bond. Bid Bonds shall be executed on the Commission Standard Bid Bond Form, included herein, by the Contractor and a corporate bonding company licensed to transact such business in the State of Maryland and indicated as such on the "Maryland Insurance Administration" companies currently licensed to conduct business in Maryland.

The Commission may hold as many of the Bid Guarantees as it may deem advisable until the execution and delivery of the Contract and Contract Bonds, whereupon all Bid Guarantees will be returned. All other Bid Guarantees will be returned within seven days after Bid opening.

**B. PERFORMANCE, LABOR AND MATERIAL PAYMENT BONDS**

Provide Performance, Labor and Material Payment and Maintenance Bonds as part of the contract execution as stated in Article 1.H herein.

The Contractor shall provide the Performance Bond and Labor and Material Payment Bond on Commission standard forms available at the Commission offices in accordance with requirements set forth in the General Conditions, for: 100 percent of the Contract (each task), when indicated below.

### **C. MAINTENANCE BOND**

For Contracts where the Contractor receives notice from Washington Suburban Sanitary Commission, indicating that the work as required under the captioned Washington Suburban Sanitary Commission contract has been substantially completed by the Contractor, the Contractor will issue a Maintenance Bond for the guarantee period(s) equal to the amount of 100 percent of the performance bond for a period of **one (1)** year(s) from the date of substantial completion for each task. Such bond will indicate the Washington Suburban Sanitary Commission as the Oblige and the Contractor as the Principal.



**APPENDIX C**

**WASHINGTON SUBURBAN SANITARY COMMISSION PROCUREMENT OFFICE  
SUBMISSION FORMS**

**BID BOND**  
**(Required for Bids more than \$100,000)**

WSSC Solicitation Number: \_\_\_\_\_

Bond Number: \_\_\_\_\_

Date Bond Executed: \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS:

That \_\_\_\_\_,  
(here insert the legal name of the Principal)

\_\_\_\_\_  
(here insert the address of the Principal)

As Principal, and

\_\_\_\_\_  
(here insert the legal name of the Surety)

\_\_\_\_\_  
(here insert the address of the Surety)

as SURETY, hereinafter called "Surety", are held and firmly bound unto the WASHINGTON SUBURBAN SANITARY COMMISSION, Laurel, Maryland, a public and governmental corporate agency of the State of Maryland, as OBLIGEE, hereinafter called the "Commission", for the use and benefit of claimants as herein below defined, in the penal sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), for the payment whereof Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal herein is herewith submitting his Bid for the work in connection with WSSC Solicitation Number \_\_\_\_\_ for \_\_\_\_\_, said Bid being made a part hereof to the same extent as if fully set out herein.

NOW, THEREFORE, if the said Bid submitted by the Principal be accepted and the Contract be awarded to said Principal, and if the said Principal shall execute the proposed Contract and shall furnish the "Performance Bond" and other bonds as required within the Contract Documents within the time established therein, then his obligation shall be void; if the Principal shall fail to execute the proposed Contract and furnish the "Performance Bond" and other bonds as

required within such Contract Documents, the Surety hereby agrees to pay the Commission the penal sum as liquidated damages.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Attest:

\_\_\_\_\_

By: \_\_\_\_\_ (seal)  
(Principal Signature)

By: \_\_\_\_\_  
(Printed Name) (Title)

Attest:

\_\_\_\_\_

\_\_\_\_\_ (seal)  
(Surety Signature)

\_\_\_\_\_  
(Attorney-in-Fact)

\*NOTE: Attach hereto Power of Attorney

WSSC

**CONTRACT PM0005A15  
BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO.                                                                                                                        | DESCRIPTION                                                                | UNIT | UNIT PRICE |
|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|------|------------|
|                                                                                                                                 |                                                                            |      | DOL        |
| ITEM NUMBERS 1 THROUGH 9 BELOW ARE CONTINGENT ITEMS<br>(ADDITIONAL CONTINGENT ITEMS SHOULD NOT BE USED UNLESS DIRECTED BY WSSC) |                                                                            |      |            |
| 1.                                                                                                                              | Test pit in paved area (non-arterial and non-state roads)                  | C.Y. |            |
| 2.                                                                                                                              | Test pit in arterial and state roads                                       | C.Y. |            |
| 3.                                                                                                                              | Test pit in non-paved areas                                                | C.Y. |            |
| 4.                                                                                                                              | Gravel backfill below subgrade                                             | C.Y. |            |
| 5.                                                                                                                              | Silt fence                                                                 | L.F. |            |
| 6.                                                                                                                              | Straw bale dike                                                            | L.F. |            |
| 7.                                                                                                                              | Crusher run cr-6                                                           | C.Y. |            |
| 8.                                                                                                                              | Borrow trench backfill                                                     | C.Y. |            |
| 9.                                                                                                                              | Additional thrust block on pipes up to 12 inch diameter (Std detail B/3.1) | Each |            |
| ITEM NUMBERS 10 THROUGH 29 BELOW ARE FOR PROPOSED DIP CLASS 54 PIPE DIAMETER                                                    |                                                                            |      |            |
| 10.                                                                                                                             | Replace existing main with 4 inch                                          | L.F. |            |
| 11.                                                                                                                             | Replace existing main with 6 inch                                          | L.F. |            |
| 12.                                                                                                                             | Replace existing main with 8 inch                                          | L.F. |            |
| 13.                                                                                                                             | Replace existing main with 10 inch                                         | L.F. |            |
| 14.                                                                                                                             | Replace existing main with 12 inch                                         | L.F. |            |

**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO. | DESCRIPTION                                    | UNIT | UNIT PRICE |
|----------|------------------------------------------------|------|------------|
|          |                                                |      | DOL        |
| 15.      | Furnish and Replace existing main with 4 inch  | L.F. |            |
| 16.      | Furnish and Replace existing main with 6 inch  | L.F. |            |
| 17.      | Furnish and Replace existing main with 8 inch  | L.F. |            |
| 18.      | Furnish and Replace existing main with 10 inch | L.F. |            |
| 19.      | Furnish and Replace existing main with 12 inch | L.F. |            |
| 20.      | Install main of 4 inch                         | L.F. |            |
| 21.      | Install main of 6 inch                         | L.F. |            |
| 22.      | Install main of 8 inch                         | L.F. |            |
| 23.      | Install main of 10 inch                        | L.F. |            |
| 24.      | Install main of 12 inch                        | L.F. |            |
| 25.      | Furnish and Install main of 4 inch             | L.F. |            |
| 26.      | Furnish and Install main of 6 inch             | L.F. |            |
| 27.      | Furnish and Install main of 8 inch             | L.F. |            |
| 28.      | Furnish and Install main of 10 inch            | L.F. |            |
| 29.      | Furnish and Install main of 12 inch            | L.F. |            |

**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO.                                                                     | DESCRIPTION                                    | UNIT | UNIT PRICE |
|------------------------------------------------------------------------------|------------------------------------------------|------|------------|
|                                                                              |                                                |      | DOL        |
| ITEM NUMBERS 30 THROUGH 49 BELOW ARE FOR PROPOSED DIP CLASS 56 PIPE DIAMETER |                                                |      |            |
| 30.                                                                          | Replace existing main with 4 inch              | L.F. |            |
| 31.                                                                          | Replace existing main with 6 inch              | L.F. |            |
| 32.                                                                          | Replace existing main with 8 inch              | L.F. |            |
| 33.                                                                          | Replace existing main with 10 inch             | L.F. |            |
| 34.                                                                          | Replace existing main with 12 inch             | L.F. |            |
| 35.                                                                          | Furnish and Replace existing main with 4 inch  | L.F. |            |
| 36.                                                                          | Furnish and Replace existing main with 6 inch  | L.F. |            |
| 37.                                                                          | Furnish and Replace existing main with 8 inch  | L.F. |            |
| 38.                                                                          | Furnish and Replace existing main with 10 inch | L.F. |            |
| 39.                                                                          | Furnish and Replace existing main with 12 inch | L.F. |            |
| 40.                                                                          | Install main of 4 inch                         | L.F. |            |

**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO.                                                                                   | DESCRIPTION                         | UNIT | UNIT PRICE |
|--------------------------------------------------------------------------------------------|-------------------------------------|------|------------|
|                                                                                            |                                     |      | DOL        |
| 41.                                                                                        | Install main of 6 inch              | L.F. |            |
| 42.                                                                                        | Install main of 8 inch              | L.F. |            |
| 43.                                                                                        | Install main of 10 inch             | L.F. |            |
| 44.                                                                                        | Install main of 12 inch             | L.F. |            |
| 45.                                                                                        | Furnish and Install main of 4 inch  | L.F. |            |
| 46.                                                                                        | Furnish and Install main of 6 inch  | L.F. |            |
| 47.                                                                                        | Furnish and Install main of 8 inch  | L.F. |            |
| 48.                                                                                        | Furnish and Install main of 10 inch | L.F. |            |
| 49.                                                                                        | Furnish and Install main of 12 inch | L.F. |            |
| <b>ITEM NUMBERS 50 THROUGH 69 BELOW ARE FOR PROPOSED DIP CLASS 54 COATED PIPE DIAMETER</b> |                                     |      |            |
| 50.                                                                                        | Replace existing main with 4 inch   | L.F. |            |
| 51.                                                                                        | Replace existing main with 6 inch   | L.F. |            |
| 52.                                                                                        | Replace existing main with 8 inch   | L.F. |            |
| 53.                                                                                        | Replace existing main with 10 inch  | L.F. |            |
| 54.                                                                                        | Replace existing main with 12 inch  | L.F. |            |

**CONTRACT PM0005A15  
BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM<br>NO. | DESCRIPTION                                    | UNIT | UNIT PRICE |
|-------------|------------------------------------------------|------|------------|
|             |                                                |      | DOL        |
| 55.         | Furnish and Replace existing main with 4 inch  | L.F. |            |
| 56.         | Furnish and Replace existing main with 6 inch  | L.F. |            |
| 57.         | Furnish and Replace existing main with 8 inch  | L.F. |            |
| 58.         | Furnish and Replace existing main with 10 inch | L.F. |            |
| 59.         | Furnish and Replace existing main with 12 inch | L.F. |            |
| 60.         | Install main of 4 inch                         | L.F. |            |
| 61.         | Install main of 6 inch                         | L.F. |            |
| 62.         | Install main of 8 inch                         | L.F. |            |
| 63.         | Install main of 10 inch                        | L.F. |            |
| 64.         | Install main of 12 inch                        | L.F. |            |
| 65.         | Furnish and Install main of 4 inch             | L.F. |            |
| 66.         | Furnish and Install main of 6 inch             | L.F. |            |
| 67.         | Furnish and Install main of 8 inch             | L.F. |            |
| 68.         | Furnish and Install main of 10 inch            | L.F. |            |
| 69.         | Furnish and Install main of 12 inch            | L.F. |            |



**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO.                                                                            | DESCRIPTION                                    | UNIT | UNIT PRICE |
|-------------------------------------------------------------------------------------|------------------------------------------------|------|------------|
|                                                                                     |                                                |      | DOL        |
| ITEM NUMBERS 70 THROUGH 89 BELOW ARE FOR PROPOSED DIP CLASS 56 COATED PIPE DIAMETER |                                                |      |            |
| 70.                                                                                 | Replace existing main with 4 inch              | L.F. |            |
| 71.                                                                                 | Replace existing main with 6 inch              | L.F. |            |
| 72.                                                                                 | Replace existing main with 8 inch              | L.F. |            |
| 73.                                                                                 | Replace existing main with 10 inch             | L.F. |            |
| 74.                                                                                 | Replace existing main with 12 inch             | L.F. |            |
| 75.                                                                                 | Furnish and Replace existing main with 4 inch  | L.F. |            |
| 76.                                                                                 | Furnish and Replace existing main with 6 inch  | L.F. |            |
| 77.                                                                                 | Furnish and Replace existing main with 8 inch  | L.F. |            |
| 78.                                                                                 | Furnish and Replace existing main with 10 inch | L.F. |            |
| 79.                                                                                 | Furnish and Replace existing main with 12 inch | L.F. |            |
| 80.                                                                                 | Install main of 4 inch                         | L.F. |            |
| 81.                                                                                 | Install main of 6 inch                         | L.F. |            |
| 82.                                                                                 | Install main of 8 inch                         | L.F. |            |
| 83.                                                                                 | Install main of 10 inch                        | L.F. |            |

**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO.                                                                                | DESCRIPTION                                   | UNIT | UNIT PRICE |
|-----------------------------------------------------------------------------------------|-----------------------------------------------|------|------------|
|                                                                                         |                                               |      | DOL        |
| 84.                                                                                     | Install main of 12 inch                       | L.F. |            |
| 85.                                                                                     | Furnish and Install main of 4 inch            | L.F. |            |
| 86.                                                                                     | Furnish and Install main of 6 inch            | L.F. |            |
| 87.                                                                                     | Furnish and Install main of 8 inch            | L.F. |            |
| 88.                                                                                     | Furnish and Install main of 10 inch           | L.F. |            |
| 89.                                                                                     | Furnish and Install main of 12 inch           | L.F. |            |
| <b>ITEM NUMBERS 90 THROUGH 109 BELOW ARE FOR PROPOSED PVC C-900 DR 14 PIPE DIAMETER</b> |                                               |      |            |
| 90.                                                                                     | Replace existing main with 4 inch             | L.F. |            |
| 91.                                                                                     | Replace existing main with 6 inch             | L.F. |            |
| 92.                                                                                     | Replace existing main with 8 inch             | L.F. |            |
| 93.                                                                                     | Replace existing main with 10 inch            | L.F. |            |
| 94.                                                                                     | Replace existing main with 12 inch            | L.F. |            |
| 95.                                                                                     | Furnish and Replace existing main with 4 inch | L.F. |            |
| 96.                                                                                     | Furnish and Replace existing main with 6 inch | L.F. |            |
| 97.                                                                                     | Furnish and Replace existing main with 8 inch | L.F. |            |

**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO. | DESCRIPTION                                                                | UNIT | UNIT PRICE |
|----------|----------------------------------------------------------------------------|------|------------|
|          |                                                                            |      | DOL        |
| 98.      | Furnish and Replace existing main with 10 inch                             | L.F. |            |
| 99.      | Furnish and Replace existing main with 12 inch                             | L.F. |            |
| 100.     | Install main of 4 inch                                                     | L.F. |            |
| 101.     | Install main of 6 inch                                                     | L.F. |            |
| 102.     | Install main of 8 inch                                                     | L.F. |            |
| 103.     | Install main of 10 inch                                                    | L.F. |            |
| 104.     | Install main of 12 inch                                                    | L.F. |            |
| 105.     | Furnish and Install main of 4 inch                                         | L.F. |            |
| 106.     | Furnish and Install main of 6 inch                                         | L.F. |            |
| 107.     | Furnish and Install main of 8 inch                                         | L.F. |            |
| 108.     | Furnish and Install main of 10 inch                                        | L.F. |            |
| 109.     | Furnish and Install main of 12 inch                                        | L.F. |            |
|          |                                                                            |      |            |
| 110.     | Install blow off connection including assembly                             | Each |            |
| 111.     | Reconnect existing 3/4 inch and 1 inch water house connections to new main | Each |            |

**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO. | DESCRIPTION                                                                 | UNIT | UNIT PRICE |
|----------|-----------------------------------------------------------------------------|------|------------|
|          |                                                                             |      | DOL        |
| 112.     | Reconnect existing 1-1/4 and 1-1/2 inch water house connections to new main | Each |            |
| 113.     | Reconnect existing 2 inch water house connections to new main               | Each |            |
| 114.     | Reconnect existing 3 inch and 4 inch water house connections to new main    | Each |            |

| ITEM NO. | DESCRIPTION                                                                           | UNIT | UNIT PRICE |
|----------|---------------------------------------------------------------------------------------|------|------------|
|          |                                                                                       |      | DOL        |
| 115.     | Reconnect existing 6 inch water house connections to new main                         | Each |            |
| 116.     | Reconnect existing 8 inch water house connections to new main                         | Each |            |
| 117.     | Reconnect existing 10 inch water house connections to new main                        | Each |            |
| 118.     | Install new 4 inch water house connections to new main                                | Each |            |
| 119.     | Install new 6 inch water house connections to new main                                | Each |            |
| 120.     | Install new 8 inch water house connections to new main                                | Each |            |
| 121.     | Install new 10 inch water house connections to new main                               | Each |            |
| 122.     | Extend and reconnect existing 3/4 inch and 1 inch water house connections to new main | L.F. |            |

**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO. | DESCRIPTION                                                                                                                                   | UNIT | UNIT PRICE |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------|------|------------|
|          |                                                                                                                                               |      | DOL        |
| 123.     | Extend and reconnect existing 1-1/4 and 1-1/2 inch water house connection to new main                                                         | L.F  |            |
| 124.     | Extend and reconnect existing 2 inch water house connection to new main                                                                       | L.F  |            |
| 125.     | Extend and reconnect existing 3 inch and 4 inch water house connection to new main                                                            | L.F  |            |
| 126.     | Extend and reconnect existing 6 inch water house connection to new main                                                                       | L.F. |            |
| 127.     | Extend and reconnect existing 8 inch water house connection to new main                                                                       | L.F. |            |
| 128.     | Extend and reconnect existing 10 inch water house connection to new main                                                                      | L.F. |            |
| 129.     | Replace existing 1 inch water house connections to separate existing double                                                                   | L.F. |            |
| 130.     | Replace existing 3/4 inch and 1 inch water house connections including double outside meter settings with 1-1/2 inch copper per detail W/5.15 | L.F  |            |
| 131.     | Replace existing water house connections with 1-1/2 inch water house connections                                                              | L.F. |            |
| 132.     | Replace existing water house connections with 1-1/2 inch water house connections including single outside meter settings                      | L.F  |            |
| 133.     | Replace existing 2 inch water house connections                                                                                               | L.F. |            |
| 134.     | Replace existing 2 inch water house connections including single outside meter settings                                                       | L.F  |            |
| 135.     | Replace existing water house connection with 4 inch water house connections                                                                   | L.F  |            |

**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO. | DESCRIPTION                                                                    | UNIT | UNIT PRICE |
|----------|--------------------------------------------------------------------------------|------|------------|
|          |                                                                                |      | DOL        |
| 136.     | Replace existing fire hydrants                                                 | Each |            |
| 137.     | Install add on fire hydrants                                                   | Each |            |
| 138.     | Furnish and install 20 inch steel casing pipe via trenchless method            | L.F. |            |
| 139.     | Furnish and install 20 inch steel casing pipe via open cut                     | L.F. |            |
| 140.     | Furnish and install 21 inch RCP casing pipe via trenchless method              | L.F. |            |
| 141.     | Furnish and install 21 inch RCP casing pipe via open cut                       | L.F. |            |
| 142.     | Furnish and install 22 inch steel casing pipe via trenchless method            | L.F. |            |
| 143.     | Furnish and install 22 inch steel casing pipe via open cut                     | L.F. |            |
| 144.     | Furnish and install 24 inch steel casing pipe                                  | L.F. |            |
| 145.     | Furnish and install 24 inch steel casing pipe via open cut                     | L.F. |            |
| 146.     | Furnish and install 24 inch RCP casing pipe via trenchless method              | L.F. |            |
| 147.     | Furnish and install 24 inch RCP casing pipe via open cut                       | L.F. |            |
| 148.     | Furnish and install 8 inch DI CL 56 carrier pipe within casing pipe            | L.F. |            |
| 149.     | Furnish and install 8 inch Coated ductile iron carrier pipe within casing pipe | L.F. |            |
| 150.     | Install 10 inch carrier pipe within casing pipe                                | L.F. |            |

**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO. | DESCRIPTION                                                                     | UNIT | UNIT PRICE |
|----------|---------------------------------------------------------------------------------|------|------------|
|          |                                                                                 |      | DOL        |
| 151.     | Furnish and install 10 inch DI CL 56 carrier pipe within casing pipe            | L.F. |            |
| 152.     | Furnish and install 10 inch Coated Ductile iron carrier pipe within casing pipe | L.F  |            |
| 153.     | Install 12 inch carrier pipe within casing pipe                                 | L.F  |            |
| 154.     | Furnish and install 12 inch Coated Ductile iron carrier pipe within casing pipe | L.F. |            |
| 155.     | Furnish and install 12 inch DI CL 56 carrier pipe within casing pipe            | L.F. |            |
| 156.     | Furnish and install corrosion control test stations                             | Each |            |
| 157.     | Furnish and install model 32S5 sacrificial high potential magnesium anodes      | Each |            |
| 158.     | Furnish and install model MG-50H-1 magnesium anodes                             | Each |            |
| 159.     | Temporary bypass                                                                | L.F  |            |
| 160.     | Sanitary Sewer point repair; 8 inch - 12 inch in diameter                       | L.F. |            |
| 161.     | Furnish and install 8 inch PVC sewer main                                       | L.F  |            |
| 162.     | Furnish and install 8 inch epoxy coated DI sewer main                           | L.F  |            |
| 163.     | Furnish and install 10 inch PVC sewer main                                      | L.F  |            |
| 164.     | Furnish and install 10 inch epoxy coated DI sewer main                          | L.F  |            |
| 165.     | Furnish and install 12 inch PVC sewer main                                      | L.F  |            |

**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM NO. | DESCRIPTION                                                                                      | UNIT | UNIT PRICE |
|----------|--------------------------------------------------------------------------------------------------|------|------------|
|          |                                                                                                  |      | DOL        |
| 166.     | Furnish and install 12 inch epoxy coated DI sewer main                                           | L.F  |            |
| 167.     | Remove existing manhole and furnish and install new manhole (need item for different diameters)  | V.F. |            |
| 168.     | Remove existing lamphole and furnish and install new manhole (need item for different diameters) | V.F. |            |
| 169.     | Furnish and renew existing 4 inch PVC sewer house connections                                    | L.F  |            |
| 170.     | Furnish and renew existing 4 inch D.I. sewer house connections                                   | L.F  |            |
| 171.     | Furnish and install 4 inch PVC sewer house connections to separate existing double connections   | L.F  |            |
| 172.     | Furnish and install 4 inch D.I sewer house connections to separate existing double connections   | L.F  |            |
| 173.     | Reconnect existing 4 inch sewer house connections                                                | Each |            |
| 174.     | Furnish extend and reconnect existing 4 inch PVC sewer house connection                          | L.F. |            |
| 175.     | Extend and reconnect existing 4 inch DI sewer house connection                                   | L.F. |            |
| 176.     | Remove 5 inch through 12 inch tree, grind stump and surface roots to 12 inches below grade       | EACH |            |
| 177.     | Remove 13 inch through 24 inch tree, grind stump and surface roots to 12 inches below grade      | EACH |            |
| 178.     | Remove 25 inch through 36 inch tree, grind stump and surface roots to 12 inches below grade      | EACH |            |
| 179.     | Remove 37 inch through 48 inch tree, grind stump and surface roots to 12 inches below grade      | EACH |            |



**CONTRACT PM0005A15**  
**BID ITEM DESCRIPTIONS**

IDIQ WATER MAIN REPLACEMENT IN MONTGOMERY AND PRINCE GEORG'S  
COUNTY, MARYLAND

| ITEM<br>NO. | DESCRIPTION                                                                                     | UNIT | UNIT PRICE |
|-------------|-------------------------------------------------------------------------------------------------|------|------------|
|             |                                                                                                 |      | DOL        |
| 180.        | Provide pavement replacement non-state road                                                     | C.Y. |            |
| 181.        | Provide pavement replacement state road (need separate bid item for state roads with concrete). | C.Y. |            |

WASHINGTON SUBURBAN SANITARY COMMISSION  
**SOLICITATION NO. PM0005A15**  
**LITIGATION/CLAIM RISK ASSESMENT AFFIDAVIT**

- 1) I, \_\_\_\_\_ (insert name) **HEREBY CERTIFY UNDER OATH** that I am the \_\_\_\_\_ (insert title) and the duly authorized representative of \_\_\_\_\_ (insert name of company) and that I possess the legal authority to execute this affidavit on behalf of the company for which I am acting.
- 2) **FIVE (5) YEAR HISTORY** (For each item below, please provide the requested information on the forms that accompany this affidavit. If your answers cannot fit in the boxes, please provide the rest of your answer on company letterhead).

**a) LIST OF COURT CASES**

Identify all court cases that you have been a party to in the past five years. For each case, identify the following:

- 1) Caption of case (e.g., John Smith v. Company, LLC).
- 2) Identify the venue (e.g., Circuit Court for Montgomery County, MD) and case number.
- 3) Provide a general description of the case (e.g., breach of contract, etc.).
- 4) Identify the contract and project the matter arose from.
- 5) State how the case was resolved (e.g., settlement, verdict, etc.).
- 6) Identify the dollar amount of any judgment or settlement. If such information is protected information pursuant to a confidentiality agreement, please state.

**b) LIST OF ARBITRATION PROCEEDINGS**

Identify all arbitration proceedings your company has been a party in within the past five years. For each case, identify the following:

- 1) Caption of case (e.g., John Smith v. Company, LLC).
- 2) Identify the venue (e.g., American Arbitration Association, etc.) and case number.
- 3) Provide a general description of the case (e.g., breach of contract, etc.).
- 4) Identify the contract and project the matter arose from.
- 5) State how the case was resolved (e.g., settlement, arbitration decision, etc.).
- 6) Identify the dollar amount of a settlement or arbitration award. If such information is protected pursuant to a confidentiality agreement, please state.

**c) LIST OF CONTRACT CLAIMS**

Identify all contract claims submitted by your company within the past five years. For each contract claim, identify the following:

- 1) Identify the contract and project the matter arose from.
- 2) Identify the party to whom the claim was submitted (e.g., WSSC).
- 3) Provide a general description of the claim.

- 4) The dollar amount of the claim.
- 5) State how the claim was resolved.
- 6) If the claim resulted in subsequent litigation, please state so.

**\*Contract Claim is defined as: Any request or demand by the contractor for an increase in the contract price. Contract claims may include, but are not limited to, claims related to changed conditions, claims for project delay, claims related to design errors, claims for additional contract time, etc.**

**d) LIST OF JUDGMENTS**

Identify all judgments entered against your company within the past five years. For each judgment, identify the following:

- 1) Identify the venue (e.g., Circuit Court for Montgomery County, MD) and case number.
- 2) Amount of judgment.
- 3) State whether the judgment is outstanding or satisfied.

**I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE FOREGOING AFFIDAVIT AND THE INFORMATION PROVIDED IN RESPONSE TO THE REQUESTS IN THE AFFIDAVIT ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. I UNDERSTAND AND ACKNOWLEDGE THAT IF IT IS DETERMINED BY WSSC THAT THE INFORMATION PROVIDED IS INACCURATE OR INCOMPLETE, ANY PROPOSAL SUBMITTED MAY BE REJECTED IN THE SOLE DISCRETION OF WSSC.**

DATE: \_\_\_\_\_

BY \_\_\_\_\_  
SIGNATURE

PRINTED NAME/TITLE: \_\_\_\_\_

NAME OF COMPANY: \_\_\_\_\_

COMPANY'S EMPLOYER IDENTIFICATION NO.: \_\_\_\_\_

COMPANY'S TELEPHONE NO.: \_\_\_\_\_

COMPANY'S FACSIMILE NO.: \_\_\_\_\_

COMPANY'S E-MAIL ADDRESS: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me, a Notary Public for the State and County aforesaid, personally appeared \_\_\_\_\_ (name of affiant) who acknowledged himself as \_\_\_\_\_ (insert title) of \_\_\_\_\_ (insert company name) who executed the foregoing affidavit by signing his name.

WITNESS my Hand and Notarial Seal.

\_\_\_\_\_  
Notary Public

My COMMISSION Expires: \_\_\_\_\_

**LITIGATION/CLAIM RISK ASSESSMENT AFFIDAVIT ATTACHMENT**  
**Court Cases**

**Provide Answers in Blank Columns**

(If your answers cannot fit in the boxes, please provide the rest of your answer on company letterhead)

|                                                                                                                                                                         |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>1) Caption of case (e.g., John Smith v. Company, LLC).</b>                                                                                                           |  |
| <b>2) Identify the venue (e.g., Circuit Court for Montgomery County, MD) and case number.</b>                                                                           |  |
| <b>3) Provide a general description of the case (e.g., breach of contract, etc.).</b>                                                                                   |  |
| <b>4) Identify the contract and project the matter arose from.</b>                                                                                                      |  |
| <b>5) State how the case was resolved (e.g., settlement, verdict, etc.).</b>                                                                                            |  |
| <b>6) Identify the dollar amount of any judgment or settlement. If such information is protected information pursuant to a confidentiality agreement, please state.</b> |  |

**LITIGATION/CLAIM RISK ASSESSMENT AFFIDAVIT ATTACHMENT  
ARBITRATION PROCEEDINGS**

**Provide Answers in Blank Columns**

(If your answers cannot fit in the boxes, please provide the rest of your answer on company letterhead)

|                                                                                                                                                                    |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>1) Caption of case (e.g., John Smith v. Company, LLC).</b>                                                                                                      |  |
| <b>2) Identify the venue (e.g., American Arbitration Association, etc.) and case number.</b>                                                                       |  |
| <b>3) Provide a general description of the case (e.g., breach of contract, etc.).</b>                                                                              |  |
| <b>4) Identify the contract and project the matter arose from.</b>                                                                                                 |  |
| <b>5) State how the case was resolved (e.g., settlement, arbitration decision, etc.).</b>                                                                          |  |
| <b>6) Identify the dollar amount of a settlement or arbitration award. If such information is protected pursuant to a confidentiality agreement, please state.</b> |  |

# **LITIGATION/CLAIM RISK ASSESSMENT AFFIDAVIT ATTACHMENT**

## **CONTRACT CLAIMS**

### **Provide Answers in Blank Columns**

(If your answers cannot fit in the boxes, please provide the rest of your answer on company letterhead)

|                                                                                                                                                                                                                                                                                                                  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>1) Identify the contract and project the matter arose from.</b>                                                                                                                                                                                                                                               |  |
| <b>2) Identify the party to whom the claim was submitted (e.g., WSSC).</b>                                                                                                                                                                                                                                       |  |
| <b>3) Provide a general description of the claim.</b>                                                                                                                                                                                                                                                            |  |
| <b>4) The dollar amount of the claim.</b>                                                                                                                                                                                                                                                                        |  |
| <b>5) State how the claim was resolved.</b>                                                                                                                                                                                                                                                                      |  |
| <b>6) If the claim resulted in subsequent litigation, please state so.</b><br><b>*Contract Claim is defined as: Any request or demand by the contractor for an increase in the contract price. Contract claims may include, but are not limited to, claims related to changed conditions, claims for project</b> |  |

|                                                                                                 |  |
|-------------------------------------------------------------------------------------------------|--|
| <p><b>delay, claims related to design errors, claims for additional contract time, etc.</b></p> |  |
|-------------------------------------------------------------------------------------------------|--|



# **LITIGATION/CLAIM RISK ASSESSMENT AFFIDAVIT ATTACHMENT JUDGMENTS**

## **Provide Answers in Blank Columns**

(If your answers cannot fit in the boxes, please provide the rest of your answer on company letterhead)

|                                                                                               |  |
|-----------------------------------------------------------------------------------------------|--|
| <b>1) Identify the venue (e.g., Circuit Court for Montgomery County, MD) and case number.</b> |  |
| <b>2) Amount of judgment.</b>                                                                 |  |
| <b>3) State whether the judgment is outstanding or satisfied.</b>                             |  |

**THIS FORM IS MANDATORY. IF NO SUBSTITUTIONS ARE PROPOSED BY BIDDER, ENTER "NONE", AND SIGN AND SUBMIT THE FORM.**

**FORM FOR SUBSTITUTIONS FOR SPECIFIED ITEMS**

**NOTE:**

Bids shall be based solely on materials, articles and methods named and specified in the Bid Documents. If substitutions are proposed for specified materials, articles and methods followed by the phrase "or equal" complete this form and submit it with your Bid. Evaluation and approval of proposed substitutions will be conducted in accordance with requirements of Standard Specifications Section 01630, "Substitution Procedures."

|     | Specification Section | Item Specified | Proposed Substitution |
|-----|-----------------------|----------------|-----------------------|
| 1.  | _____                 | _____          | _____                 |
| 2.  | _____                 | _____          | _____                 |
| 3.  | _____                 | _____          | _____                 |
| 4.  | _____                 | _____          | _____                 |
| 5.  | _____                 | _____          | _____                 |
| 6.  | _____                 | _____          | _____                 |
| 7.  | _____                 | _____          | _____                 |
| 8.  | _____                 | _____          | _____                 |
| 9.  | _____                 | _____          | _____                 |
| 10. | _____                 | _____          | _____                 |
| 11. | _____                 | _____          | _____                 |
| 12. | _____                 | _____          | _____                 |
| 13. | _____                 | _____          | _____                 |
| 14. | _____                 | _____          | _____                 |

**CONTRACT NUMBER:** \_\_\_\_\_

**Signature of Bidder**

# WASHINGTON SUBURBAN SANITARY COMMISSION

## SOLICITATION NO. \_\_\_\_\_ CONTRACT CERTIFICATION AFFIDAVIT

1. I HEREBY CERTIFY that I am the \_\_\_\_\_ and the duly (Title) \_\_\_\_\_ authorized representative of the firm of (Name of Firm) \_\_\_\_\_ and that I possess the legal authority to make this certification on behalf of myself and the firm for which I am acting.

2. BID/PROPOSAL AFFIDAVIT

### B. CERTIFICATION REGARDING COMMERCIAL NONDISCRIMINATION

The undersigned bidder hereby certifies and agrees that the following information is correct: In preparing its bid on this project, the bidder has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in "discrimination" as defined in §19-103 of the State Finance and Procurement Article of the Annotated Code of Maryland. "Discrimination" means any disadvantage, difference, distinction, or preference in the solicitation, selection, hiring, or commercial treatment of a vendor, subcontractor, or commercial customer on the basis of race, color, religion, ancestry, or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or any otherwise unlawful use of characteristics regarding the vendor's, supplier's, or commercial customer's employees or owners. "Discrimination" also includes retaliating against any person or other entity for reporting any incident of "discrimination". Without limiting any other provision of the solicitation on this project, it is understood that, if the certification is false, such false certification constitutes grounds for the State to reject the bid submitted by the bidder on this project, and terminate any contract awarded based on the bid. As part of its bid or proposal, the bidder herewith submits a list of all instances within the past 4 years where there has been a final adjudicated determination in a legal or administrative proceeding in the State of Maryland that the bidder discriminated against subcontractors, vendors, suppliers, or commercial customers, and a description of the status or resolution of that determination, including any remedial action taken. Bidder agrees to comply in all respects with the State's Commercial Nondiscrimination Policy as described under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland.

#### B-1. Certification Regarding Minority Business Enterprises.

The undersigned bidder hereby certifies and agrees that it has fully complied with the State Minority Business Enterprise Law, State Finance and Procurement Article, §14-308(a)(2), Annotated Code of Maryland, which provides that, except as otherwise provided by law, a contractor may not identify a certified minority business enterprise in a bid or proposal and:

- (1) Fail to request, receive, or otherwise obtain authorization from the certified minority business enterprise to identify the certified minority proposal;
- (2) Fail to notify the certified minority business enterprise before execution of the contract of its inclusion in the bid or proposal;
- (3) Fail to use the certified minority business enterprise in the performance of the contract; or
- (4) Pay the certified minority business enterprise solely for the use of its name in the bid or proposal. Without limiting any other provision of the solicitation on this project, it is understood that if the certification is false, such false certification constitutes grounds for the State to reject the bid submitted by the bidder on this project, and terminate any contract awarded based on the bid.

#### B-2. Certification Regarding Veteran-Owned Small Business Enterprises. The undersigned bidder hereby certifies and agrees that it has fully complied with the State veteran-owned small business enterprise law, State Finance and Procurement Article, §14-605, Annotated Code of Maryland, which provides that a person may not:

- (1) Knowingly and with intent to defraud, fraudulently obtain, attempt to obtain, or aid another person in fraudulently obtaining or attempting to obtain public money, procurement contracts, or funds expended under a procurement contract to which the person is not entitled under this title;
- (2) Knowingly and with intent to defraud, fraudulently represent participation of a veteran owned small business enterprise in order to obtain or retain a bid preference or a procurement contract;
- (3) Willfully and knowingly make or subscribe to any statement, declaration, or other document that is fraudulent or false as to any material matter, whether or not that falsity or fraud is committed with the knowledge or consent of the person authorized or required to present the declaration, statement, or document;
- (4) Willfully and knowingly aid, assist in, procure, counsel, or advise the preparation or presentation of a declaration, statement, or other document that is fraudulent or false as to any material matter, regardless of whether that falsity or

fraud is committed with the knowledge or consent of the person authorized or required to present the declaration, statement, or document;

(5) Willfully and knowingly fail to file any declaration or notice with the unit that is required by COMAR 21.11.12; or

(6) Establish, knowingly aid in the establishment of, or exercise control over a business found to have violated a provision of §B-2(1)-(5) of this regulation.

#### C. AFFIRMATION REGARDING BRIBERY CONVICTIONS

##### I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business (as is defined in [Section 16-101\(b\) of the State Finance and Procurement Article](#) of the Annotated Code of Maryland), or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities including obtaining or performing contracts with public bodies has been convicted of, or has had probation before judgment imposed pursuant to [Criminal Procedure Article, §6-220](#), Annotated Code of Maryland, or has pleaded nolo contendere to a charge of, bribery, attempted bribery, or conspiracy to bribe in violation of Maryland law, or of the law of any other state or federal law, except as follows (indicate the reasons why the affirmation cannot be given and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of person(s) involved, and their current positions and responsibilities with the business):

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#### D. AFFIRMATION REGARDING OTHER CONVICTIONS

##### I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities including obtaining or performing contracts with public bodies, has:

(1) Been convicted under state or federal statute of:

(a) A criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract; or

(b) Fraud, embezzlement, theft, forgery, falsification or destruction of records or receiving stolen property;

(2) Been convicted of any criminal violation of a state or federal antitrust statute;

(3) Been convicted under the provisions of Title 18 of the United States Code for violation of the Racketeer Influenced and Corrupt Organization Act, 18 U.S.C. §1961 et seq., or the Mail Fraud Act, 18 U.S.C. §1341 et seq., for acts in connection with the submission of bids or proposals for a public or private contract;

(4) Been convicted of a violation of the State Minority Business Enterprise Law, [§14-308 of the State Finance and Procurement Article](#) of the Annotated Code of Maryland;

(5) Been convicted of a violation of [§11-205.1 of the State Finance and Procurement Article](#) of the Annotated Code of Maryland;

(6) Been convicted of conspiracy to commit any act or omission that would constitute grounds for conviction or liability under any law or statute described in subsections (1)-(5) above;

(7) Been found civilly liable under a state or federal antitrust statute for acts or omissions in connection with the submission of bids or proposals for a public or private contract;

(8) Been found in a final adjudicated decision to have violated the Commercial Nondiscrimination Policy under Title 19 of the State Finance and Procurement Article of the Annotated Code of Maryland with regard to a public or private contract; or

- (9) Admitted in writing or under oath, during the course of an official investigation or other proceedings, acts or omissions that would constitute grounds for conviction or liability under any law or statute described in §§B and C and subsections D(1)-(8) above, except as follows (indicate reasons why the affirmations cannot be given, and list any conviction, plea, or imposition of probation before judgment with the date, court, official or administrative body, the sentence or disposition, the name(s) of the person(s) involved and their current positions and responsibilities with the business, and the status of any debarment):

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#### E. AFFIRMATION REGARDING DEBARMENT

##### I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, or any of its officers, directors, partners, controlling stockholders, or any of its employees directly involved in the business's contracting activities, including obtaining or performing contracts with public bodies, has ever been suspended or debarred (including being issued a limited denial of participation) by any public entity, except as follows (list each debarment or suspension providing the dates of the suspension or debarment, the name of the public entity and the status of the proceedings, the name(s) of the person(s) involved and their current positions and responsibilities with the business, the grounds of the debarment or suspension, and the details of each person's involvement in any activity that formed the grounds of the debarment or suspension).

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#### F. AFFIRMATION REGARDING DEBARMENT OF RELATED ENTITIES

##### I FURTHER AFFIRM THAT:

- (1) The business was not established and it does not operate in a manner designed to evade the application of or defeat the purpose of debarment pursuant to [Sections 16-101, et seq., of the State Finance and Procurement Article](#) of the Annotated Code of Maryland; and
- (2) The business is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred business, except as follows (you must indicate the reasons why the affirmations cannot be given without qualification):

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#### G. SUB-CONTRACT AFFIRMATION

##### I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business, has knowingly entered into a contract with a public body under which a person debarred or suspended under Title 16 of the State Finance and Procurement Article of the Annotated Code of Maryland will provide, directly or indirectly, supplies, services, architectural services, construction related services, leases of real property, or construction.

#### H. AFFIRMATION REGARDING COLLUSION

##### I FURTHER AFFIRM THAT:

Neither I, nor to the best of my knowledge, information, and belief, the above business has:

- (1) Agreed, conspired, connived, or colluded to produce a deceptive show of competition in the compilation of the accompanying bid or offer that is being submitted;
- (2) In any manner, directly or indirectly, entered into any agreement of any kind to fix the bid price or price proposal of the bidder or offeror or of any competitor, or otherwise taken any action in restraint of free competitive bidding in connection with the contract for which the accompanying bid or offer is submitted.

#### I. CERTIFICATION OF TAX PAYMENT

I FURTHER AFFIRM THAT: Except as validly contested, the business has paid, or has arranged for payment of, all taxes due the State of Maryland and has filed all required returns and reports with the Comptroller of the Treasury, the State Department of Assessments and Taxation, and the Department of Labor, Licensing, and Regulation, as applicable, and will have paid all withholding taxes due the State of Maryland prior to final settlement.

#### J. CONTINGENT FEES

I FURTHER AFFIRM THAT:

The business has not employed or retained any person, partnership, corporation, or other entity, other than a bona fide employee, bona fide agent, bona fide salesperson, or commercial selling agency working for the business, to solicit or secure the Contract, and that the business has not paid or agreed to pay any person, partnership, corporation, or other entity, other than a bona fide employee, bona fide agent, bona fide salesperson, or commercial selling agency, any fee or any other consideration contingent on the making of the Contract.

#### K. ACKNOWLEDGEMENT

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the Procurement Officer and may be distributed to units of: (1) the State of Maryland; (2) counties or other subdivisions of the State of Maryland; (3) other states; and (4) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the State of Maryland, both criminal and civil, and that nothing in this Affidavit or any contract resulting from the submission of this bid or proposal shall be construed to supersede, amend, modify or waive, on behalf of the State of Maryland, or any unit of the State of Maryland having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of Maryland with respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above business with respect to (1) this Affidavit, (2) the contract, and (3) other Affidavits comprising part of the contract.

I HEREBY FURTHER CERTIFY AND AFFIRM that the above firm shall not knowingly enter into a contract with the Washington Suburban Sanitary Commission (WSSC) under which a person or business debarred or suspended under State procurement law or WSSC regulations will provide, directly or indirectly, supplies, services, architectural services, construction related services, leases of real property, or construction.

I acknowledge that, if the representations set forth in this certification are not true and correct, the Washington Suburban Sanitary Commission may terminate the Contract awarded and take any other appropriate action.

3. I HEREBY FURTHER CERTIFY that to the best of my knowledge and belief, the cost or pricing data submitted in support of the bid submitted herewith are current, accurate and complete.
4. I FURTHER DECLARE AND AFFIRM that the firm named above is a **domestic/foreign (circle one), corporation/limited liability company (circle one)** which prior to the issuance of an executed Contract and Notice to Proceed will be registered with the Maryland State Department of Assessments and Taxation in accordance with the Corporations and Associations Article, Annotated Code of Maryland, and that it will be in good standing and will have filed all its annual reports together with its filing fees with the Maryland State Department of Assessments and Taxation. Note: A foreign corporation/limited liability company is an entity that was not formed in the State of Maryland. For example, a corporation/limited liability company formed in the State of New York (or any other State) is a foreign corporation/limited liability company under Maryland law.

MD Dept. of Assessments & Taxation I.D. Number \_\_\_\_\_

5. I FURTHER CERTIFY that this firm is owned and controlled by a member of a minority group as defined by the Commission's Minority Procurement Policy as follows:  
If the firm is minority owned, please complete this certification. **If the firm is not minority owned, please check here \_\_\_\_\_.**

Minority Group(s) Represented: \_\_\_\_\_  
Percent of Minority Ownership and Control: \_\_\_\_\_ %  
Certifying Agency: \_\_\_\_\_  
Certification No. : \_\_\_\_\_  
County/State: \_\_\_\_\_

The Bidder must attach a copy of the minority certification to his Bid.

6. I FURTHER CERTIFY that this firm, its officers, directors, partners and employees, and the representative agent agrees to abide by the Article "Ethics in Public Contracting" of the WSSC's Code of Ethics.
7. I FURTHER CERTIFY that this firm qualifies as a local minority firm because it has a place(s) of business as follows:

|                  |                  |
|------------------|------------------|
| _____            | _____            |
| Type of Facility | Type of Facility |
| _____            | _____            |
| Street Address   | Street Address   |
| _____            | _____            |
| City, County     | City, County     |
| _____            | _____            |
| Telephone Number | Telephone Number |

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS CERTIFICATION ARE TRUE AND CORRECT.

DATE: \_\_\_\_\_ BY \_\_\_\_\_  
SIGNATURE

PRINTED NAME/TITLE: \_\_\_\_\_

NAME OF FIRM: \_\_\_\_\_

FIRM'S EMPLOYER IDENTIFICATION NO.: \_\_\_\_\_

FIRM'S TELEPHONE NO. : \_\_\_\_\_

FIRM'S FACSIMILE NO. : \_\_\_\_\_

FIRM'S E-MAIL ADDRESS: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

Revised August 2012

CERTIFIED INSURANCE STATEMENT

CONTRACT NUMBER: \_\_\_\_\_

DATE: \_\_\_\_\_

I certify that I will have on file within 10 days of Notice of Award, Certificates of Insurance acceptable to the Commission, meeting all requirements set forth in the Contract Document.

Signed: \_\_\_\_\_

(Notary Seal)

Subscribed and sworn to  
before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public \_\_\_\_\_

My Commission expires \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Company Name & Title)



# CONTRACTOR'S INFORMATION REPORT

(For Use in Investigating Bidder Qualifications)

Company Name: \_\_\_\_\_

Solicitation Number: \_\_\_\_\_

Date: \_\_\_\_\_

Part 1: Financial Statement (THIS INFORMATION WILL BE KEPT CONFIDENTIAL)

Part 2: Performance Disclosure

Part 3: Experience Statement

Part 4: Resource Statement

Part 5: Safety Program Attachments

Part 6: Experience Modification Rates

Part 7: Safety Program Information

Part 8: Additional Information Page

Part 9: Signature & Certification

- **Review Bid Submittal Checklist** in Part I of this Solicitation to Determine the Parts Required by this Solicitation
- All questions in this form must be answered, and all required attachments must be included with your bid or the Bid / Proposal may be deemed **non-responsible**.
- When answering questions, provide the information in the space provided first. If additional space is needed, check the “additional information” box and attach using copies of Part 9. Additional Information Page.
- Any other Attachments must be clearly labeled with the following:
  - o Solicitation Number
  - o Part and Question Number
  - o Example: Solicitation Number AB1234C56, Contractor's Information Report Part 3, Question 5

## **PART 1: Financial Statement**

**If required by Bid Submittal Checklist in Part I of the solicitation,** Submit the current financial statements listed below with your bid or proposal.

### **1) Current Audited, Reviewed or Compiled Financial Statement**

- A. Must be prepared by a certified public accountant (CPA)
- B. Cannot be more than 12 months old.

### **2) Current Interim statements**

- A. Must be submitted on company letterhead
- B. Must be signed by an officer of the company
- C. Cannot be more than 90 days old

### **3) Work in Progress**

- A. Must include all jobs which have not been completed at the time of bid
- B. At a minimum must include the following:
  - 1. Contract Number, Title & Owner Name
  - 2. Contract Values
    - a. Job name and/or number
    - b. Contract amount, including change orders
    - c. Estimated gross profit
  - 3. Actual Accumulated Contract Totals
    - a. Earned revenues
    - b. Cost of revenues
    - c. Gross profit
    - d. Estimated costs to complete
    - e. Billings
      - 1. Billings to date
      - 2. Under billings
      - 3. Over billings
  - 4. Totals for the Current Year
    - a. Earned revenues
    - b. Cost of revenues
    - c. Gross profit
    - d. Percent complete on the job

## **Part 2: Performance Disclosure**

1. List all the owners or major stockholders of the company. If the company is a wholly owned subsidiary of any other corporation, provide the parent organization name, address, and contact information.

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☐ Additional Information Attached (in accordance with page 1)

2. Provide the company's single job and aggregate bonding limits.

Single Job: \$ \_\_\_\_\_  
Aggregate: \$ \_\_\_\_\_

3. Provide the name, address, and phone number of the bonding agent the company intends to use on this contract.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax: \_\_\_\_\_

4. Has any bid, performance, or payment bond ever been invoked against the company?

- ☐ No  
☐ Yes - Provide the information below  
☐ Additional Information Page Attached (in accordance with page 1)

|                 |  |  |  |  |
|-----------------|--|--|--|--|
| Contract Number |  |  |  |  |
| Contract Amount |  |  |  |  |
| Project Name    |  |  |  |  |
| Owner           |  |  |  |  |
| Award Date      |  |  |  |  |

5. Does the company have any claims against owners on current contracts?

- ☐ No  
☐ Yes - Provide the information below  
☐ Additional Information Page Attached (in accordance with page 1)

|                 |  |  |  |  |
|-----------------|--|--|--|--|
| Contract Number |  |  |  |  |
| Contract Amount |  |  |  |  |
| Project Name    |  |  |  |  |
| Owner           |  |  |  |  |
| Award Date      |  |  |  |  |
| Amount of Claim |  |  |  |  |
| Owner Address   |  |  |  |  |

6. Has the present organization, or a prior organization in which the same ownership existed, ever failed to complete any contract or subcontract awarded to it? If the answer is yes, provide details.

- ☐ No  
☐ Yes - Provide the information below  
☐ Additional Information Page Attached (in accordance with page 1)

|                 |  |  |  |  |
|-----------------|--|--|--|--|
| Contract Number |  |  |  |  |
| Contract Amount |  |  |  |  |
| Project Name    |  |  |  |  |
| Owner           |  |  |  |  |
| Award Date      |  |  |  |  |

7. Has the present organization, or a prior organization in which the same ownership existed, ever failed to complete on time, after allowance for authorized time extension, on any contract or subcontract awarded to it?

- ☐ No  
☐ Yes - Provide the information below  
☐ Additional Information Page Attached (in accordance with page 1)

|                 |  |  |  |  |
|-----------------|--|--|--|--|
| Contract Number |  |  |  |  |
| Contract Amount |  |  |  |  |
| Project Name    |  |  |  |  |
| Owner           |  |  |  |  |
| Award Date      |  |  |  |  |

8. Has the present organization, or a prior organization in which the same ownership existed ever refused the award of any contract on which the organization was low bidder in competitive bidding?

- ☐ No  
☐ Yes - Provide the information below  
☐ Additional Information Page Attached (in accordance with page 1)

|                     |  |  |  |  |
|---------------------|--|--|--|--|
| Solicitation Number |  |  |  |  |
| Project Name        |  |  |  |  |
| Owner               |  |  |  |  |
| Owner Address       |  |  |  |  |
| Bid Date            |  |  |  |  |

9. During the past five (5) years has the company been a party to any lawsuits which would affect the company's ability to perform on this contract or which would disqualify the company from the award of this contract?

- ☐ No  
☐ Yes - Attach detailed explanation: list all lawsuits and whether or not the organization is the defendant in a criminal indictment, grand jury investigation or investigations by any administrative agencies. Include results or status.

10. During the past five (5) years, have the owners, as individuals, or as the owners of another company been a party to any lawsuits which would affect the company's ability to perform on this contract or which would disqualify the company from the award of this contract? Include results or status.

- ☐ No  
☐ Yes - Attach detailed explanation: list all lawsuits and whether or not the organization is the defendant in a criminal indictment, grand jury investigation or investigations by any administrative agencies. Include results or status.

11. Has the company or any of its affiliates ever been the subject of any of the following actions:

- |                                                    |                              |                             |
|----------------------------------------------------|------------------------------|-----------------------------|
| a. Debarment                                       | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Deletion from a Prequalified Bidders List       | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. Limited Denial of Participation                 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. Found non-qualified to bid on a public offering | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| e. Other action which resembles debarment          | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

☐ Additional Information Attached - If yes to any of the above, provide contractor solicitation number, name and address of owner, contract amount, date of debarment/action, date of reinstatement, reason for debarment/action.

### **PART 3: Experience Statement**

1. Has the company operated under another name?

- ☐ No  
☐ Yes - Provide the information below  
☐ Additional Information Attached (in accordance with page 1)

| Name | Dates of Operation |
|------|--------------------|
|      |                    |
|      |                    |
|      |                    |
|      |                    |

2. Is the company a corporation?

- ☐ No  
☐ Yes - Provide the information below

- a. Date of Incorporation: \_\_\_\_\_  
b. State of Incorporation: \_\_\_\_\_  
c. President's Name: \_\_\_\_\_  
d. Vice President(s) Name: \_\_\_\_\_  
e. Secretary's Name: \_\_\_\_\_  
f. Treasurer's Name: \_\_\_\_\_

3. Is the company an individual or a partnership?

- ☐ No  
☐ Yes - Provide the information below  
☐ Additional Information Form Attached (in accordance with page 1)

- a. Date of Organization: \_\_\_\_\_  
b. General Partnership: ☐ Yes ☐ No  
c. Limited Partnership: ☐ Yes ☐ No  
d. Joint Venture ☐ Yes ☐ No  
e. Name and Address of all Partners

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4. Is the company legally registered and licensed to do business in Maryland?

☐ No

☐ Yes – If yes, provide License Number \_\_\_\_\_

5. Is the company legally registered and licensed to do business in other states?

☐ No

☐ Yes - Attach list of states in which partnership or trade name is filed and indicate registration or license number(s)

| State | License Number (s) |
|-------|--------------------|
|       |                    |
|       |                    |
|       |                    |
|       |                    |



#### **PART 4: Resource Statement**

1. How many years has the company been in business as a general contractor under the present business name?

\_\_\_\_ Years

2. How many years has the company been actively engaged in the type of work to be performed under this contract?

\_\_\_\_ Years

3. If awarded this contract, name the individual that will be resident superintendent and provide supervision for the project. Attach resume of this individual giving education, experience, references with contact information, and previous contracts supervised.

Resident Superintendent: \_\_\_\_\_

Telephone: \_\_\_\_\_ Mobile: \_\_\_\_\_ Email: \_\_\_\_\_

4. If awarded this contract, what percentage of work does the company propose to do with thier own forces? (a + b, when added together, must = 100%)

a) Percentage with our own forces: \_\_\_\_\_ %

b) Percentage subcontracting: \_\_\_\_\_ %

Total of a + b 100%

5. How does the company plan to provide the equipment needed to perform the work on this contract: (Check all that apply)

- ☐ Own  
☐ Purchase  
☐ Rent

## **PART 5: Safety Program Attachments**

**If required by Bid Submittal Checklist**, please attach the following:

1. Safety Program Table of Contents.
2. OSHA 300 Logs for last 3 years.
3. Explanation for all OSHA citations in the past five years.
4. Personal Protective Equipment Program in compliance with 29 CFR 1910.132, 133, 134, 135, 136, and 138 and all its parts.
5. Confined Space Entry and Rescue Program in compliance with OSHA 29CFR 1910.146 Permit-required confined spaces standard and all its parts.
6. Trench and Excavation Program in compliance with 29 CFR 1926 subpart P, Excavations and all its parts.
7. Hazard Chemicals Program in compliance with 29 CFR 1910.1200, the Hazard Communication standard and all its part.

**PART 6: Experience Modification Rates**

List the company's Worker Compensation Experience Modification Rates (EMR) for the last three years.

| Year | Experience Modification Rate (EMR) |
|------|------------------------------------|
|      |                                    |
|      |                                    |
|      |                                    |

## **PART 7: Safety Program Information**

1. Do you have a new employee safety orientation program?

☐ No

☐ Yes - If yes, does it include instruction in the following:

- |                                  |                                                          |
|----------------------------------|----------------------------------------------------------|
| A. Company Safety Policy         | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| B. Company Safety Rules          | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| C. Safety Meeting Attendance     | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| D. Company Safety Record         | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| E. Hazard Recognitions           | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| F. Hazard Reporting              | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| G. Injury Reporting              | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| H. Non-Injury Accident Reporting | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| I. Personal Protective Equipment | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| J. Respiratory Protection        | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| K. Fire Protection               | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| L. Housekeeping                  | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| M. Toxic Substance               | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| N. Electrical Safety             | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| O. Fall Protection               | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| P. First-Aid/CPR                 | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Q. Driving Safety                | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| R. Hearing Conservation          | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| S. Lock-Out/Tag-Out              | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| T. Bloodborne Pathogens          | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| U. Asbestos                      | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| V. Confined Space                | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| W. Hazard Communication          | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| X. Trench/Excavation             | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Y. Boiler Truck Safety           | Yes <input type="checkbox"/> No <input type="checkbox"/> |

2. Do you conduct safety meetings for your employees?

☐ No

☐ Yes – If yes, how often:

Daily ☐ Weekly ☐ Bi-weekly ☐ Monthly ☐ As Needed ☐

3. Do you conduct health and safety audits of work in progress?

☐ No

☐ Yes – If yes, provide the information below

Who conducts the audits?

\_\_\_\_\_

How often are the audits conducted? \_\_\_\_\_

4. Do you notify all employees of accidents and precautions related to accidents and near misses?

☐ No

☐ Yes – If yes, how is this notification accomplished?

1. Safety meetings Yes ☐ No ☐

2. Post notification in office Yes ☐ No ☐

3. Post notification at the incident location Yes ☐ No ☐

4. Other \_\_\_\_\_

5. Is safety a criteria in evaluating the performance of:

1. Employees Yes ☐ No ☐

2. Supervisors Yes ☐ No ☐

3. Management Yes ☐ No ☐

6. Does your firm hold “tool box” safety meetings?

☐ No

☐ Yes – If yes, how often:

Daily ☐ Weekly ☐ Bi-weekly ☐ Monthly ☐ As Needed ☐

7. Does your company have a drug and alcohol testing policy?

☐ No

☐ Yes

8. Does your company require that subcontractors participate in a drug surveillance/testing program?

- ☐ No  
☐ Yes

9. Does your company have a method of disseminating safety information?

- ☐ No  
☐ Yes

10. Identify your health and safety officer:

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Name & Title

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Contact Information

## **PART 8: Additional Information Page**

Copies of this page must be used when providing any additional information, and must be attached to the Contractor's Information Report.

**PART 9: Signature & Certification**

The undersigned certify that the information provided herein is true and correct.

Signed: \_\_\_\_\_ Date

\_\_\_\_\_  
Name & Title

\_\_\_\_\_  
Company

Subscribed and sworn to

before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public \_\_\_\_\_

My Commission expires \_\_\_\_\_, 20\_\_.

(Notary Seal)





## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Hal Metzler

Submitting Department: Public Works

Item Type: Budget

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### **SUBJECT**

Arundel Place Water and Sewer Project - Road Restoration

### **HCC-367-FY18**

#### **Recommendation:**

I move that the Mayor and Council authorize the expenditure of an amount NTE \$50,000 from the Capital Improvement (CIP) Funds under the existing contract with NZI Construction, Inc. for the restoration of Baltimore Avenue and Arundel Place.

#### **Sponsor(s):**

At the Request of the City Administrator

#### **Co-Sponsor(s):**

N/A

### **ATTACHMENTS**

#### **Summary Background:**

The Arundel Place water and sewer project will require road reconstruction following the completion of the water and sewer lines upgrades. The City is finalizing an agreement with the Washington Suburban Sanitary Commission (WSSC) to share the cost of construction with the understanding that the City will procure and contract for the required work. The construction will have three (3) phases, with road restoration being the final phase.

#### **Next Steps:**

Begin project work to extend water/sewer lines and repair road.

#### **Fiscal Impact:**

NTE \$50,000

#### **City Administrator Comments:**

Recommend Approval

#### **Community Engagement:**

N/A

#### **Strategic Goals:**

Goal 3 – Promote a Safe and Vibrant Community

#### **Legal Review Required?**

Complete



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Hal Metzler

Submitting Department: Public Works

Item Type: Budget

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

FY18 Budget Amendment: 37th Place Sidewalk Installation

### HCC-370-FY18

#### Recommendation:

I move that the Mayor and Council amend and increase the 2018 CIP budget to cover the additional cost of the 37th Place Sidewalk Installation project from \$35,000 to \$45,000 and increase the existing NZI Construction, Inc. contract to cover these costs.

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

#### ATTACHMENTS

[August 2017 - 37th pl council motion.pdf](#)

#### Summary Background:

On August 7th, 2017 the Council approved motion ID-716-16 approving the appropriation not to exceed \$35,000 to install a sidewalk on 37th Place. The initial budget estimate did not include cost projections for additional curb, sidewalk, and driveway apron work needed to ensure ADA compliance. The estimate for the project has been revised to an amount not to exceed \$45,000 to cover this work not included in the original estimate.

#### Next Steps:

N/A

#### Fiscal Impact:

\$10,000

#### City Administrator Comments:

Recommend Approval

#### Community Engagement:

Numerous community meetings were held over the past year to discuss the location and desires for a sidewalk on 37th Place.

#### Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

#### Legal Review Required?

Complete





## Hyattsville City Council Agenda Item Report

Meeting Date: August 7, 2017

Submitted by: Lesley Riddle

Submitting Department: Public Works

Item Type: Contract

Agenda Section: Consent Items (8:25 p.m. - 8:30 p.m.)

### SUBJECT

37th Street Sidewalk Installation

ID-716-16

### Recommendation:

I move that the Mayor and Council approve the installation of a sidewalk on 37th street, construction will be completed under the existing contract with NZI Construction, at a cost not to exceed \$35,000.

### Sponsor(s):

At the Request of the City Administrator

### Co-Sponsor(s):

### ATTACHMENTS

### Summary Background:

During FY17 budget deliberations Ward 5 Council representatives requested an assessment of traffic and safety conditions on 37th Place. The DPW staff conducted several community meetings and the residents unanimously expressed concerns about volume, speed of cars traveling on the road and pedestrians being required to walk in the road due to the lack of sidewalk.

The DPW staff conducted a review of the existing conditions and used the data collected along with visual inspections to validate the residents volume and speed concerns.

As a trial, and to mitigate speed, the staff placed temporary barriers and speed bumps in the roadway.

During that same period and over the past year, the staff conducted community meetings with residents and Council members. Several recommendations were shared with residents for consideration and possible implementation. The majority of the residents supported making Gaines Alley one way flowing into the neighborhood from 38th, installing sidewalks on one side of 37th, low impact design considerations and installing permanent speed humps. The first step of modifying the traffic pattern to make Gaines Alley one-way has been completed.

### Next Steps:

Funding was included in the FY2018 budget to bump out at the intersection of Gaines and 37th to reduce the number of cars traveling from Hamilton St down 37th to access Gaines Alley. We are also proposing sidewalk installation on the west side of 37th street and the installation of two speed humps. The cost of this project should not exceed \$35,000.00. The installation of the sidewalks will be accomplished by NZI Construction on the current contract with the City.

### Fiscal Impact:

Not to exceed \$35,000, FY18 Capital Improvement Projects

**City Administrator Comments:**

Recommend Approval

**Community Engagement:**

We have met with the community several times to review this project scope. We plan on meeting with the residents before beginning construction of the sidewalk in late summer or early fall CY2017.

**Strategic Goals:**

Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**

N/A



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Jake Rollow

Submitting Department: Community Services

Item Type: Grant

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### **SUBJECT**

FY18 Budget Appropriation: Grant from County Councilwoman Deni Taveras

### **HCC-381-FY18**

#### **Recommendation:**

I move that the Mayor and Council amend the 2018 operating budget and accept and appropriate a Special Appropriation Grant from County Councilwoman Deni Taveras for \$2,600 to support the summer reading program conducted by the Hyattsville Education Advisory Committee.

#### **Sponsor(s):**

At the Request of the City Administrator

#### **Co-Sponsor(s):**

N/A

### **ATTACHMENTS**

#### **Summary Background:**

The Education Advisory Committee plans to host the summer reading program to prevent "summer slide" in academic achievement at two local elementary schools.

#### **Next Steps:**

Accept the Special Appropriation Grant

#### **Fiscal Impact:**

\$2,600

#### **City Administrator Comments:**

Recommend Approval

#### **Community Engagement:**

The Committee and City conduct outreach in partnership with participating schools.

#### **Strategic Goals:**

Goal 5 – Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

#### **Legal Review Required?**

N/A



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018  
Submitted by: Jim Chandler  
Submitting Department: Information Technology  
Item Type: Contract  
Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Photo Copier Lease – Award of Contract

### HCC-382-FY18

#### Recommendation:

I move the City Council accept the proposal submitted by Capitol Office Solutions, 9065 Guilford Road, Columbia, Maryland 21046, and authorize the City Administrator to execute a 36-month lease for photo copier equipment and services, subject to the review and approval of the City Attorney.

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

### ATTACHMENTS

[Memo - Photo Copier Lease .docx](#)

#### Summary Background:

The City issued RFP#ADM02212018 as a request for proposals for firms to supply and service four (4) copier machines to support the City's operations for a term of 36-months.

The City received a total of eight (8) responses and selected the top two (2) firms for interviews and cost proposal evaluations.

Staff recommends the City accept the proposal submitted by Capitol Office Solutions and award a contract for services for 36-months.

#### Next Steps:

The City intends to replace the existing printer equipment, which is operating on a month-to-month lease schedule, in August 2018.

#### Fiscal Impact:

Based on the current unit counts and print quantities, staff projects an annual contract value of \$20,038.

#### City Administrator Comments:

Recommend Approval

#### Community Engagement:

N/A

**Strategic Goals:**

Goal 4 – Foster Excellence in all City Operations

**Legal Review Required?**

Pending





# Memo

To: Mayor and Council  
From: Jim Chandler, Assistant City Administrator  
CC: Tracey Nicholson, City Administrator  
Ron Brooks, City Treasurer  
Julius Wiggins, Coordinator for Contracts, Grants & Procurement  
Date: May 30, 2018  
Re: Photo Copier Lease – Award of Contract

---

This memorandum is to provide the Mayor and Council with a summary and recommendation of the acceptance of a proposal and award of contract for the fabrication of parking pay shelters.

- The City issued RFP#ADM02212018 as a request for proposals for firms to supply and service four (4) copier machines to support the City's operations for a term of 36-months.
- The City received a total of eight (8) responses and selected the top two firms for interviews and cost proposal evaluations.
- Staff is recommending the City accept of the proposal submitted by Capitol Office Solutions and award a contract for services for 36-months.

## RFP Summary

On February 2, 2018, the City of Hyattsville issued RFP# CED11022017, a request proposal to supply and service four (4) copier machines to support the City's operations for a term of 36-months. Firms were advised that the four devices will be located at two locations. Firms were advised that two of the four devices will be required to be relocated, by the contracted Firm, to new facilities during the term of the lease. Firms were further advised that the City anticipates the need to secure four (4) additional photo copier devices within the 36-month term.

#### RFP Review Panel

The following City staff members participated in the proposal review and interview process:

Jim Chandler, Assistant City Administrator and Director of Com & Economic Development  
Julius Wiggins, Supervisor, Contracts, Grants & Procurement  
Ellarose Preston  
James Fahnbulleh, IT Manager  
Sandra Fuentes, GIS Technician

#### RFP Responses

The City received a total of eight (8) responses to the solicitation and on March 21, 2018, the City opened the Technical proposals of each responding firm and reviewed to determine that the proposal met the minimum requirements of the solicitation.

| Firm                                      | Corporate Mailing Address                                    | Minimum Requirements |
|-------------------------------------------|--------------------------------------------------------------|----------------------|
| Phillips Office Solutions                 | 101 Lake Front Drive, Hunt Valley, Maryland 21030            | Yes                  |
| Centric Business Systems                  | 10702 Red Run Boulevard, Owings Mills, Maryland 21117        | Yes                  |
| Capitol Office Solutions, a Xerox Company | 9065 Guilford Road, Columbia, Maryland 21046                 | Yes                  |
| United Business Technologies              | N/A                                                          | No                   |
| Omegacor Technologies                     | 3227 Cloverfield Drive, Millersville, Maryland 21108         | Yes                  |
| Common Wealth Office Solutions            | 21205 Ridgetop Circle, Sterling, Virginia                    | No                   |
| Canon Solutions of America                | 3190 Fairview Park Drive, Suite 1000, Falls Church, Virginia | No                   |
| Xerox                                     | 1800 M Street, NW, Washington, DC 20036                      | Yes                  |

The five (5) proposals that met the minimum response requirements were distributed to each of member of the Review Panel for their evaluation based on the criteria stated within the solicitation.

#### Technical Proposal Analysis & Evaluation

The proposal was distributed to each of the members of the RFP Review Panel along with the analysis score sheet. The proposals were evaluated independently by each of the members of the Panel based on the established criteria including:

- Firm's and personnel qualifications and experience of key management;
- Proposed Copier Models
- Technical and Customer Services
- Sealed Dollar Bid Proposal

Members of the Review Panel submitted independent evaluations to the Finance Office, which informed the cumulative evaluations for each of the responding firms. The evaluation of the Review Panel disparity between the top two proposals and remaining three proposals, therefore the Review Panel elected to limit interview to the top two firms as follows:

| Top 2 Responding Firms     | Black & White Copier | Color Copier         |
|----------------------------|----------------------|----------------------|
| Capitol Office Solutions   | Xerox AltaLink B8045 | Xerox AltaLink C8045 |
| Centric Business Solutions | Ricoh MP7504         | Ricoh MP4504ex       |

The Top 2 firms were interviewed on May 14<sup>th</sup> (Centric) and May 24<sup>th</sup> (Capitol) with the interviews including a detailed summary of the company, proffered equipment, technician training and servicing and current clients.

At the conclusion of the interviews, the Review Panel evaluated the information provided during the interview process and conducted a thorough review of each firm's cost proposal.

#### Contract Award Recommendation

After a thorough solicitation and review process, the Review Panel unanimously recommended the selection of and award of contract to Capitol Office Solutions, a Xerox Company. The City has negotiated the following pricing terms with Capitol Office Solutions:

| Model                | Monthly Cost Per Unit | Print Rates Per Unit |
|----------------------|-----------------------|----------------------|
| Xerox AltaLink B8045 | 234.59                | .0038                |
| Xerox AltaLink C8045 | 349.76                | .039                 |

Based on the current unit counts and print quantities, staff projects an annual contract value of \$20,038. This annual cost will increase once the City's DPW facility and Police Department facility

are brought on-line, at which point we will determine whether to modify the 36-month term to include the additional printers for those facilities within this 36-month term or to execute a separate lease agreement with Capitol Office Solution for those facilities.

The City intends to replace the existing printer equipment, which is operating on a month-to-month lease schedule, in August 2018.



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Nicola Konigkramer

Submitting Department: City Clerk

Item Type: Appointment

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Appointment to the Shade Tree Board

**HCC-383-FY18**

### Recommendation:

I move that the Mayor, with Council approval, appoint Taylor Johnson (Ward 1) to the Shade Tree Board for a term of 3 years to expire on June 4, 2021.

### Sponsor(s):

Hollingsworth

### Co-Sponsor(s):

Perry, Warner

### ATTACHMENTS

[Committee Application\\_Johnson.pdf](#)

### Summary Background:

See attached application.

### Next Steps:

Upon appointment, the staff liaison will reach out to the appointee to inform them of their appointment. Please note all meetings of the committee are open to the public.

### Fiscal Impact:

N/A

### City Administrator Comments:

Recommend Approval

### Community Engagement:

Agendas for the Shade Tree Board Meetings will be posted on the City's website. Meetings are open to the public and all are encouraged to attend.

### Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Action 1.1 - Provide Information and opportunities for resident participation in civic endeavors.

### Legal Review Required?

N/A

## Board, Committee and Commission Application

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### Profile

Taylor

First Name

Johnson

Last Name

Email Address

Street Address

City

Suite or Apt

State

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

\*

☒ Ward 1

Primary Phone

Alternate Phone

---

### Which Boards would you like to apply for?

Shade Tree Board: Submitted

Hyattsville List Serve

Referred By:

## Biographical Statement

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I am a life-long advocate for trees. Every where I have lived I have planted shade trees. I have also been a private gardener and have taken landscaping classes. I have lived in Hyattsville for 12 years. I bought in the city because of its shade tree canopy which seems to be disappearing. I am concerned about the large number of mature trees that appear to be dying. I was unaware of the shade tree board until reading about it on the list-serve today. As a person who believes in putting action behind my words, I felt this advisory board might be the best place to devote energies to have an impact. My time table is very flexible as well.

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## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Jake Rollow

Submitting Department: Community Services

Item Type: Contract

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Transportation Provision for Joe's Movement Emporium Summer Camp

### HCC-384-FY18

#### Recommendation:

I move that the Mayor and Council authorize the City Administrator to execute a contract with Joe's Movement Emporium to provide transportation services for youth participating in their summer camp, upon the review and approval by the City Attorney for legal sufficiency.

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

### ATTACHMENTS

#### Summary Background:

Joe's Movement Emporium has requested that the City transport participants in the youth summer camp from the camp in Mount Rainier to Prince George's Pool and then back, on 20 days this summer. In exchange, Joe's would pay \$130 per day (\$2,600 total), which would cover a portion of the City's administrative costs. The contract would require Joe's to carry liability insurance.

The City currently provides transportation from local schools to the aftercare program operated by Joe's.

#### Next Steps:

Negotiate a contract with Joe's Movement Emporium.

#### Fiscal Impact:

\$2,600

#### City Administrator Comments:

Recommend Approval

#### Community Engagement:

This project is an example of City-Community partnership.

#### Strategic Goals:

Goal 5 – Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

#### Legal Review Required?

Pending







## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Laura Reams

Submitting Department: Finance

Item Type: Budget

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Hyattsville Ordinance 2018-04: Fiscal Year 2019 Budget Ordinance

### HCC-361-FY18

#### Recommendation:

I move that the Mayor and Council adopt Hyattsville Ordinance 2018-04, adopting an annual budget for Fiscal Year 2019 beginning July 1, 2018 through June 30, 2019, for the General Purpose; fixing the tax rates for the Fiscal Year beginning July 1, 2018; authorizing collection of taxes herein levied, and appropriating funds for the Fiscal Year (SECOND READING/ADOPTION).

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

#### ATTACHMENTS

[HO 2018-04\\_FY2019 Final Budget Ordinance 5 15 2018.pdf](#)

[University Town Center Special Tax Report 2018-2019.pdf](#)

[FY-2019 Total FTEs.pdf](#)

[Final\\_Budget\\_Memo\\_FY2019 \(1\).docx](#)

#### Summary Background:

The FY19 budget process began in November 2017 and the proposed FY19 budget was presented to the Mayor and Council on March 28, 2018. The process began with staff coordination on budget requirements followed by two (2) Community Meetings and a series of Council Work Sessions on priorities and departmental updates. A Public Hearing on the proposed Real Property Tax Rate was held on April 16, 2018. The 2019 Special Tax Report for Special Obligation Bonds and the University Town Center Project are included as amendments to the Budget Ordinance.

#### Next Steps:

A first reading of the budget was held on May 21, 2018. Legal Publication of the Budget Ordinance.

#### Fiscal Impact:

Total Budget All Funds \$32,996,911

#### City Administrator Comments:

See summary background above.

#### Community Engagement:

Per City Charter, a fair summary of the budget ordinance will be published twice in a newspaper of general circulation. Additionally the City will publish a Residents Guide to the Budget in July.

**Strategic Goals:**

Goal 1 - Ensure Transparent & Accessible Governance

Goal3 - Promote a Safe & Vibrant Community

**Legal Review Required?**

Complete

# HYATTSVILLE ORDINANCE 2018-04

**AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, FOR THE GENERAL PURPOSE; FIXING THE TAX RATES FOR THE FISCAL YEAR BEGINNING JULY 1, 2018; AUTHORIZING COLLECTION OF TAXES HEREIN LEVIED, AND APPROPRIATING FUNDS FOR THE FISCAL YEAR.**

**BE IT ENACTED AND ORDAINED** by the Mayor and City Council for the City of Hyattsville, as follows:

That pursuant to Section C5-6 of the Hyattsville City Charter the annual budget is as follows:

## FY 2019 Budget – Final

|                                       | General           | Capital<br>Projects | Special<br>Revenue<br>Fund | Debt Service     | Total             |
|---------------------------------------|-------------------|---------------------|----------------------------|------------------|-------------------|
|                                       | Fund              | Fund                | Fund                       | Fund             | All Funds         |
| <b>Revenue &amp; Other Sources:</b>   |                   |                     |                            |                  |                   |
| <b>Local Taxes:</b>                   |                   |                     |                            |                  |                   |
| Real Property Taxes                   | \$12,152,116      | \$0                 | \$0                        | \$0              | \$12,152,116      |
| Personal Property Taxes               | 748,800           | 0                   | 0                          | 0                | 748,800           |
| Operating Property                    | 780,000           | 0                   | 0                          | 0                | 780,000           |
| Income Tax                            | 2,500,650         | 0                   | 0                          | 0                | 2,500,650         |
| Admissions and Amusement Taxes        | 438,652           | 0                   | 0                          | 0                | 438,652           |
| <b>Subtotal - Local Taxes</b>         | <b>16,620,218</b> | <b>0</b>            | <b>0</b>                   | <b>0</b>         | <b>16,620,218</b> |
| <b>Other Revenue &amp; Sources</b>    |                   |                     |                            |                  |                   |
| Licenses and Permits                  | 699,315           | 0                   | 0                          | 0                | 699,315           |
| Other Governments - Grants            | 645,700           | 0                   | 75,300                     | 0                | 721,000           |
| Service Charges                       | 129,491           | 0                   | 475,000                    | 0                | 604,491           |
| Fines and Forfeitures                 | 304,638           | 0                   | 584,000                    | 0                | 888,638           |
| Miscellaneous                         | 193,350           | 350,500             | 166,000                    | 0                | 709,850           |
| Bond Proceeds                         | 0                 | 8,400,200           | 0                          | 0                | 8,400,200         |
| Lease Proceeds                        | 0                 | 908,000             | 0                          | 0                | 908,000           |
| Other Sources - Transfers In/Out      | 0                 | 298,350             | 0                          | 1,818,952        | 2,117,302         |
| <b>Sub-total</b>                      | <b>1,972,494</b>  | <b>9,957,050</b>    | <b>1,300,300</b>           | <b>1,818,952</b> | <b>15,048,796</b> |
| <b>Total Revenue - Sources</b>        | <b>18,592,712</b> | <b>9,957,050</b>    | <b>1,300,300</b>           | <b>1,818,952</b> | <b>31,669,014</b> |
| <b>Expenditures &amp; Other Uses:</b> |                   |                     |                            |                  |                   |
| Legislative                           | \$525,764         | \$0                 | \$0                        | \$0              | \$525,764         |
| General Government                    | 3,528,283         | 364,000             | 16,000                     | 0                | 3,908,283         |
| Town Center                           | \$165,000         | \$0                 | \$0                        | \$0              | \$165,000         |
| Police                                | 7,549,028         | 541,000             | 476,775                    | 0                | 8,566,803         |
| Fire                                  | 50,000            | 0                   | 0                          | 0                | 50,000            |

|                                                                             |                      |                  |                  |                  |                      |
|-----------------------------------------------------------------------------|----------------------|------------------|------------------|------------------|----------------------|
| Parking Compliance                                                          | 0                    | 0                | 529,159          | 0                | 529,159              |
| Code Compliance                                                             | 580,648              | 0                | 0                | 0                | 580,648              |
| <b>Public Safety Subtotal</b>                                               | <b>8,179,676</b>     | <b>541,000</b>   | <b>1,005,934</b> | <b>0</b>         | <b>9,726,610</b>     |
| Public Works                                                                | 4,588,278            | 6,770,000        | 0                | 0                | 11,358,278           |
| Community Services                                                          | 756,062              | 200,000          | 139,000          | 0                | 1,095,062            |
| Community Development                                                       | 306,010              | 2,079,000        | 130,000          | 0                | 2,515,010            |
| Other Financing - Transfers-In                                              | 0                    | 0                | 0                | 1,818,952        | 1,818,952            |
| Other Financing - Transfers-Out                                             | 1,883,952            | 0                | 0                | 0                | 1,883,952            |
| <b>Total Expenditures - Uses</b>                                            | <b>19,933,025</b>    | <b>9,954,000</b> | <b>1,290,934</b> | <b>1,818,952</b> | <b>32,996,911</b>    |
| <b>Excess of Revenue and Other Sources over Expenditures and Other Uses</b> | <b>(\$1,340,313)</b> | <b>\$3,050</b>   | <b>\$9,366</b>   | <b>\$0</b>       | <b>(\$1,327,897)</b> |
| <b>Beginning Fund Balance</b>                                               | <b>\$13,241,692</b>  |                  |                  |                  |                      |
| <b>Ending Fund Balance</b>                                                  | <b>\$11,901,379</b>  |                  |                  |                  |                      |

Which was the subject of a public hearing on April 16, 2018, after notice thereof was published twice in a newspaper of circulation within the City, is hereby adopted.

The tax rate for all real property, not otherwise exempted, located within the corporate limits of the City shall be as is hereby fixed at sixty-three cents (\$.63) on each one hundred (\$100.00) dollars of assessed value on lands, improvements and fixtures.

The tax rate for all operating property of public utilities and contract carriers, not otherwise exempted, located within the corporate limits of the City shall be as is hereby fixed at one dollar and ninety-eight cents (\$1.98) on each one hundred (\$100.00) dollars of assessed value.

Such taxes on lands and improvements shall be computed on the valuation of said properties in Prince George's County, Maryland, which assessment is hereby adopted and used by the City of Hyattsville as its own valuation assessment of the land and improvements within the corporate limits subject to taxation for property of public utilities and contract carriers, the valuation of said properties as certified to the City of Hyattsville by the Maryland State Department of Assessments and Taxation shall be used as the assessed valuation of properties so certified.

The tax rate for all tangible personal property, not otherwise exempted, located within the corporate limits of the City shall be and is hereby fixed at one dollar and fifteen cents (\$1.15) on each one hundred (\$100.00) dollars of assessed value of all tangible operating personal property, including commercial inventory. In computing and levying such taxes on tangible personal property, the valuation of such property as certified to the City of Hyattsville by the Maryland State Department of Assessments and Taxation shall be used as the assessed valuation of properties so certified.

The City Treasurer, or any other person designated by the City Council to act in his/ her place, is hereby authorized and directed to collect the taxes herein levied by this ordinance.

231

In accordance with Section C5-6 of the Hyattsville City Charter, the real property taxes provided for in this ordinance shall be due and payable on the first day of July, 2018 and shall be overdue and in arrears when the County's real property taxes are overdue and in arrears. All real property taxes shall bear monthly interest

while in arrears at the rate of two thirds of one percent (.0066) and a monthly penalty of one percent (.01) as provided in Section C5-17 of the City Charter.

Tangible personal property shall bear a fixed penalty of one hundred (\$100.00) dollars for the first month in arrears, which is defined as the period beginning ninety-one (91) days and ending one hundred twenty (120) days following the tax bill date. An additional penalty of one percent (.01) per month shall be due on any taxes in arrears more than one hundred twenty (120) days. All tangible personal property taxes shall bear interest at the rate of two thirds of one percent (.0066) per month while in arrears.

**AND BE IT FURTHER ORDAINED**, that this budget shall govern the revenue and expenditure of funds by the City during the fiscal year 2019, subject to further budget ordinances enacted by the City pursuant to the Maryland Annotated Code, Local Government Article, Section 5-205(b);

**AND BE IT FURTHER ORDAINED**, that the City Council may from time to time during the fiscal year amend this budget by motions made, discussed and carried by a 2/3 vote of the City Council so long as any action regarding this budget is taken at a public meeting after notice and a public discussion;

**AND BE IT FURTHER ORDAINED**, pursuant to Hyattsville Resolution 2004-03 designating the University Town Center Special Taxing District and Hyattsville Resolution 2004-03 authorizing the imposition, levy and collection of special taxes in the Special Taxing District and pursuant to the Rate and Apportioning terms adopted, the City of Hyattsville adopts and approves the report of the Administrator of the University Town Center Special Taxing District (Exhibit A) and hereby assesses and levies as additional real property taxes on the owners of properties in the University Town Center Special Taxing District this special tax as indicated in Appendix A of Exhibit A for the upcoming fiscal year; in the event any parcel numbers are changed prior to the actual billing of taxes by the county, the Administrator shall revise Appendix A to be consistent with the tax parcel numbers used by the County for billing of taxes and recalculate the special tax to be collected from each parcel in a manner consistent with the method utilized to calculate the special taxes in Exhibit A;

**AND BE IT FURTHER ORDAINED**, that this budget shall govern the number and type of employment positions to include the number of employees and Full-Time Equivalent (FTE) count for Fiscal Year 2019 and the City of Hyattsville approves and adopts these counts as contained in Exhibit B.

**AND BE IT FURTHER ORDAINED**, that this ordinance shall become effective on July 1, 2018, as provided in Section C2-9 of the City Charter and a fair summary of this Ordinance shall be published twice in a newspaper having general circulation in the City, subject to the provisions of section C3-2A(6) of the City Charter;

**INTRODUCED** by the City Council of the City of Hyattsville, Maryland at a public meeting on May 21, 2018;

**ADOPTED**, by the City Council of the City of Hyattsville, Maryland at a public meeting on June 4, 2018.

Adopted: June 4, 2018

Effective Date: July 1, 2018

Attest:

\_\_\_\_\_  
Laura Reams

City Clerk

\_\_\_\_\_  
Candace B. Hollingsworth

Mayor

**CITY OF HYATTSVILLE  
SPECIAL OBLIGATION REFUNDING BONDS  
UNIVERSITY TOWN CENTER PROJECT  
SERIES 2016**

***FISCAL YEAR 2018-2019  
SPECIAL TAX REPORT***



Prepared By:

***MUNICAP, INC.***

May 9, 2018

**CITY OF HYATTSVILLE  
SPECIAL OBLIGATION REFUNDING BONDS  
UNIVERSITY TOWN CENTER PROJECT  
SERIES 2016**

**Fiscal Year 2018-2019  
Special Tax Report**

**INTRODUCTION**

The City of Hyattsville issued \$18,000,000 of special obligation bonds in August 2004 related to the University Town Center Development District. These bonds are to be repaid from special taxes collected on the taxable property in the University Town Center Special Taxing District, which was created pursuant to Resolution No. 2004-02 adopted by the City Council on February 17, 2004. Series 2004 Bonds were defeased and redeemed on December 20, 2016 with the \$16,940,000 City of Hyattsville Series 2016 Special Obligation Refunding Bonds.

A special tax is to be collected each fiscal year in the University Town Center Special Taxing District pursuant to Resolution No. 2004-03, and an Executive Order, dated August 9, 2004, executed by the Mayor. This report has been prepared to explain the methodology used to calculate the special tax rates at which property will be taxed in the University Town Center Special Taxing District for fiscal year 2018-2019.

**SPECIAL TAX REQUIREMENT**

Special taxes are to be collected in a proportional amount equal to each parcel's equivalent use factors such that the total special taxes collected are equal to the special tax requirement. The special tax requirement is generally equal to (i.) annual debt service, (ii.) administrative expenses, less (iii.) interest income on the reserve fund (*upon closure of the improvement fund*) held by the trustee.

Table A provides a summary of the special tax requirement for fiscal year 2018-2019. Special taxes equal to \$1,185,000.00 will have to be collected for fiscal year 2018-2019. Each of these numbers is explained in the following sections.

**Debt Service**

Debt service includes interest on the bonds payable on January 1, 2019 and July 1, 2019. Each semi-annual interest payment is equal to \$383,238 on the terms bonds shown below.

|                                          |                  |
|------------------------------------------|------------------|
| Term 2021 Bonds of \$1,435,000 at 3.50%  | \$25,113         |
| Term 2027 Bonds of \$4,255,000 at 5.00%  | \$106,375        |
| Term 2027 Bonds of \$4,245,000 at 5.00%  | \$106,125        |
| Term 2034 Bonds of \$5,8250,000 at 5.05% | \$145,625        |
| <b>Total:</b>                            | <b>\$383,238</b> |



A principal payment of \$440,000 is due on July 1, 2019. As a result, total debt service for fiscal year 2018-2019 is \$1,206,475.

**Table A**  
**Special Tax Requirement**  
**Fiscal Year 2018-2019**

|                                                  |                           |
|--------------------------------------------------|---------------------------|
| Debt service:                                    |                           |
| Interest on January 1, 2019                      | \$383,238                 |
| Interest on July 1, 2019                         | \$383,238                 |
| Principal on July 1, 2019                        | \$440,000                 |
| <b><i>Sub-total debt service</i></b>             | <b><i>\$1,206,475</i></b> |
| Administrative expenses                          | \$30,692                  |
| Contingency                                      | \$12,338                  |
| <b><i>Total expenses</i></b>                     | <b><i>\$1,249,505</i></b> |
| Reserve fund investment income                   | (\$15,246)                |
| Surplus from prior year                          | (\$49,259)                |
| <i>Funds available to be applied for FY18-19</i> | <i>(\$64,505)</i>         |
| <b><i>Special Tax Requirement</i></b>            | <b><i>\$1,185,000</i></b> |

### Administrative Expenses

Administrative expenses include the trustee, the administrator, and the expenses of the city related to the district. The annual charges of the trustee are estimated to be \$7,190. The fees and expenses of the administrator are estimated to be \$13,502. The expenses of the city are estimated to be \$10,000. Accordingly, the total administrative expenses are estimated at \$30,692.

### Contingency

A contingency, equal to approximately two percent of annual debt service plus an additional amount to round the special tax requirement to the nearest thousand has been added in case there are unanticipated expenses or tax payment delinquencies.

### Reserve Fund Income

As of April 30, 2018, the balance in the reserve fund was \$1,703,166.00, which consists of the reserve requirement of \$1,694,000.00 and investment income posted to the account in the amount of \$9,166.00. The investment income previously posted to the Reserve Fund will be made available to pay debt service on the Series 2016 Refunding Bonds on July 1, 2018. The reserve fund proceeds are held in First America Treasury Obligation money market fund earning approximately 0.90 percent per annum. At this rate of return, \$15,246.00 in annual investment income will be earned and made available to pay debt service and administrative expenses on the Series 2016 Refunding Bonds for fiscal year 2018-2019.

### Surplus from Prior Year

Table B below outlines the surplus from the prior year that may be applied to pay debt service and administrative expenses for fiscal year 2018-2019. Special taxes in the amount of \$1,205,000.00 were billed for collection in fiscal year 2017-2018. As of April 30, 2018, Prince

George's County has reported collecting special taxes in the amount of \$1,205,954.22 (includes interest and penalties and prior year delinquencies) for fiscal year 2017-2018. This amount represents 100 percent of the total special taxes billed for collection during fiscal year 2017-2018. As of April 30, 2018, all special taxes collected for fiscal year 2017-2018 have been transferred to the trustee.

As of April 30, 2018, the balance in the special tax fund and debt service fund were \$914,531.00 and \$889.00, respectively. As mentioned above, an additional \$9,166.00 in interest income is also available in the reserve fund. A portion of these funds will be used to pay debt service due on July 1, 2018, which consists of an interest payment and principal payment of \$390,237.50 and \$400,000.00, respectively, as shown on Table B below.

**Table B**  
**Surplus from Prior Year**

|                                            | Series 2016                  |
|--------------------------------------------|------------------------------|
| <b><u>Available Funds:</u></b>             |                              |
| Special tax revenue fund on April 30, 2018 | \$914,531.00                 |
| Debt service fund on April 30, 2018        | \$889.00                     |
| Reserve fund income on April 30, 2018      | \$9,166.00                   |
| <i>Total funds available</i>               | <i>\$924,586.00</i>          |
| Interest payment on July 1, 2018           | ( <i>\$390,237.50</i> )      |
| Principal payment July 1, 2018             | ( <i>\$400,000.00</i> )      |
| Administrative expenses                    | ( <i>\$30,090.00</i> )       |
| <i>Subtotal expenses</i>                   | <i>(<i>\$820,327.50</i>)</i> |
| Contingency for future principal payment   | ( <i>\$55,000.00</i> )       |
| <b><i>Surplus from prior year</i></b>      | <b><i>\$49,258.50</i></b>    |

Administrative expenses for fiscal year 2017-2018 were estimated to be \$30,090.00 and were to be funded with special taxes collected in fiscal year 2017-2018. As of April 30, 2018, the administrative expenses fund has not been funded with special assessments collected in fiscal year 2017-2018. As a result, special assessments collected in fiscal year 2017-2018 in the amount of \$30,090.00 will be transferred from the special assessment fund to the administrative expenses fund. A contingency in the amount of \$55,000.00 will be retained to make future principal payment. Accordingly, an estimated aggregate surplus of \$49,258.50 will be available to pay debt service and administrative expenses for fiscal year 2018-2019.

### Special Tax Collected

The special tax to be collected for the year shall be equal to the special tax requirement. The special tax for each parcel shall be equal to the Equivalent Use Factors of the parcel, divided by the Equivalent Use Factors of all Taxable Property in the District, and the result multiplied by the Special Tax Requirement as shown by the formula below:

$$A = (B \div C) \times D$$

Where the terms have the following meaning:

A = The Special Tax for a Parcel

- B = The Equivalent Use Factors of the Parcel  
C = The Equivalent Use Factors of all Taxable Property in the District  
D = The Special Tax Requirement

Equivalent Use Factors means for any parcel, the number of dwelling units, parking spaces, and building square footage of a parcel by the Land Use Class multiplied by the factor for each Land Use Class as shown in Table C below:

***Table C***  
**Land Use Class and Equivalent Use Factors**

| Land Use Class       | Equivalent Use Factors     |
|----------------------|----------------------------|
| Office Property      | 0.70 per 1,000 square feet |
| Parking Property     | 0.02 per parking space     |
| Residential Property | 1.00 per dwelling unit     |
| Retail Property      | 1.02 per 1,000 square feet |

The equivalent use factors for each taxable parcel classified under office or retail land use classes within the district were computed using building square footages obtained from the State Department of Assessments and Taxation. Schedules from the State Department of Assessments and Taxation showing the building square footage for each parcel, which were used in computing the equivalent use factors for each taxable parcel classified under office or retail land use class within the district, are attached to Appendix B. Schedules for individual condominium units of residential property can be obtained at <http://sdat.resiusa.org/RealProperty/Pages/default.aspx>. The respective land use class and the aggregate building square footage for office and retail property, the aggregate number of dwelling units for residential parcels and the total number of parking spaces for parking property and the corresponding equivalent use factors for each land use class are shown in Table D below.

***Table D***  
**Special Tax District Parcels**

| Land Use Class | Number of Parcels | Building SF/<br>Dwelling Units /<br>Parking Spaces/ | Equivalent Use Factor | Equivalent Use Factors |
|----------------|-------------------|-----------------------------------------------------|-----------------------|------------------------|
| Office         | 6                 | 1,474,707                                           | 0.70                  | 1032.29                |
| Retail         | 4                 | 211,137                                             | 1.02                  | 215.36                 |
| Residential    | 136               | 134                                                 | 1.0                   | 378.00                 |
| Parking        | 2                 | 1,312                                               | 0.02                  | 26.24                  |
| <b>Total</b>   | <b>148</b>        |                                                     |                       | <b>1,651.89</b>        |

Special taxes are to be collected in a proportional amount equal to each parcel's equivalent use factors such that the total special tax to be collected is equal to the special tax requirement. For fiscal year 2018-2019, the special tax requirement is equal to \$1,185,000.00. The equivalent use factors for all parcels within the district are equal to 1,651.89. As a result, the special tax to be collected per each equivalent use factor is equal to \$717.36 ( $\$1,185,000.00 \div 1,651.89 = \$717.36$ ).

Table E below shows the aggregate breakdown of special taxes to be collected in the district on the basis of land use class.

**Table E**  
**Special Taxes to be Collected**  
**Fiscal Year 2018-2019**

| <b>Land Use Class</b> | <b>Equivalent Use Factors</b> | <b>Special Tax Per EUF</b> | <b>Special Tax</b>    |
|-----------------------|-------------------------------|----------------------------|-----------------------|
| Office                | 1032.29                       | \$717.36                   | \$740,525.11          |
| Retail                | 215.36                        | \$717.36                   | \$154,490.05          |
| Residential           | 378.00                        | \$717.36                   | \$271,161.36          |
| Parking               | 26.24                         | \$717.36                   | \$18,823.48           |
| <b>Total</b>          | <b>1,651.89</b>               |                            | <b>\$1,185,000.00</b> |

### **SPECIAL TAX RATES**

Special taxes are to be collected in a proportional amount equal to each parcel's equivalent use factors such that the total special tax collected is equal to the special tax requirement. The total expenses of the district for fiscal year 2018-2019 are estimated to be equal to \$1,249,504.50. Surplus revenues from prior year and interest income available to pay expenses are estimated to be \$64,504.50. Accordingly, the special tax requirement is equal to \$1,185,000.00.

The special taxes to be collected on each parcel for fiscal year 2018-2019 are shown in Appendix A. Appendix B includes schedules from the State Department of Assessments and Taxation showing the building square footage for each parcel, which were used in computing the equivalent use factors for each taxable parcel classified as office and retail land use class within the district.

# APPENDIX A

## CITY OF HYATTSVILLE UNIVERSITY TOWN CENTER SPECIAL TAX DISTRICT PRINCE GEORGES COUNTY, MARYLAND

### SPECIAL TAX ROLL 2018

| Parcel<br>Account # | Parcel | Building             | Owner                        | Special Tax<br>FY18-19 |
|---------------------|--------|----------------------|------------------------------|------------------------|
| 356694-0            | I      | Metro I              | NEW TOWN METRO I LLC         | \$157,312.76           |
| 372073-7            | R      | Metro II             | 3700 EAST WEST LLC           | \$215,886.62           |
| 372074-5            | S      | Retail/Parking       | ECHO UTC LLC                 | \$65,138.12            |
| 337808-0            | G      | Metro IV             | HYATTSVILLE OFFICE 2015 LLC  | \$94,413.87            |
| 366669-0            | L      | Metro III            | 6525 BELCREST ROAD LLC       | \$245,301.61           |
| 383475-1            | T      | GHS/Garage           | VIE AT UNIVERSITY TOWERS LLC | \$182,596.33           |
| 383474-4            | U      | Garage/Retail        | BE UTC GSA THEATRE LLC       | \$25,934.42            |
| 366671-6            | M      | Retail               | BE UTC GSA THEATRE LLC       | \$8,885.10             |
| 366672-4            | N      | Land                 | BE UTC GSA THEATRE LLC       | \$0.00                 |
| 372072-9            | Q      | Retail               | BE UTC GSA THEATRE LLC       | \$7,717.30             |
| 372068-7            | P      | Office               | BE UTC GSA THEATRE LLC       | \$27,610.25            |
| 372070-3            | P      | Retail               | BE UTC GSA THEATRE LLC       | \$58,077.64            |
| 393532-7            | 201    | 1 Independence Plaza | HUDSON DABNEY S              | \$717.36               |
| 393533-5            | 202    | 1 Independence Plaza | PRIETO LINA M ETAL F         | \$717.36               |
| 393534-3            | 203    | 1 Independence Plaza | REPOLE MARIO                 | \$717.36               |
| 393535-0            | 204    | 1 Independence Plaza | LAI ANTHONY ETAL & S         | \$717.36               |
| 393536-8            | 205    | 1 Independence Plaza | MOORE KAREN P                | \$717.36               |
| 393537-6            | 206    | 1 Independence Plaza | DAWSON ALLEN L               | \$717.36               |
| 393538-4            | 207    | 1 Independence Plaza | GARCIA NOEMI G               | \$717.36               |
| 393539-2            | 208    | 1 Independence Plaza | NIEVES TATIANA               | \$717.36               |
| 393540-0            | 209    | 1 Independence Plaza | WARD MILTON                  | \$717.36               |
| 393541-8            | 210    | 1 Independence Plaza | WUSU PROSPER O               | \$717.36               |
| 393542-6            | 211    | 1 Independence Plaza | KUMAZAH INNOCENT K           | \$717.36               |
| 393543-4            | 212    | 1 Independence Plaza | BRADFORD GEORGE & KR         | \$717.36               |
| 393544-2            | 213    | 1 Independence Plaza | THOMAS LEEAN                 | \$717.36               |
| 393545-9            | 214    | 1 Independence Plaza | JONES VINCENT E              | \$717.36               |
| 393546-7            | 215    | 1 Independence Plaza | REPOLE MARIO                 | \$717.36               |
| 393547-5            | 216    | 1 Independence Plaza | ADOLPHUS MARCUS              | \$717.36               |
| 393548-3            | 301    | 1 Independence Plaza | FERNANDES OSWALD D &         | \$717.36               |
| 393549-1            | 302    | 1 Independence Plaza | PERDUE SAMUEL F              | \$717.36               |
| 393550-9            | 303    | 1 Independence Plaza | HILL DAVID W ETAL CO         | \$717.36               |
| 393551-7            | 304    | 1 Independence Plaza | BROWN LARRY S                | \$717.36               |

# APPENDIX A

## CITY OF HYATTSVILLE UNIVERSITY TOWN CENTER SPECIAL TAX DISTRICT PRINCE GEORGES COUNTY, MARYLAND

### SPECIAL TAX ROLL 2018

| Parcel<br>Account # | Parcel | Building             | Owner                | Special Tax<br>FY18-19 |
|---------------------|--------|----------------------|----------------------|------------------------|
| 393552-5            | 305    | 1 Independence Plaza | BAKER BRIAN          | \$717.36               |
| 393553-3            | 306    | 1 Independence Plaza | SUN LUYU             | \$717.36               |
| 393554-1            | 307    | 1 Independence Plaza | LEE HOYOUNG ETAL & M | \$717.36               |
| 393555-8            | 308    | 1 Independence Plaza | CHATMAN VANESSA      | \$717.36               |
| 393556-6            | 309    | 1 Independence Plaza | WOJCIK WILLIAM ETAL  | \$717.36               |
| 393557-4            | 310    | 1 Independence Plaza | MARFO KOJO A         | \$717.36               |
| 393558-2            | 311    | 1 Independence Plaza | ANTHONY STEVEN ETAL  | \$717.36               |
| 393559-0            | 312    | 1 Independence Plaza | KIRUTHI FAMILY TRS D | \$717.36               |
| 393560-8            | 313    | 1 Independence Plaza | PATTERSON CHARMIANE  | \$717.36               |
| 393561-6            | 314    | 1 Independence Plaza | JOHNSON VERA E       | \$717.36               |
| 393562-4            | 315    | 1 Independence Plaza | BURSE-MONROE BARBARA | \$717.36               |
| 393563-2            | 316    | 1 Independence Plaza | WHITE MATTIE E & BRI | \$717.36               |
| 393564-0            | 401    | 1 Independence Plaza | LI KIT Y             | \$717.36               |
| 393565-7            | 402    | 1 Independence Plaza | KAPLAN MORIEL E      | \$717.36               |
| 393566-5            | 403    | 1 Independence Plaza | BRANCH DAVID G       | \$717.36               |
| 393567-3            | 404    | 1 Independence Plaza | HONG YOONJEE ETAL JU | \$717.36               |
| 393568-1            | 405    | 1 Independence Plaza | LUBBEN JOSHUA T ETAL | \$717.36               |
| 393569-9            | 406    | 1 Independence Plaza | ELLISON RAFE R       | \$717.36               |
| 393570-7            | 407    | 1 Independence Plaza | BERHANE SABA         | \$717.36               |
| 393571-5            | 408    | 1 Independence Plaza | POE WILLIAM L ETAL & | \$717.36               |
| 393572-3            | 409    | 1 Independence Plaza | KWON TAE H           | \$717.36               |
| 393573-1            | 410    | 1 Independence Plaza | MENON NISHANT K & JE | \$717.36               |
| 393574-9            | 411    | 1 Independence Plaza | EMLAELU ZEWEREDE     | \$717.36               |
| 393575-6            | 412    | 1 Independence Plaza | SAMANTA LISA T       | \$717.36               |
| 393576-4            | 413    | 1 Independence Plaza | KACHEL CHRISTIAN     | \$717.36               |
| 393577-2            | 414    | 1 Independence Plaza | ASTARABADI SYED MORT | \$717.36               |
| 393578-0            | 415    | 1 Independence Plaza | DAVER ZANEETA E      | \$717.36               |
| 393579-8            | 416    | 1 Independence Plaza | OVERTON CHRISTINA N  | \$717.36               |
| 393580-6            | 501    | 1 Independence Plaza | SAAD DORY W          | \$717.36               |
| 393581-4            | 502    | 1 Independence Plaza | BAGHDADI LAYA ETAL & | \$717.36               |
| 393582-2            | 503    | 1 Independence Plaza | EMLAELU MUNIT        | \$717.36               |
| 393583-0            | 504    | 1 Independence Plaza | ADEBAMBO SARAH       | \$717.36               |
| 393584-8            | 505    | 1 Independence Plaza | NZONDJOU PATRICIA E  | \$717.36               |
| 393585-5            | 506    | 1 Independence Plaza | LEWIN GREGORY        | \$717.36               |

# APPENDIX A

## CITY OF HYATTSVILLE UNIVERSITY TOWN CENTER SPECIAL TAX DISTRICT PRINCE GEORGES COUNTY, MARYLAND

### SPECIAL TAX ROLL 2018

| Parcel<br>Account # | Parcel | Building             | Owner                | Special Tax<br>FY18-19 |
|---------------------|--------|----------------------|----------------------|------------------------|
| 393586-3            | 507    | 1 Independence Plaza | ANDREWS AKHIL C      | \$717.36               |
| 393587-1            | 508    | 1 Independence Plaza | WILLIAMS BRIAN A     | \$717.36               |
| 393588-9            | 509    | 1 Independence Plaza | NGUYEN SAM M         | \$717.36               |
| 393589-7            | 510    | 1 Independence Plaza | HPB INVESTMENTS LLC  | \$717.36               |
| 393590-5            | 511    | 1 Independence Plaza | BURKE PATRICK C ETAL | \$717.36               |
| 393591-3            | 512    | 1 Independence Plaza | JAKCSON HAROLD III   | \$717.36               |
| 393592-1            | 513    | 1 Independence Plaza | SCOTTON LORI L       | \$717.36               |
| 393593-9            | 514    | 1 Independence Plaza | RAHMAN AHMED         | \$717.36               |
| 393594-7            | 515    | 1 Independence Plaza | KAYA AYDIN & BEYHAN  | \$717.36               |
| 393595-4            | 516    | 1 Independence Plaza | FLETCHER FRANCES E   | \$717.36               |
| 393596-2            | 601    | 1 Independence Plaza | JACOB VARGESE ETAL & | \$717.36               |
| 393597-0            | 602    | 1 Independence Plaza | WEINSTEIN DANIEL B   | \$717.36               |
| 393598-8            | 603    | 1 Independence Plaza | ANWUKAH UZOMA T      | \$717.36               |
| 393599-6            | 604    | 1 Independence Plaza | MCLEAN COLLIN        | \$717.36               |
| 393600-2            | 605    | 1 Independence Plaza | BROWN JEFFREY E JR   | \$717.36               |
| 393601-0            | 606    | 1 Independence Plaza | HAFER JEFFREY H ETAL | \$717.36               |
| 393602-8            | 607    | 1 Independence Plaza | FV 1 INC             | \$717.36               |
| 393603-6            | 608    | 1 Independence Plaza | JUNE HARRY L WHITE T | \$717.36               |
| 393604-4            | 609    | 1 Independence Plaza | GONZALES ERIC E ETAL | \$717.36               |
| 393605-1            | 610    | 1 Independence Plaza | PARKINS JACQUELINE A | \$717.36               |
| 393606-9            | 611    | 1 Independence Plaza | BRAGDON JEREMY S & H | \$717.36               |
| 393607-7            | 612    | 1 Independence Plaza | PANDIT SUNIL K       | \$717.36               |
| 393608-5            | 613    | 1 Independence Plaza | PERI DAVID           | \$717.36               |
| 393609-3            | 614    | 1 Independence Plaza | ORUGANTI SOLO 401K T | \$717.36               |
| 393610-1            | 615    | 1 Independence Plaza | BAKER AJA S          | \$717.36               |
| 393611-9            | 616    | 1 Independence Plaza | TRAINOR PATRICK & SA | \$717.36               |
| 393612-7            | 701    | 1 Independence Plaza | MATTEI ENRICO A MONZ | \$717.36               |
| 393613-5            | 702    | 1 Independence Plaza | ROSADO DOUGLAS       | \$717.36               |
| 393614-3            | 703    | 1 Independence Plaza | AYU HECTOR T         | \$717.36               |
| 393615-0            | 704    | 1 Independence Plaza | GEORGE TONY K & IVY  | \$717.36               |
| 393616-8            | 705    | 1 Independence Plaza | CHATO JENNIFER & JOH | \$717.36               |
| 393617-6            | 706    | 1 Independence Plaza | FLORES MARIA A LIVIN | \$717.36               |
| 393618-4            | 707    | 1 Independence Plaza | NGUYEN TRANG T       | \$717.36               |
| 393619-2            | 708    | 1 Independence Plaza | EDENS RICHARD W JR   | \$717.36               |

# APPENDIX A

## CITY OF HYATTSVILLE UNIVERSITY TOWN CENTER SPECIAL TAX DISTRICT PRINCE GEORGES COUNTY, MARYLAND

### SPECIAL TAX ROLL 2018

| Parcel<br>Account # | Parcel | Building             | Owner                | Special Tax<br>FY18-19 |
|---------------------|--------|----------------------|----------------------|------------------------|
| 393620-0            | 709    | 1 Independence Plaza | VOGEL RONALD         | \$717.36               |
| 393621-8            | 710    | 1 Independence Plaza | DUAN CHANGPING       | \$717.36               |
| 393622-6            | 711    | 1 Independence Plaza | OLIVAIGNACIO FRANK E | \$717.36               |
| 393623-4            | 712    | 1 Independence Plaza | PAULSON STANLEY L    | \$717.36               |
| 393624-2            | 713    | 1 Independence Plaza | YU HAO               | \$717.36               |
| 393625-9            | 714    | 1 Independence Plaza | CANELA AMIR          | \$717.36               |
| 393626-7            | 715    | 1 Independence Plaza | EDWARD FISHER B      | \$717.36               |
| 393627-5            | 716    | 1 Independence Plaza | DEROSALES JOSEPH C   | \$717.36               |
| 393628-3            | 801    | 1 Independence Plaza | BHAVNANI KISHIN K ET | \$717.36               |
| 393629-1            | 802    | 1 Independence Plaza | CASKEY DAVID L ETAL  | \$717.36               |
| 393630-9            | 803    | 1 Independence Plaza | CHANG JAY C          | \$717.36               |
| 393631-7            | 804    | 1 Independence Plaza | POWERS JOSEPH C      | \$717.36               |
| 393632-5            | 805    | 1 Independence Plaza | MCCARTHY KATHLEEN A  | \$717.36               |
| 393633-3            | 806    | 1 Independence Plaza | YANG ROBERT T ETAL & | \$717.36               |
| 393634-1            | 807    | 1 Independence Plaza | SMALL STACY N & JUDI | \$717.36               |
| 393635-8            | 808    | 1 Independence Plaza | GIPSON TANYA L       | \$717.36               |
| 393636-6            | 809    | 1 Independence Plaza | CHATO JOHN ETAL & CH | \$717.36               |
| 393637-4            | 810    | 1 Independence Plaza | BOKKISAM RAJESH ETAL | \$717.36               |
| 393638-2            | 811    | 1 Independence Plaza | SNOWDEN SAMUEL & BOB | \$717.36               |
| 393639-0            | 812    | 1 Independence Plaza | GENSHEIMER KATHLEEN  | \$717.36               |
| 393640-8            | 813    | 1 Independence Plaza | KUNG FAITH           | \$717.36               |
| 393641-6            | 814    | 1 Independence Plaza | SINGH SATINDER ETAL  | \$717.36               |
| 393642-4            | 815    | 1 Independence Plaza | CAMERON JOHN         | \$717.36               |
| 393643-2            | 816    | 1 Independence Plaza | ELLISON RAFE R       | \$717.36               |
| 402119-2            | 200    | Plaza Lofts 22       | LADEIRA BRUNA D P    | \$717.36               |
| 402120-0            | 201    | Plaza Lofts 22       | ASANTE SELINA ETAL P | \$717.36               |
| 402121-8            | 202    | Plaza Lofts 22       | ANIKPO MELEI Y       | \$717.36               |
| 402122-6            | 203    | Plaza Lofts 22       | AMOS RALPH E JR      | \$717.36               |
| 402123-4            | 204    | Plaza Lofts 22       | GOLDBERG SHAINA      | \$717.36               |
| 402124-2            | 205    | Plaza Lofts 22       | NORTON EDWARD V REVO | \$717.36               |
| 402125-9            | 206    | Plaza Lofts 22       | CORTEZ ANN M         | \$717.36               |
| 402126-7            | 207    | Plaza Lofts 22       | TALL FRANCINE J      | \$717.36               |
| 402127-5            | 208    | Plaza Lofts 22       | EDOROR MICHAEL       | \$717.36               |



**APPENDIX A**

**CITY OF HYATTSVILLE  
UNIVERSITY TOWN CENTER SPECIAL TAX DISTRICT  
PRINCE GEORGES COUNTY, MARYLAND**

**SPECIAL TAX ROLL 2018**

| <b>Parcel<br/>Account #</b> | <b>Parcel</b> | <b>Building</b> | <b>Owner</b>         | <b>Special Tax<br/>FY18-19</b> |
|-----------------------------|---------------|-----------------|----------------------|--------------------------------|
| 402128-3                    | 209           | Plaza Lofts 22  | ROBINSON KEENAN T    | \$717.36                       |
| 402129-1                    | 210           | Plaza Lofts 22  | MCCLEAN KYLE         | \$717.36                       |
| 402130-9                    | 400           | Plaza Lofts 22  | LIZARRAGA NIKI A     | \$717.36                       |
| 402131-7                    | 401           | Plaza Lofts 22  | GRAHAM LISA          | \$717.36                       |
| 402132-5                    | 402           | Plaza Lofts 22  | CHAQUEA JUAN S       | \$717.36                       |
| 402133-3                    | 403           | Plaza Lofts 22  | PANOVSKI NAUM ETAL Z | \$717.36                       |
| 402134-1                    | 404           | Plaza Lofts 22  | NGUYEN ALICE C & KAR | \$717.36                       |
| 402135-8                    | 405           | Plaza Lofts 22  | BOOTH NANCY M REVC T | \$717.36                       |
| 402136-6                    | 406           | Plaza Lofts 22  | MELKONIAN RONALD ETA | \$717.36                       |
| 402137-4                    | 407           | Plaza Lofts 22  | KOSLOW AMANDA        | \$717.36                       |
| 402138-2                    | 408           | Plaza Lofts 22  | BRIGADOON VALHALLA P | \$717.36                       |
| 402139-0                    | 409           | Plaza Lofts 22  | WONG GORDON Y        | \$717.36                       |
| 402140-8                    | 410           | Plaza Lofts 22  | YU YIFANG            | \$717.36                       |
| <b>Total</b>                |               |                 |                      | <b>\$1,185,000.00</b>          |

**APPENDIX B**

**City of Hyattsville  
University Town Center Special Taxing District  
State Department of Assessments and Taxation  
SDAT Schedules**

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                 |                         | View GroundRent Redemption                                             |                        |        | View GroundRent Registration |                       |            |               |
|------------------------------------------------|----------|-----------------|-------------------------|------------------------------------------------------------------------|------------------------|--------|------------------------------|-----------------------|------------|---------------|
| Account Identifier:                            |          |                 |                         | District - 17 Account Number - 3566940                                 |                        |        |                              |                       |            |               |
| Owner Information                              |          |                 |                         |                                                                        |                        |        |                              |                       |            |               |
| Owner Name:                                    |          |                 |                         | NEW TOWN METRO I LLC                                                   |                        |        |                              | Use:                  |            | COMMERCIAL    |
| Mailing Address:                               |          |                 |                         | THE BERSTEIN COMPANIES<br>3299 K ST NW STE 700<br>WASHINGTON DC 20007- |                        |        |                              | Principal Residence:  |            | NO            |
|                                                |          |                 |                         |                                                                        |                        |        |                              | Deed Reference:       |            | /34387/ 00304 |
| Location & Structure Information               |          |                 |                         |                                                                        |                        |        |                              |                       |            |               |
| Premises Address:                              |          |                 |                         | 6505 BELCREST RD<br>HYATTSVILLE 20782-0000                             |                        |        |                              | Legal Description:    |            | PARCEL 1      |
| Map:                                           | Grid:    | Parcel:         | Sub District:           | Subdivision:                                                           | Section:               | Block: | Lot:                         | Assessment Year:      | Plat No:   | 198052        |
| 0042                                           | 00A2     | 0000            |                         | 7016                                                                   |                        |        |                              | 2016                  | Plat Ref:  |               |
| Special Tax Areas:                             |          |                 |                         | Town:                                                                  |                        |        |                              | HYATTSVILLE           |            |               |
|                                                |          |                 |                         | Ad Valorem:                                                            |                        |        |                              |                       |            |               |
|                                                |          |                 |                         | Tax Class:                                                             |                        |        |                              | 8                     |            |               |
| Primary Structure Built                        |          |                 | Above Grade Living Area |                                                                        | Finished Basement Area |        | Property Land Area           |                       | County Use |               |
| 1964                                           |          |                 | 313278                  |                                                                        |                        |        | 1.7000 AC                    |                       | 005        |               |
| Stories                                        | Basement | Type            | Exterior                |                                                                        | Full/Half Bath         |        | Garage                       | Last Major Renovation |            |               |
|                                                |          | OFFICE BUILDING |                         |                                                                        |                        |        |                              |                       |            |               |
| Value Information                              |          |                 |                         |                                                                        |                        |        |                              |                       |            |               |
|                                                |          |                 | Base Value              |                                                                        | Value                  |        | Phase-in Assessments         |                       |            |               |
|                                                |          |                 |                         |                                                                        | As of                  |        | As of                        |                       | As of      |               |
|                                                |          |                 |                         |                                                                        | 01/01/2016             |        | 07/01/2017                   |                       | 07/01/2018 |               |
| Land:                                          |          |                 | 1,110,700               |                                                                        | 1,401,900              |        |                              |                       |            |               |
| Improvements                                   |          |                 | 12,889,300              |                                                                        | 15,098,100             |        |                              |                       |            |               |
| Total:                                         |          |                 | 14,000,000              |                                                                        | 16,500,000             |        | 15,666,667                   |                       | 16,500,000 |               |
| Preferential Land:                             |          |                 | 0                       |                                                                        |                        |        |                              |                       | 0          |               |
| Transfer Information                           |          |                 |                         |                                                                        |                        |        |                              |                       |            |               |
| Seller:                                        |          |                 |                         | Date: 02/08/2013                                                       |                        |        |                              | Price: \$16,000,000   |            |               |
| Type: NON-ARMS LENGTH OTHER                    |          |                 |                         | Deed1: /34387/ 00304                                                   |                        |        |                              | Deed2:                |            |               |
| Seller:                                        |          |                 |                         | Date:                                                                  |                        |        |                              | Price: \$0            |            |               |
| Type:                                          |          |                 |                         | Deed1: /11044/ 00033                                                   |                        |        |                              | Deed2:                |            |               |
| Seller:                                        |          |                 |                         | Date:                                                                  |                        |        |                              | Price:                |            |               |
| Type:                                          |          |                 |                         | Deed1:                                                                 |                        |        |                              | Deed2:                |            |               |
| Exemption Information                          |          |                 |                         |                                                                        |                        |        |                              |                       |            |               |
| Partial Exempt Assessments:                    |          |                 | Class                   |                                                                        | 07/01/2017             |        | 07/01/2018                   |                       |            |               |
| County:                                        |          |                 | 000                     |                                                                        | 0.00                   |        |                              |                       |            |               |
| State:                                         |          |                 | 000                     |                                                                        | 0.00                   |        |                              |                       |            |               |
| Municipal:                                     |          |                 | 000                     |                                                                        | 0.00 0.00              |        | 0.00 0.00                    |                       |            |               |
| Tax Exempt:                                    |          |                 | Special Tax Recapture:  |                                                                        |                        |        |                              |                       |            |               |
| Exempt Class:                                  |          |                 | NONE                    |                                                                        |                        |        |                              |                       |            |               |
| Homestead Application Information              |          |                 |                         |                                                                        |                        |        |                              |                       |            |               |
| Homestead Application Status:                  |          |                 | No Application          |                                                                        |                        |        |                              |                       |            |               |
| Homeowners' Tax Credit Application Information |          |                 |                         |                                                                        |                        |        |                              |                       |            |               |
| Homeowners' T ax Credit Application Status:    |          |                 | No Application          |                                                                        |                        |        | Date:                        |                       |            |               |

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                         | View GroundRent Redemption                                   |                        |                              | View GroundRent Registration |                                             |                       |                     |        |
|------------------------------------------------|----------|-------------------------|--------------------------------------------------------------|------------------------|------------------------------|------------------------------|---------------------------------------------|-----------------------|---------------------|--------|
| Account Identifier:                            |          |                         | District - 17 Account Number - 3720737                       |                        |                              |                              |                                             |                       |                     |        |
| Owner Information                              |          |                         |                                                              |                        |                              |                              |                                             |                       |                     |        |
| Owner Name:                                    |          |                         | 3700 EAST WEST LLC                                           |                        |                              |                              | Use:                                        |                       | COMMERCIAL          |        |
| Mailing Address:                               |          |                         | BERNSTEIN CO STE 700<br>3299 K ST NW<br>WASHINGTON DC 20007- |                        |                              |                              | Principal Residence:                        |                       | NO                  |        |
|                                                |          |                         |                                                              |                        |                              |                              | Deed Reference:                             |                       | /40112/ 00349       |        |
| Location & Structure Information               |          |                         |                                                              |                        |                              |                              |                                             |                       |                     |        |
| Premises Address:                              |          |                         | 3700 EAST WEST HWY<br>HYATTSVILLE 20782-0000                 |                        |                              |                              | Legal Description:                          |                       | PARCEL R            |        |
| Map:                                           | Grid:    | Parcel:                 | Sub District:                                                | Subdivision:           | Section:                     | Block:                       | Lot:                                        | Assessment Year:      | Plat No:            | 209054 |
| 0042                                           | 00A2     | 0000                    |                                                              | 7016                   |                              |                              |                                             | 2016                  | Plat Ref:           |        |
| Special Tax Areas:                             |          |                         |                                                              | Town:                  |                              | HYATTSVILLE                  |                                             |                       |                     |        |
|                                                |          |                         |                                                              | Ad Valorem:            |                              |                              |                                             |                       |                     |        |
|                                                |          |                         |                                                              | Tax Class:             |                              | 8                            |                                             |                       |                     |        |
| Primary Structure Built<br>1968                |          |                         | Above Grade Living Area<br>429924                            |                        | Finished Basement Area       |                              | Property Land Area<br>2.8700 AC             |                       | County Use<br>005   |        |
| Stories                                        | Basement | Type<br>OFFICE BUILDING |                                                              | Exterior               | Full/Half Bath               |                              | Garage                                      | Last Major Renovation |                     |        |
| Value Information                              |          |                         |                                                              |                        |                              |                              |                                             |                       |                     |        |
|                                                |          |                         | Base Value                                                   |                        | Value<br>As of<br>01/01/2016 |                              | Phase-in Assessments<br>As of<br>07/01/2017 |                       | As of<br>07/01/2018 |        |
| Land:                                          |          |                         | 1,875,200                                                    |                        | 1,875,200                    |                              |                                             |                       |                     |        |
| Improvements                                   |          |                         | 56,155,600                                                   |                        | 29,162,900                   |                              |                                             |                       |                     |        |
| Total:                                         |          |                         | 58,030,800                                                   |                        | 31,038,100                   |                              | 31,038,100                                  |                       | 31,038,100          |        |
| Preferential Land:                             |          |                         | 0                                                            |                        |                              |                              |                                             |                       | 0                   |        |
| Transfer Information                           |          |                         |                                                              |                        |                              |                              |                                             |                       |                     |        |
| Seller: PRINCE GEORGE CNTR II LLC RE           |          |                         |                                                              | Date: 10/13/2017       |                              |                              | Price: \$5,000,000                          |                       |                     |        |
| Type: NON-ARMS LENGTH OTHER                    |          |                         |                                                              | Deed1: /40112/ 00349   |                              |                              | Deed2:                                      |                       |                     |        |
| Seller: PRINCE GEORGE CNTR II LP               |          |                         |                                                              | Date: 12/02/2005       |                              |                              | Price: \$0                                  |                       |                     |        |
| Type: NON-ARMS LENGTH OTHER                    |          |                         |                                                              | Deed1: /23584/ 00680   |                              |                              | Deed2:                                      |                       |                     |        |
| Seller: PRINCE GEORGE CNTR INC                 |          |                         |                                                              | Date:                  |                              |                              | Price: \$0                                  |                       |                     |        |
| Type:                                          |          |                         |                                                              | Deed1: /08751/ 00443   |                              |                              | Deed2:                                      |                       |                     |        |
| Exemption Information                          |          |                         |                                                              |                        |                              |                              |                                             |                       |                     |        |
| Partial Exempt Assessments:                    |          |                         | Class                                                        |                        |                              |                              | 07/01/2017                                  |                       | 07/01/2018          |        |
| County:                                        |          |                         | 000                                                          |                        |                              |                              | 0.00                                        |                       |                     |        |
| State:                                         |          |                         | 000                                                          |                        |                              |                              | 0.00                                        |                       |                     |        |
| Municipal:                                     |          |                         | 000                                                          |                        |                              |                              | 0.00 0.00                                   |                       | 0.00 0.00           |        |
| Tax Exempt:                                    |          |                         |                                                              | Special Tax Recapture: |                              |                              |                                             |                       |                     |        |
| Exempt Class:                                  |          |                         |                                                              | NONE                   |                              |                              |                                             |                       |                     |        |
| Homestead Application Information              |          |                         |                                                              |                        |                              |                              |                                             |                       |                     |        |
| Homestead Application Status:                  |          |                         | No Application                                               |                        |                              |                              |                                             |                       |                     |        |
| Homeowners' Tax Credit Application Information |          |                         |                                                              |                        |                              |                              |                                             |                       |                     |        |
| Homeowners' T ax Credit Application Status:    |          |                         | No Application                                               |                        |                              |                              | Date:                                       |                       |                     |        |

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                |                         | View GroundRent Redemption                  |            |                        |                      | View GroundRent Registration |                    |               |            |
|------------------------------------------------|----------|----------------|-------------------------|---------------------------------------------|------------|------------------------|----------------------|------------------------------|--------------------|---------------|------------|
| Account Identifier:                            |          |                |                         | District - 17 Account Number - 3720745      |            |                        |                      |                              |                    |               |            |
| Owner Information                              |          |                |                         |                                             |            |                        |                      |                              |                    |               |            |
| Owner Name:                                    |          |                |                         | ECHO UTC LLC                                |            |                        |                      | Use:                         |                    | COMMERCIAL    |            |
| Mailing Address:                               |          |                |                         | 560 EPSILON DR<br>PITTSBURGH PA 15238-0000  |            |                        |                      | Principal Residence:         |                    | NO            |            |
|                                                |          |                |                         |                                             |            |                        |                      | Deed Reference:              |                    | /35579/ 00001 |            |
| Location & Structure Information               |          |                |                         |                                             |            |                        |                      |                              |                    |               |            |
| Premises Address:                              |          |                |                         | 6401 AMERICA BLVD<br>HYATTSVILLE 20782-0000 |            |                        |                      | Legal Description:           |                    | PARCEL S      |            |
| Map:                                           | Grid:    | Parcel:        | Sub District:           | Subdivision:                                | Section:   | Block:                 | Lot:                 | Assessment Year:             | Plat No:           | 209054        |            |
| 0042                                           | 00A2     | 0000           |                         | 7016                                        |            |                        |                      | 2016                         | Plat Ref:          |               |            |
| Special Tax Areas:                             |          |                |                         | Town:                                       |            |                        |                      | HYATTSVILLE                  |                    |               |            |
|                                                |          |                |                         | Ad Valorem:                                 |            |                        |                      |                              |                    |               |            |
|                                                |          |                |                         | Tax Class:                                  |            |                        |                      | 8                            |                    |               |            |
| Primary Structure Built                        |          |                | Above Grade Living Area |                                             |            | Finished Basement Area |                      |                              | Property Land Area |               | County Use |
| 2016                                           |          |                | 199058                  |                                             |            |                        |                      |                              | 3.4900 AC          |               | 005        |
| Stories                                        | Basement | Type           | Exterior                | Full/Half Bath                              | Garage     | Last Major Renovation  |                      |                              |                    |               |            |
|                                                |          | MARKET         |                         |                                             |            | 2016                   |                      |                              |                    |               |            |
| Value Information                              |          |                |                         |                                             |            |                        |                      |                              |                    |               |            |
|                                                |          |                | Base Value              |                                             | Value      |                        | Phase-in Assessments |                              |                    |               |            |
|                                                |          |                |                         |                                             | As of      |                        | As of                |                              | As of              |               |            |
|                                                |          |                |                         |                                             | 01/01/2016 |                        | 07/01/2017           |                              | 07/01/2018         |               |            |
| Land:                                          |          |                | 2,280,300               |                                             | 2,280,300  |                        |                      |                              |                    |               |            |
| Improvements                                   |          |                | 17,456,800              |                                             | 18,913,600 |                        |                      |                              |                    |               |            |
| Total:                                         |          |                | 19,737,100              |                                             | 21,193,900 |                        | 20,708,300           |                              | 21,193,900         |               |            |
| Preferential Land:                             |          |                | 0                       |                                             |            |                        |                      |                              | 0                  |               |            |
| Transfer Information                           |          |                |                         |                                             |            |                        |                      |                              |                    |               |            |
| Seller: PRINCE GEORGES CNTR                    |          |                |                         | Date: 01/29/2014                            |            |                        |                      | Price: \$2,500,000           |                    |               |            |
| Type: NON-ARMS LENGTH OTHER                    |          |                |                         | Deed1: /35579/ 00001                        |            |                        |                      | Deed2:                       |                    |               |            |
| Seller:                                        |          |                |                         | Date:                                       |            |                        |                      | Price: \$0                   |                    |               |            |
| Type:                                          |          |                |                         | Deed1: /08751/ 00443                        |            |                        |                      | Deed2:                       |                    |               |            |
| Seller:                                        |          |                |                         | Date:                                       |            |                        |                      | Price:                       |                    |               |            |
| Type:                                          |          |                |                         | Deed1:                                      |            |                        |                      | Deed2:                       |                    |               |            |
| Exemption Information                          |          |                |                         |                                             |            |                        |                      |                              |                    |               |            |
| Partial Exempt Assessments:                    |          |                | Class                   |                                             |            | 07/01/2017             |                      |                              | 07/01/2018         |               |            |
| County:                                        |          |                | 000                     |                                             |            | 0.00                   |                      |                              |                    |               |            |
| State:                                         |          |                | 000                     |                                             |            | 0.00                   |                      |                              |                    |               |            |
| Municipal:                                     |          |                | 000                     |                                             |            | 0.00 0.00              |                      |                              | 0.00 0.00          |               |            |
| Tax Exempt:                                    |          |                |                         | Special Tax Recapture:                      |            |                        |                      |                              |                    |               |            |
| Exempt Class:                                  |          |                |                         | NONE                                        |            |                        |                      |                              |                    |               |            |
| Homestead Application Information              |          |                |                         |                                             |            |                        |                      |                              |                    |               |            |
| Homestead Application Status:                  |          | No Application |                         |                                             |            |                        |                      |                              |                    |               |            |
| Homeowners' Tax Credit Application Information |          |                |                         |                                             |            |                        |                      |                              |                    |               |            |
| Homeowners' T ax Credit Application Status:    |          |                |                         | No Application                              |            |                        |                      | Date:                        |                    |               |            |
|                                                |          |                |                         |                                             |            |                        |                      |                              |                    |               |            |

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                 |                         | View GroundRent Redemption                        |          |                        |       | View GroundRent Registration |                       |               |            |
|------------------------------------------------|----------|-----------------|-------------------------|---------------------------------------------------|----------|------------------------|-------|------------------------------|-----------------------|---------------|------------|
| Account Identifier:                            |          |                 |                         | District - 17 Account Number - 3378080            |          |                        |       |                              |                       |               |            |
| Owner Information                              |          |                 |                         |                                                   |          |                        |       |                              |                       |               |            |
| Owner Name:                                    |          |                 |                         | HYATTSVILLE OFFICE 2015 LLC                       |          |                        |       | Use:                         |                       | COMMERCIAL    |            |
| Mailing Address:                               |          |                 |                         | 675 THIRD AVE<br>SUITE 2400<br>NEW YORK NY 10017- |          |                        |       | Principal Residence:         |                       | NO            |            |
|                                                |          |                 |                         |                                                   |          |                        |       | Deed Reference:              |                       | /37697/ 00290 |            |
| Location & Structure Information               |          |                 |                         |                                                   |          |                        |       |                              |                       |               |            |
| Premises Address:                              |          |                 |                         | 3311 TOLEDO RD<br>HYATTSVILLE 20782-0000          |          |                        |       | Legal Description:           |                       | PARCEL G      |            |
| Map:                                           | Grid:    | Parcel:         | Sub District:           | Subdivision:                                      | Section: | Block:                 | Lot:  | Assessment Year:             | Plat No:              | 192019        |            |
| 0042                                           | 00A2     | 0000            |                         | 7016                                              |          |                        |       | 2016                         | Plat Ref:             |               |            |
| Special Tax Areas:                             |          |                 |                         | Town:                                             |          |                        |       | HYATTSVILLE                  |                       |               |            |
|                                                |          |                 |                         | Ad Valorem:                                       |          |                        |       |                              |                       |               |            |
|                                                |          |                 |                         | Tax Class:                                        |          |                        |       | 8                            |                       |               |            |
| Primary Structure Built                        |          |                 | Above Grade Living Area |                                                   |          | Finished Basement Area |       |                              | Property Land Area    |               | County Use |
| 2003                                           |          |                 | 188019                  |                                                   |          |                        |       |                              | 1.0100 AC             |               | 005        |
| Stories                                        | Basement | Type            | Exterior                |                                                   |          | Full/Half Bath         |       | Garage                       | Last Major Renovation |               |            |
|                                                |          | OFFICE BUILDING |                         |                                                   |          |                        |       |                              | 2002                  |               |            |
| Value Information                              |          |                 |                         |                                                   |          |                        |       |                              |                       |               |            |
|                                                |          |                 | Base Value              |                                                   |          | Value                  |       | Phase-in Assessments         |                       |               |            |
|                                                |          |                 |                         |                                                   |          | As of                  |       | As of                        |                       | As of         |            |
|                                                |          |                 |                         |                                                   |          | 01/01/2016             |       | 07/01/2017                   |                       | 07/01/2018    |            |
| Land:                                          |          |                 | 659,900                 |                                                   |          | 659,900                |       |                              |                       |               |            |
| Improvements                                   |          |                 | 41,516,500              |                                                   |          | 15,430,100             |       |                              |                       |               |            |
| Total:                                         |          |                 | 42,176,400              |                                                   |          | 16,090,000             |       | 16,090,000                   |                       | 16,090,000    |            |
| Preferential Land:                             |          |                 | 0                       |                                                   |          |                        |       |                              |                       | 0             |            |
| Transfer Information                           |          |                 |                         |                                                   |          |                        |       |                              |                       |               |            |
| Seller: JPMCC 2003 C1 TOLEDO OFFICE LLC        |          |                 |                         | Date: 12/17/2015                                  |          |                        |       | Price: \$7,376,250           |                       |               |            |
| Type: NON-ARMS LENGTH OTHER                    |          |                 |                         | Deed1: /37697/ 00290                              |          |                        |       | Deed2:                       |                       |               |            |
| Seller: PGMC IV LLC                            |          |                 |                         | Date: 07/08/2014                                  |          |                        |       | Price: \$4,875,000           |                       |               |            |
| Type: NON-ARMS LENGTH OTHER                    |          |                 |                         | Deed1: /36146/ 00515                              |          |                        |       | Deed2:                       |                       |               |            |
| Seller: PRINCE GEORGE CENTER I INC             |          |                 |                         | Date: 11/28/2001                                  |          |                        |       | Price: \$400,000             |                       |               |            |
| Type: NON-ARMS LENGTH OTHER                    |          |                 |                         | Deed1: /15209/ 00641                              |          |                        |       | Deed2:                       |                       |               |            |
| Exemption Information                          |          |                 |                         |                                                   |          |                        |       |                              |                       |               |            |
| Partial Exempt Assessments:                    |          |                 | Class                   |                                                   |          | 07/01/2017             |       |                              | 07/01/2018            |               |            |
| County:                                        |          |                 | 000                     |                                                   |          | 0.00                   |       |                              |                       |               |            |
| State:                                         |          |                 | 000                     |                                                   |          | 0.00                   |       |                              |                       |               |            |
| Municipal:                                     |          |                 | 000                     |                                                   |          | 0.00 0.00              |       |                              | 0.00 0.00             |               |            |
| Tax Exempt:                                    |          |                 |                         | Special Tax Recapture:                            |          |                        |       |                              |                       |               |            |
| Exempt Class:                                  |          |                 |                         | NONE                                              |          |                        |       |                              |                       |               |            |
| Homestead Application Information              |          |                 |                         |                                                   |          |                        |       |                              |                       |               |            |
| Homestead Application Status:                  |          | No Application  |                         |                                                   |          |                        |       |                              |                       |               |            |
| Homeowners' Tax Credit Application Information |          |                 |                         |                                                   |          |                        |       |                              |                       |               |            |
| Homeowners' T ax Credit Application Status:    |          | No Application  |                         |                                                   |          |                        | Date: |                              |                       |               |            |

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                 |                         | View GroundRent Redemption                       |                |                        |                      | View GroundRent Registration |                    |               |            |
|------------------------------------------------|----------|-----------------|-------------------------|--------------------------------------------------|----------------|------------------------|----------------------|------------------------------|--------------------|---------------|------------|
| Account Identifier:                            |          |                 |                         | District - 17 Account Number - 3666690           |                |                        |                      |                              |                    |               |            |
| Owner Information                              |          |                 |                         |                                                  |                |                        |                      |                              |                    |               |            |
| Owner Name:                                    |          |                 |                         | 6525 BELCREST ROAD LLC                           |                |                        |                      | Use:                         |                    | COMMERCIAL    |            |
| Mailing Address:                               |          |                 |                         | STE 320<br>33 WEST 19TH ST<br>NEW YORK NY 10011- |                |                        |                      | Principal Residence:         |                    | NO            |            |
|                                                |          |                 |                         |                                                  |                |                        |                      | Deed Reference:              |                    | /37718/ 00016 |            |
| Location & Structure Information               |          |                 |                         |                                                  |                |                        |                      |                              |                    |               |            |
| Premises Address:                              |          |                 |                         | 6525 BELCREST RD<br>HYATTSVILLE 20782-0000       |                |                        |                      | Legal Description:           |                    | PARCEL L      |            |
| Map:                                           | Grid:    | Parcel:         | Sub District:           | Subdivision:                                     | Section:       | Block:                 | Lot:                 | Assessment Year:             | Plat No:           | 205042        |            |
| 0042                                           | 00A2     | 0000            |                         | 7016                                             |                |                        |                      | 2016                         | Plat Ref:          |               |            |
| Special Tax Areas:                             |          |                 |                         | Town:                                            |                |                        |                      | HYATTSVILLE                  |                    |               |            |
|                                                |          |                 |                         | Ad Valorem:                                      |                |                        |                      |                              |                    |               |            |
|                                                |          |                 |                         | Tax Class:                                       |                |                        |                      | 8                            |                    |               |            |
| Primary Structure Built                        |          |                 | Above Grade Living Area |                                                  |                | Finished Basement Area |                      |                              | Property Land Area |               | County Use |
| 1972                                           |          |                 | 488502                  |                                                  |                |                        |                      |                              | 2.7800 AC          |               | 005        |
| Stories                                        | Basement | Type            | Exterior                |                                                  | Full/Half Bath |                        | Garage               | Last Major Renovation        |                    |               |            |
|                                                |          | OFFICE BUILDING |                         |                                                  |                |                        |                      |                              |                    |               |            |
| Value Information                              |          |                 |                         |                                                  |                |                        |                      |                              |                    |               |            |
|                                                |          |                 | Base Value              |                                                  | Value          |                        | Phase-in Assessments |                              |                    |               |            |
|                                                |          |                 |                         |                                                  | As of          |                        | As of                |                              | As of              |               |            |
|                                                |          |                 |                         |                                                  | 01/01/2016     |                        | 07/01/2017           |                              | 07/01/2018         |               |            |
| Land:                                          |          |                 | 1,966,400               |                                                  | 2,219,000      |                        |                      |                              |                    |               |            |
| Improvements                                   |          |                 | 23,033,600              |                                                  | 18,047,800     |                        |                      |                              |                    |               |            |
| Total:                                         |          |                 | 25,000,000              |                                                  | 20,266,800     |                        | 20,266,800           |                              | 20,266,800         |               |            |
| Preferential Land:                             |          |                 | 0                       |                                                  |                |                        |                      |                              | 0                  |               |            |
| Transfer Information                           |          |                 |                         |                                                  |                |                        |                      |                              |                    |               |            |
| Seller: FUCMS 1999 C1 BELCREST RD LLC          |          |                 |                         | Date: 12/28/2015                                 |                |                        |                      | Price: \$6,510,001           |                    |               |            |
| Type: NON-ARMS LENGTH OTHER                    |          |                 |                         | Deed1: /37718/ 00016                             |                |                        |                      | Deed2:                       |                    |               |            |
| Seller: PG METRO CENTER III INC                |          |                 |                         | Date: 08/23/2013                                 |                |                        |                      | Price: \$9,825,000           |                    |               |            |
| Type: NON-ARMS LENGTH OTHER                    |          |                 |                         | Deed1: /35120/ 00123                             |                |                        |                      | Deed2:                       |                    |               |            |
| Seller:                                        |          |                 |                         | Date:                                            |                |                        |                      | Price: \$0                   |                    |               |            |
| Type:                                          |          |                 |                         | Deed1: /12085/ 00627                             |                |                        |                      | Deed2:                       |                    |               |            |
| Exemption Information                          |          |                 |                         |                                                  |                |                        |                      |                              |                    |               |            |
| Partial Exempt Assessments:                    |          |                 | Class                   |                                                  |                | 07/01/2017             |                      |                              | 07/01/2018         |               |            |
| County:                                        |          |                 | 000                     |                                                  |                | 0.00                   |                      |                              |                    |               |            |
| State:                                         |          |                 | 000                     |                                                  |                | 0.00                   |                      |                              |                    |               |            |
| Municipal:                                     |          |                 | 000                     |                                                  |                | 0.00 0.00              |                      |                              | 0.00 0.00          |               |            |
| Tax Exempt:                                    |          |                 |                         | Special Tax Recapture:                           |                |                        |                      |                              |                    |               |            |
| Exempt Class:                                  |          |                 |                         | NONE                                             |                |                        |                      |                              |                    |               |            |
| Homestead Application Information              |          |                 |                         |                                                  |                |                        |                      |                              |                    |               |            |
| Homestead Application Status:                  |          | No Application  |                         |                                                  |                |                        |                      |                              |                    |               |            |
| Homeowners' Tax Credit Application Information |          |                 |                         |                                                  |                |                        |                      |                              |                    |               |            |
| Homeowners' T ax Credit Application Status:    |          | No Application  |                         |                                                  |                |                        | Date:                |                              |                    |               |            |

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                | View GroundRent Redemption                  |                        |                              | View GroundRent Registration |                                                                    |                  |                                  |        |
|------------------------------------------------|----------|----------------|---------------------------------------------|------------------------|------------------------------|------------------------------|--------------------------------------------------------------------|------------------|----------------------------------|--------|
| Account Identifier:                            |          |                | District - 17 Account Number - 3834751      |                        |                              |                              |                                                                    |                  |                                  |        |
| Owner Information                              |          |                |                                             |                        |                              |                              |                                                                    |                  |                                  |        |
| Owner Name:                                    |          |                | VIE AT UNIVERSITY TOWERS LLC                |                        |                              |                              | Use:                                                               |                  | APARTMENTS                       |        |
| Mailing Address:                               |          |                | STE 2500<br>80 SW 8TH ST<br>MIAMI FL 33130- |                        |                              |                              | Principal Residence:                                               |                  | NO                               |        |
|                                                |          |                |                                             |                        |                              |                              | Deed Reference:                                                    |                  | /40531/ 00450                    |        |
| Location & Structure Information               |          |                |                                             |                        |                              |                              |                                                                    |                  |                                  |        |
| Premises Address:                              |          |                | 6515 BELCREST RD<br>HYATTSVILLE 20782-0000  |                        |                              |                              | Legal Description:                                                 |                  | PRINCE GEORGE CENTER<br>PARCEL T |        |
| Map:                                           | Grid:    | Parcel:        | Sub District:                               | Subdivision:           | Section:                     | Block:                       | Lot:                                                               | Assessment Year: | Plat No:                         | 217014 |
| 0042                                           | 00A2     | 0000           |                                             | 7017                   |                              |                              |                                                                    | 2016             | Plat Ref:                        |        |
| Special Tax Areas:                             |          |                |                                             | Town:                  |                              | HYATTSVILLE                  |                                                                    |                  |                                  |        |
|                                                |          |                |                                             | Ad Valorem:            |                              |                              |                                                                    |                  |                                  |        |
|                                                |          |                |                                             | Tax Class:             |                              | 8                            |                                                                    |                  |                                  |        |
| Primary Structure Built<br>2006                |          |                | Above Grade Living Area<br>389030           |                        | Finished Basement Area       |                              | Property Land Area<br>1.4300 AC                                    |                  | County Use<br>004                |        |
| Stories                                        | Basement | Type           | Exterior                                    | Full/Half Bath         | Garage                       | Last Major Renovation        |                                                                    |                  |                                  |        |
|                                                |          | APARTMENT      |                                             |                        |                              |                              |                                                                    |                  |                                  |        |
| Value Information                              |          |                |                                             |                        |                              |                              |                                                                    |                  |                                  |        |
|                                                |          |                | Base Value                                  |                        | Value<br>As of<br>01/01/2016 |                              | Phase-in Assessments<br>As of<br>07/01/2017<br>As of<br>07/01/2018 |                  |                                  |        |
| Land:                                          |          |                | 934,300                                     |                        | 934,300                      |                              |                                                                    |                  |                                  |        |
| Improvements                                   |          |                | 53,565,700                                  |                        | 60,951,100                   |                              |                                                                    |                  |                                  |        |
| Total:                                         |          |                | 54,500,000                                  |                        | 61,885,400                   |                              | 59,423,600                                                         |                  | 61,885,400                       |        |
| Preferential Land:                             |          |                | 0                                           |                        |                              |                              |                                                                    |                  | 0                                |        |
| Transfer Information                           |          |                |                                             |                        |                              |                              |                                                                    |                  |                                  |        |
| Seller: MLCFC 2007 8 BELCREST ROAD LLC         |          |                |                                             | Date: 02/02/2018       |                              |                              | Price: \$69,500,000                                                |                  |                                  |        |
| Type: ARMS LENGTH IMPROVED                     |          |                |                                             | Deed1: /40531/ 00450   |                              |                              | Deed2:                                                             |                  |                                  |        |
| Seller: UTC HOUSING 1 LLC                      |          |                |                                             | Date: 10/17/2012       |                              |                              | Price: \$39,150,000                                                |                  |                                  |        |
| Type: NON-ARMS LENGTH OTHER                    |          |                |                                             | Deed1: /34030/ 00013   |                              |                              | Deed2:                                                             |                  |                                  |        |
| Seller:                                        |          |                |                                             | Date:                  |                              |                              | Price: \$0                                                         |                  |                                  |        |
| Type:                                          |          |                |                                             | Deed1: /20005/ 00685   |                              |                              | Deed2:                                                             |                  |                                  |        |
| Exemption Information                          |          |                |                                             |                        |                              |                              |                                                                    |                  |                                  |        |
| Partial Exempt Assessments:                    |          | Class          |                                             | 07/01/2017             |                              |                              | 07/01/2018                                                         |                  |                                  |        |
| County:                                        |          | 000            |                                             | 0.00                   |                              |                              |                                                                    |                  |                                  |        |
| State:                                         |          | 000            |                                             | 0.00                   |                              |                              |                                                                    |                  |                                  |        |
| Municipal:                                     |          | 000            |                                             | 0.00 0.00              |                              |                              | 0.00 0.00                                                          |                  |                                  |        |
| Tax Exempt:                                    |          |                |                                             | Special Tax Recapture: |                              |                              |                                                                    |                  |                                  |        |
| Exempt Class:                                  |          |                |                                             | NONE                   |                              |                              |                                                                    |                  |                                  |        |
| Homestead Application Information              |          |                |                                             |                        |                              |                              |                                                                    |                  |                                  |        |
| Homestead Application Status:                  |          | No Application |                                             |                        |                              |                              |                                                                    |                  |                                  |        |
| Homeowners' Tax Credit Application Information |          |                |                                             |                        |                              |                              |                                                                    |                  |                                  |        |
| Homeowners' T ax Credit Application Status:    |          | No Application |                                             |                        |                              | Date:                        |                                                                    |                  |                                  |        |



## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                   |                                   | View GroundRent Redemption                                   |                        | View GroundRent Registration |                                 |                                                             |                     |        |
|------------------------------------------------|----------|-------------------|-----------------------------------|--------------------------------------------------------------|------------------------|------------------------------|---------------------------------|-------------------------------------------------------------|---------------------|--------|
| Account Identifier:                            |          |                   |                                   | District - 17 Account Number - 3834744                       |                        |                              |                                 |                                                             |                     |        |
| Owner Information                              |          |                   |                                   |                                                              |                        |                              |                                 |                                                             |                     |        |
| Owner Name:                                    |          |                   |                                   | BE UTC GSA THEATRE LLC                                       |                        | Use:                         |                                 | COMMERCIAL                                                  |                     |        |
| Mailing Address:                               |          |                   |                                   | BERMAN ENTPR STE 220<br>5410 EDSON LN<br>ROCKVILLE MD 20852- |                        | Principal Residence:         |                                 | NO                                                          |                     |        |
|                                                |          |                   |                                   |                                                              |                        | Deed Reference:              |                                 | /36078/ 00001                                               |                     |        |
| Location & Structure Information               |          |                   |                                   |                                                              |                        |                              |                                 |                                                             |                     |        |
| Premises Address:                              |          |                   |                                   | 6500 AMERICA BLVD<br>HYATTSVILLE 20782-0000                  |                        | Legal Description:           |                                 | PAR U LOFTS 22 LEV<br>1 RETAIL&COMM ELE<br>(NPL 09 4021192) |                     |        |
| Map:                                           | Grid:    | Parcel:           | Sub District:                     | Subdivision:                                                 | Section:               | Block:                       | Lot:                            | Assessment Year:                                            | Plat No:            | 217014 |
| 0042                                           | 00A2     | 0000              |                                   | 7017                                                         |                        |                              |                                 | 2016                                                        | Plat Ref:           |        |
| Special Tax Areas:                             |          |                   |                                   | Town:                                                        |                        | HYATTSVILLE                  |                                 |                                                             |                     |        |
|                                                |          |                   |                                   | Ad Valorem:                                                  |                        |                              |                                 |                                                             |                     |        |
|                                                |          |                   |                                   | Tax Class:                                                   |                        | 8                            |                                 |                                                             |                     |        |
| Primary Structure Built<br>2006                |          |                   | Above Grade Living Area<br>277190 |                                                              | Finished Basement Area |                              | Property Land Area<br>2.5900 AC |                                                             | County Use<br>005   |        |
| Stories                                        | Basement | Type              | Exterior                          |                                                              | Full/Half Bath         |                              | Garage                          | Last Major Renovation                                       |                     |        |
|                                                |          | PARKING STRUCTURE |                                   |                                                              |                        |                              |                                 |                                                             |                     |        |
| Value Information                              |          |                   |                                   |                                                              |                        |                              |                                 |                                                             |                     |        |
|                                                |          |                   | Base Value                        |                                                              | Value                  |                              | Phase-in Assessments            |                                                             |                     |        |
|                                                |          |                   |                                   |                                                              | As of<br>01/01/2016    |                              | As of<br>07/01/2017             |                                                             | As of<br>07/01/2018 |        |
| Land:                                          |          |                   | 1,692,300                         |                                                              | 1,692,300              |                              |                                 |                                                             |                     |        |
| Improvements                                   |          |                   | 5,307,700                         |                                                              | 6,107,700              |                              |                                 |                                                             |                     |        |
| Total:                                         |          |                   | 7,000,000                         |                                                              | 7,800,000              |                              | 7,533,333                       |                                                             | 7,800,000           |        |
| Preferential Land:                             |          |                   | 0                                 |                                                              |                        |                              |                                 |                                                             | 0                   |        |
| Transfer Information                           |          |                   |                                   |                                                              |                        |                              |                                 |                                                             |                     |        |
| Seller: HYATTSVILLE PROP HLDNGS LLC            |          |                   |                                   | Date: 06/13/2014                                             |                        | Price: \$25,100,000          |                                 |                                                             |                     |        |
| Type: NON-ARMS LENGTH OTHER                    |          |                   |                                   | Deed1: /36078/ 00001                                         |                        | Deed2:                       |                                 |                                                             |                     |        |
| Seller: HYATTSVILLE PROP HLDNGS LLC            |          |                   |                                   | Date: 03/29/2012                                             |                        | Price: \$0                   |                                 |                                                             |                     |        |
| Type: NON-ARMS LENGTH OTHER                    |          |                   |                                   | Deed1: /33490/ 00376                                         |                        | Deed2:                       |                                 |                                                             |                     |        |
| Seller: UTC RETAIL I LLC                       |          |                   |                                   | Date: 11/18/2011                                             |                        | Price: \$25,100,000          |                                 |                                                             |                     |        |
| Type: NON-ARMS LENGTH OTHER                    |          |                   |                                   | Deed1: /33119/ 00001                                         |                        | Deed2:                       |                                 |                                                             |                     |        |
| Exemption Information                          |          |                   |                                   |                                                              |                        |                              |                                 |                                                             |                     |        |
| Partial Exempt Assessments:                    |          |                   | Class                             |                                                              | 07/01/2017             |                              | 07/01/2018                      |                                                             |                     |        |
| County:                                        |          |                   | 000                               |                                                              | 0.00                   |                              |                                 |                                                             |                     |        |
| State:                                         |          |                   | 000                               |                                                              | 0.00                   |                              |                                 |                                                             |                     |        |
| Municipal:                                     |          |                   | 000                               |                                                              | 0.00 0.00              |                              | 0.00 0.00                       |                                                             |                     |        |
| Tax Exempt:                                    |          |                   | Special Tax Recapture:            |                                                              |                        |                              |                                 |                                                             |                     |        |
| Exempt Class:                                  |          |                   | NONE                              |                                                              |                        |                              |                                 |                                                             |                     |        |
| Homestead Application Information              |          |                   |                                   |                                                              |                        |                              |                                 |                                                             |                     |        |
| Homestead Application Status:                  |          |                   | No Application                    |                                                              |                        |                              |                                 |                                                             |                     |        |
| Homeowners' Tax Credit Application Information |          |                   |                                   |                                                              |                        |                              |                                 |                                                             |                     |        |
| Homeowners' T ax Credit Application Status:    |          |                   | No Application                    |                                                              |                        | Date:                        |                                 |                                                             |                     |        |

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                |                                  | View GroundRent Redemption                                   |                              |                        |                                             | View GroundRent Registration |                                 |               |                   |
|------------------------------------------------|----------|----------------|----------------------------------|--------------------------------------------------------------|------------------------------|------------------------|---------------------------------------------|------------------------------|---------------------------------|---------------|-------------------|
| Account Identifier:                            |          |                |                                  | District - 17 Account Number - 3666716                       |                              |                        |                                             |                              |                                 |               |                   |
| Owner Information                              |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |               |                   |
| Owner Name:                                    |          |                |                                  | BE UTC GSA THEATRE LLC                                       |                              |                        |                                             | Use:                         |                                 | COMMERCIAL    |                   |
| Mailing Address:                               |          |                |                                  | BERMAN ENTPR STE 220<br>5410 EDSON LN<br>ROCKVILLE MD 20852- |                              |                        |                                             | Principal Residence:         |                                 | NO            |                   |
|                                                |          |                |                                  |                                                              |                              |                        |                                             | Deed Reference:              |                                 | /36078/ 00001 |                   |
| Location & Structure Information               |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |               |                   |
| Premises Address:                              |          |                |                                  | 6450 AMERICA BLVD<br>HYATTSVILLE 20782-0000                  |                              |                        |                                             | Legal Description:           |                                 | PARCEL M      |                   |
| Map:                                           | Grid:    | Parcel:        | Sub District:                    | Subdivision:                                                 | Section:                     | Block:                 | Lot:                                        | Assessment Year:             | Plat No:                        | 205043        |                   |
| 0042                                           | 00A2     | 0000           |                                  | 7016                                                         |                              |                        |                                             | 2016                         | Plat Ref:                       |               |                   |
| Special Tax Areas:                             |          |                |                                  | Town:                                                        |                              |                        |                                             | HYATTSVILLE                  |                                 |               |                   |
|                                                |          |                |                                  | Ad Valorem:                                                  |                              |                        |                                             |                              |                                 |               |                   |
|                                                |          |                |                                  | Tax Class:                                                   |                              |                        |                                             | 8                            |                                 |               |                   |
| Primary Structure Built<br>2007                |          |                | Above Grade Living Area<br>12143 |                                                              |                              | Finished Basement Area |                                             |                              | Property Land Area<br>24,784 SF |               | County Use<br>005 |
| Stories                                        | Basement |                | Type<br>RESTAURANT               | Exterior                                                     | Full/Half Bath               |                        | Garage                                      | Last Major Renovation        |                                 |               |                   |
| Value Information                              |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |               |                   |
|                                                |          |                | Base Value                       |                                                              | Value<br>As of<br>01/01/2016 |                        | Phase-in Assessments<br>As of<br>07/01/2017 |                              | As of<br>07/01/2018             |               |                   |
| Land:                                          |          |                | 371,700                          |                                                              | 371,700                      |                        |                                             |                              |                                 |               |                   |
| Improvements                                   |          |                | 1,078,300                        |                                                              | 1,836,800                    |                        |                                             |                              |                                 |               |                   |
| Total:                                         |          |                | 1,450,000                        |                                                              | 2,208,500                    |                        | 1,955,667                                   |                              | 2,208,500                       |               |                   |
| Preferential Land:                             |          |                | 0                                |                                                              |                              |                        |                                             |                              | 0                               |               |                   |
| Transfer Information                           |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |               |                   |
| Seller: HYATTSVILLE PROP HLDNGS LLC            |          |                |                                  | Date: 06/13/2014                                             |                              |                        |                                             | Price: \$25,100,000          |                                 |               |                   |
| Type: NON-ARMS LENGTH OTHER                    |          |                |                                  | Deed1: /36078/ 00001                                         |                              |                        |                                             | Deed2:                       |                                 |               |                   |
| Seller: UTC RETAIL II LLC                      |          |                |                                  | Date: 11/18/2011                                             |                              |                        |                                             | Price: \$25,100,000          |                                 |               |                   |
| Type: NON-ARMS LENGTH OTHER                    |          |                |                                  | Deed1: /33119/ 00001                                         |                              |                        |                                             | Deed2:                       |                                 |               |                   |
| Seller:                                        |          |                |                                  | Date:                                                        |                              |                        |                                             | Price: \$0                   |                                 |               |                   |
| Type:                                          |          |                |                                  | Deed1: /20005/ 00700                                         |                              |                        |                                             | Deed2:                       |                                 |               |                   |
| Exemption Information                          |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |               |                   |
| Partial Exempt Assessments:                    |          |                | Class                            |                                                              |                              | 07/01/2017             |                                             |                              | 07/01/2018                      |               |                   |
| County:                                        |          |                | 000                              |                                                              |                              | 0.00                   |                                             |                              |                                 |               |                   |
| State:                                         |          |                | 000                              |                                                              |                              | 0.00                   |                                             |                              |                                 |               |                   |
| Municipal:                                     |          |                | 000                              |                                                              |                              | 0.00 0.00              |                                             |                              | 0.00 0.00                       |               |                   |
| Tax Exempt:                                    |          |                | Special Tax Recapture:           |                                                              |                              |                        |                                             |                              |                                 |               |                   |
| Exempt Class:                                  |          |                | NONE                             |                                                              |                              |                        |                                             |                              |                                 |               |                   |
| Homestead Application Information              |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |               |                   |
| Homestead Application Status:                  |          | No Application |                                  |                                                              |                              |                        |                                             |                              |                                 |               |                   |
| Homeowners' Tax Credit Application Information |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |               |                   |
| Homeowners' T ax Credit Application Status:    |          | No Application |                                  |                                                              |                              |                        | Date:                                       |                              |                                 |               |                   |

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |       |          |                         | View GroundRent Redemption                                                  |          |                              |                | View GroundRent Registration                |                                 |                     |                       |
|------------------------------------------------|-------|----------|-------------------------|-----------------------------------------------------------------------------|----------|------------------------------|----------------|---------------------------------------------|---------------------------------|---------------------|-----------------------|
| Account Identifier:                            |       |          |                         | District - 17 Account Number - 3666724                                      |          |                              |                |                                             |                                 |                     |                       |
| Owner Information                              |       |          |                         |                                                                             |          |                              |                |                                             |                                 |                     |                       |
| Owner Name:                                    |       |          |                         | BE UTC PARCEL N LLC                                                         |          |                              |                | Use:                                        |                                 | COMMERCIAL          |                       |
| Mailing Address:                               |       |          |                         | KEVIN BERMAN BERMAN ENT<br>5410 EDSON LANE SUITE 220<br>ROCKVILLE MD 20852- |          |                              |                | Principal Residence:                        |                                 | NO                  |                       |
|                                                |       |          |                         |                                                                             |          |                              |                | Deed Reference:                             |                                 | /36029/ 00586       |                       |
| Location & Structure Information               |       |          |                         |                                                                             |          |                              |                |                                             |                                 |                     |                       |
| Premises Address:                              |       |          |                         | 6400 AMERICA BLVD<br>HYATTSVILLE 20782-0000                                 |          |                              |                | Legal Description:                          |                                 | PARCEL N            |                       |
| Map:                                           | Grid: | Parcel:  | Sub District:           | Subdivision:                                                                | Section: | Block:                       | Lot:           | Assessment Year:                            | Plat No:                        | 205043              |                       |
| 0042                                           | 00A2  | 0000     |                         | 7016                                                                        |          |                              |                | 2016                                        | Plat Ref:                       |                     |                       |
| Special Tax Areas:                             |       |          |                         | Town:                                                                       |          |                              |                | HYATTSVILLE                                 |                                 |                     |                       |
|                                                |       |          |                         | Ad Valorem:                                                                 |          |                              |                |                                             |                                 |                     |                       |
|                                                |       |          |                         | Tax Class:                                                                  |          |                              |                | 8                                           |                                 |                     |                       |
| Primary Structure Built                        |       |          | Above Grade Living Area |                                                                             |          | Finished Basement Area       |                |                                             | Property Land Area<br>2.4200 AC |                     | County Use<br>005     |
| Stories                                        |       | Basement |                         | Type                                                                        | Exterior |                              | Full/Half Bath |                                             | Garage                          |                     | Last Major Renovation |
| Value Information                              |       |          |                         |                                                                             |          |                              |                |                                             |                                 |                     |                       |
|                                                |       |          |                         | Base Value                                                                  |          | Value<br>As of<br>01/01/2016 |                | Phase-in Assessments<br>As of<br>07/01/2017 |                                 | As of<br>07/01/2018 |                       |
| Land:                                          |       |          |                         | 1,438,900                                                                   |          | 1,438,900                    |                |                                             |                                 |                     |                       |
| Improvements                                   |       |          |                         | 0                                                                           |          | 0                            |                |                                             |                                 |                     |                       |
| Total:                                         |       |          |                         | 1,438,900                                                                   |          | 1,438,900                    |                | 1,438,900                                   |                                 | 1,438,900           |                       |
| Preferential Land:                             |       |          |                         | 0                                                                           |          |                              |                |                                             |                                 | 0                   |                       |
| Transfer Information                           |       |          |                         |                                                                             |          |                              |                |                                             |                                 |                     |                       |
| Seller: HYATTSVILLE PROP HLDNGS LLC            |       |          |                         | Date: 05/27/2014                                                            |          |                              |                | Price: \$700,000                            |                                 |                     |                       |
| Type: NON-ARMS LENGTH OTHER                    |       |          |                         | Deed1: /36029/ 00586                                                        |          |                              |                | Deed2:                                      |                                 |                     |                       |
| Seller: UTC RETAIL III LLC                     |       |          |                         | Date: 11/18/2011                                                            |          |                              |                | Price: \$25,100,000                         |                                 |                     |                       |
| Type: NON-ARMS LENGTH OTHER                    |       |          |                         | Deed1: /33119/ 00001                                                        |          |                              |                | Deed2:                                      |                                 |                     |                       |
| Seller:                                        |       |          |                         | Date:                                                                       |          |                              |                | Price: \$0                                  |                                 |                     |                       |
| Type:                                          |       |          |                         | Deed1: /20005/ 00700                                                        |          |                              |                | Deed2:                                      |                                 |                     |                       |
| Exemption Information                          |       |          |                         |                                                                             |          |                              |                |                                             |                                 |                     |                       |
| Partial Exempt Assessments:                    |       |          |                         | Class                                                                       |          |                              |                | 07/01/2017                                  |                                 | 07/01/2018          |                       |
| County:                                        |       |          |                         | 000                                                                         |          |                              |                | 0.00                                        |                                 |                     |                       |
| State:                                         |       |          |                         | 000                                                                         |          |                              |                | 0.00                                        |                                 |                     |                       |
| Municipal:                                     |       |          |                         | 000                                                                         |          |                              |                | 0.00 0.00                                   |                                 | 0.00 0.00           |                       |
| Tax Exempt:                                    |       |          |                         | Special Tax Recapture:                                                      |          |                              |                |                                             |                                 |                     |                       |
| Exempt Class:                                  |       |          |                         | NONE                                                                        |          |                              |                |                                             |                                 |                     |                       |
| Homestead Application Information              |       |          |                         |                                                                             |          |                              |                |                                             |                                 |                     |                       |
| Homestead Application Status:                  |       |          |                         | No Application                                                              |          |                              |                |                                             |                                 |                     |                       |
| Homeowners' Tax Credit Application Information |       |          |                         |                                                                             |          |                              |                |                                             |                                 |                     |                       |
| Homeowners' T ax Credit Application Status:    |       |          |                         | No Application                                                              |          |                              |                | Date:                                       |                                 |                     |                       |

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                |                               | View GroundRent Redemption                                   |                        |             | View GroundRent Registration          |                           |                  |               |
|------------------------------------------------|----------|----------------|-------------------------------|--------------------------------------------------------------|------------------------|-------------|---------------------------------------|---------------------------|------------------|---------------|
| Account Identifier:                            |          |                |                               | District - 17 Account Number - 3720729                       |                        |             |                                       |                           |                  |               |
| Owner Information                              |          |                |                               |                                                              |                        |             |                                       |                           |                  |               |
| Owner Name:                                    |          |                |                               | BE UTC GSA THEATRE LLC                                       |                        |             |                                       | Use: Principal Residence: |                  | COMMERCIAL NO |
| Mailing Address:                               |          |                |                               | BERMAN ENTPR STE 220<br>5410 EDSON LN<br>ROCKVILLE MD 20852- |                        |             |                                       | Deed Reference:           |                  | /36078/ 00001 |
| Location & Structure Information               |          |                |                               |                                                              |                        |             |                                       |                           |                  |               |
| Premises Address:                              |          |                |                               | 6451 AMERICA BLVD<br>HYATTSVILLE 20782-0000                  |                        |             |                                       | Legal Description:        |                  | PARCEL Q      |
| Map:                                           | Grid:    | Parcel:        | Sub District:                 | Subdivision:                                                 | Section:               | Block:      | Lot:                                  | Assessment Year:          | Plat No:         | 209054        |
| 0042                                           | 00A2     | 0000           |                               | 7016                                                         |                        |             |                                       | 2016                      | Plat Ref:        |               |
| Special Tax Areas:                             |          |                |                               | Town:                                                        |                        | HYATTSVILLE |                                       |                           |                  |               |
|                                                |          |                |                               | Ad Valorem:                                                  |                        |             |                                       |                           |                  |               |
|                                                |          |                |                               | Tax Class:                                                   |                        | 8           |                                       |                           |                  |               |
| Primary Structure Built 2007                   |          |                | Above Grade Living Area 10547 |                                                              | Finished Basement Area |             | Property Land Area 23,522 SF          |                           | County Use 005   |               |
| Stories                                        | Basement |                | Type                          | Exterior                                                     | Full/Half Bath         |             | Garage                                | Last Major Renovation     |                  |               |
|                                                |          |                | RETAIL STORE                  |                                                              |                        |             |                                       |                           |                  |               |
| Value Information                              |          |                |                               |                                                              |                        |             |                                       |                           |                  |               |
|                                                |          |                | Base Value                    |                                                              | Value As of 01/01/2016 |             | Phase-in Assessments As of 07/01/2017 |                           | As of 07/01/2018 |               |
| Land:                                          |          |                | 352,800                       |                                                              | 352,800                |             |                                       |                           |                  |               |
| Improvements                                   |          |                | 747,200                       |                                                              | 1,489,300              |             |                                       |                           |                  |               |
| Total:                                         |          |                | 1,100,000                     |                                                              | 1,842,100              |             | 1,594,733                             |                           | 1,842,100        |               |
| Preferential Land:                             |          |                | 0                             |                                                              |                        |             |                                       |                           | 0                |               |
| Transfer Information                           |          |                |                               |                                                              |                        |             |                                       |                           |                  |               |
| Seller: HYATTSVILLE PROP HLDNGS LLC            |          |                |                               | Date: 06/13/2014                                             |                        |             |                                       | Price: \$25,100,000       |                  |               |
| Type: NON-ARMS LENGTH OTHER                    |          |                |                               | Deed1: /36078/ 00001                                         |                        |             |                                       | Deed2:                    |                  |               |
| Seller: UTC RETAIL VI LLC                      |          |                |                               | Date: 11/18/2011                                             |                        |             |                                       | Price: \$25,100,000       |                  |               |
| Type: NON-ARMS LENGTH OTHER                    |          |                |                               | Deed1: /33119/ 00001                                         |                        |             |                                       | Deed2:                    |                  |               |
| Seller: PRINCE GEORGE CNTR II LP               |          |                |                               | Date: 05/02/2006                                             |                        |             |                                       | Price: \$211,600          |                  |               |
| Type: ARMS LENGTH VACANT                       |          |                |                               | Deed1: /00000/ 00000                                         |                        |             |                                       | Deed2:                    |                  |               |
| Exemption Information                          |          |                |                               |                                                              |                        |             |                                       |                           |                  |               |
| Partial Exempt Assessments:                    |          |                | Class                         |                                                              |                        |             | 07/01/2017                            |                           | 07/01/2018       |               |
| County:                                        |          |                | 000                           |                                                              |                        |             | 0.00                                  |                           |                  |               |
| State:                                         |          |                | 000                           |                                                              |                        |             | 0.00                                  |                           |                  |               |
| Municipal:                                     |          |                | 000                           |                                                              |                        |             | 0.00 0.00                             |                           | 0.00 0.00        |               |
| Tax Exempt:                                    |          |                |                               | Special Tax Recapture:                                       |                        |             |                                       |                           |                  |               |
| Exempt Class:                                  |          |                |                               | NONE                                                         |                        |             |                                       |                           |                  |               |
| Homestead Application Information              |          |                |                               |                                                              |                        |             |                                       |                           |                  |               |
| Homestead Application Status:                  |          | No Application |                               |                                                              |                        |             |                                       |                           |                  |               |
| Homeowners' Tax Credit Application Information |          |                |                               |                                                              |                        |             |                                       |                           |                  |               |
| Homeowners' T ax Credit Application Status:    |          |                | No Application                |                                                              |                        |             | Date:                                 |                           |                  |               |

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                      |                               | View GroundRent Redemption                                   |                        |        | View GroundRent Registration          |                           |                  |               |
|------------------------------------------------|----------|----------------------|-------------------------------|--------------------------------------------------------------|------------------------|--------|---------------------------------------|---------------------------|------------------|---------------|
| Account Identifier:                            |          |                      |                               | District - 17 Account Number - 3720687                       |                        |        |                                       |                           |                  |               |
| Owner Information                              |          |                      |                               |                                                              |                        |        |                                       |                           |                  |               |
| Owner Name:                                    |          |                      |                               | BE UTC GSA THEATRE LLC                                       |                        |        |                                       | Use: Principal Residence: |                  | COMMERCIAL NO |
| Mailing Address:                               |          |                      |                               | BERMAN ENTPR STE 220<br>5410 EDSON LN<br>ROCKVILLE MD 20852- |                        |        |                                       | Deed Reference:           |                  | /36078/ 00001 |
| Location & Structure Information               |          |                      |                               |                                                              |                        |        |                                       |                           |                  |               |
| Premises Address:                              |          |                      |                               | 6501 AMERICA BLVD<br>HYATTSVILLE 20782-0000                  |                        |        |                                       | Legal Description:        |                  | PT PARCEL P   |
| Map:                                           | Grid:    | Parcel:              | Sub District:                 | Subdivision:                                                 | Section:               | Block: | Lot:                                  | Assessment Year:          | Plat No:         | 209053        |
| 0042                                           | 00A2     | 0000                 |                               | 7016                                                         |                        |        |                                       | 2016                      | Plat Ref:        |               |
| Special Tax Areas:                             |          |                      |                               | Town: Ad Valorem: Tax Class:                                 |                        |        |                                       | HYATTSVILLE<br><br>8      |                  |               |
| Primary Structure Built 2009                   |          |                      | Above Grade Living Area 72576 |                                                              | Finished Basement Area |        | Property Land Area 1.2400 AC          |                           | County Use 005   |               |
| Stories                                        | Basement | Type OFFICE BUILDING |                               | Exterior                                                     | Full/Half Bath         |        | Garage                                | Last Major Renovation     |                  |               |
| Value Information                              |          |                      |                               |                                                              |                        |        |                                       |                           |                  |               |
|                                                |          |                      | Base Value                    |                                                              | Value As of 01/01/2016 |        | Phase-in Assessments As of 07/01/2017 |                           | As of 07/01/2018 |               |
| Land:                                          |          |                      | 810,200                       |                                                              | 810,200                |        |                                       |                           |                  |               |
| Improvements                                   |          |                      | 8,689,800                     |                                                              | 7,250,700              |        |                                       |                           |                  |               |
| Total:                                         |          |                      | 9,500,000                     |                                                              | 8,060,900              |        | 8,060,900                             |                           | 8,060,900        |               |
| Preferential Land:                             |          |                      | 0                             |                                                              |                        |        |                                       |                           | 0                |               |
| Transfer Information                           |          |                      |                               |                                                              |                        |        |                                       |                           |                  |               |
| Seller: HYATTSVILLE PROP HLDNGS LLC            |          |                      |                               | Date: 06/13/2014                                             |                        |        |                                       | Price: \$25,100,000       |                  |               |
| Type: NON-ARMS LENGTH OTHER                    |          |                      |                               | Deed1: /36078/ 00001                                         |                        |        |                                       | Deed2:                    |                  |               |
| Seller: UTC RETAIL IV LLC                      |          |                      |                               | Date: 11/18/2011                                             |                        |        |                                       | Price: \$25,100,000       |                  |               |
| Type: NON-ARMS LENGTH OTHER                    |          |                      |                               | Deed1: /33119/ 00001                                         |                        |        |                                       | Deed2:                    |                  |               |
| Seller:                                        |          |                      |                               | Date:                                                        |                        |        |                                       | Price: \$0                |                  |               |
| Type:                                          |          |                      |                               | Deed1: /20005/ 00705                                         |                        |        |                                       | Deed2:                    |                  |               |
| Exemption Information                          |          |                      |                               |                                                              |                        |        |                                       |                           |                  |               |
| Partial Exempt Assessments:                    |          |                      | Class                         |                                                              |                        |        | 07/01/2017                            |                           | 07/01/2018       |               |
| County:                                        |          |                      | 000                           |                                                              |                        |        | 0.00                                  |                           |                  |               |
| State:                                         |          |                      | 000                           |                                                              |                        |        | 0.00                                  |                           |                  |               |
| Municipal:                                     |          |                      | 000                           |                                                              |                        |        | 0.00 0.00                             |                           | 0.00 0.00        |               |
| Tax Exempt:                                    |          |                      |                               | Special Tax Recapture:                                       |                        |        |                                       |                           |                  |               |
| Exempt Class:                                  |          |                      |                               | NONE                                                         |                        |        |                                       |                           |                  |               |
| Homestead Application Information              |          |                      |                               |                                                              |                        |        |                                       |                           |                  |               |
| Homestead Application Status:                  |          | No Application       |                               |                                                              |                        |        |                                       |                           |                  |               |
| Homeowners' Tax Credit Application Information |          |                      |                               |                                                              |                        |        |                                       |                           |                  |               |
| Homeowners' T ax Credit Application Status:    |          |                      | No Application                |                                                              |                        |        | Date:                                 |                           |                  |               |

## Search Result for PRINCE GEORGE'S COUNTY

| View Map                                       |          |                |                                  | View GroundRent Redemption                                   |                              |                        |                                             | View GroundRent Registration |                                 |                  |                   |
|------------------------------------------------|----------|----------------|----------------------------------|--------------------------------------------------------------|------------------------------|------------------------|---------------------------------------------|------------------------------|---------------------------------|------------------|-------------------|
| Account Identifier:                            |          |                |                                  | District - 17 Account Number - 3720703                       |                              |                        |                                             |                              |                                 |                  |                   |
| Owner Information                              |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |                  |                   |
| Owner Name:                                    |          |                |                                  | BE UTC GSA THEATRE LLC                                       |                              |                        |                                             | Use:<br>Principal Residence: |                                 | COMMERCIAL<br>NO |                   |
| Mailing Address:                               |          |                |                                  | BERMAN ENTPR STE 220<br>5410 EDSON LN<br>ROCKVILLE MD 20852- |                              |                        |                                             | Deed Reference:              |                                 | /36078/ 00001    |                   |
| Location & Structure Information               |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |                  |                   |
| Premises Address:                              |          |                |                                  | 6501 AMERICA BLVD<br>HYATTSVILLE 20782-0000                  |                              |                        |                                             | Legal Description:           |                                 | PT PARCEL P      |                   |
| Map:                                           | Grid:    | Parcel:        | Sub District:                    | Subdivision:                                                 | Section:                     | Block:                 | Lot:                                        | Assessment Year:             | Plat No:                        | 209053           |                   |
| 0042                                           | 00A2     | 0000           |                                  | 7016                                                         |                              |                        |                                             | 2016                         | Plat Ref:                       |                  |                   |
| Special Tax Areas:                             |          |                |                                  | Town:                                                        |                              | HYATTSVILLE            |                                             |                              |                                 |                  |                   |
|                                                |          |                |                                  | Ad Valorem:                                                  |                              |                        |                                             |                              |                                 |                  |                   |
|                                                |          |                |                                  | Tax Class:                                                   |                              | 8                      |                                             |                              |                                 |                  |                   |
| Primary Structure Built<br>2007                |          |                | Above Grade Living Area<br>79373 |                                                              |                              | Finished Basement Area |                                             |                              | Property Land Area<br>2.6900 AC |                  | County Use<br>005 |
| Stories                                        | Basement | Type<br>CINEMA | Exterior                         | Full/Half Bath                                               |                              | Garage                 | Last Major Renovation                       |                              |                                 |                  |                   |
| Value Information                              |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |                  |                   |
|                                                |          |                | Base Value                       |                                                              | Value<br>As of<br>01/01/2016 |                        | Phase-in Assessments<br>As of<br>07/01/2017 |                              |                                 |                  |                   |
| Land:                                          |          |                | 1,757,600                        |                                                              | 1,757,600                    |                        | As of<br>07/01/2018                         |                              |                                 |                  |                   |
| Improvements                                   |          |                | 10,642,400                       |                                                              | 10,786,800                   |                        |                                             |                              |                                 |                  |                   |
| Total:                                         |          |                | 12,400,000                       |                                                              | 12,544,400                   |                        | 12,496,267                                  |                              | 12,544,400                      |                  |                   |
| Preferential Land:                             |          |                | 0                                |                                                              |                              |                        |                                             |                              | 0                               |                  |                   |
| Transfer Information                           |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |                  |                   |
| Seller: HYATTSVILLE PROP HLDNGS LLC            |          |                |                                  | Date: 06/13/2014                                             |                              |                        |                                             | Price: \$25,100,000          |                                 |                  |                   |
| Type: NON-ARMS LENGTH OTHER                    |          |                |                                  | Deed1: /36078/ 00001                                         |                              |                        |                                             | Deed2:                       |                                 |                  |                   |
| Seller: UTC RETAIL IV LLC                      |          |                |                                  | Date: 11/18/2011                                             |                              |                        |                                             | Price: \$25,100,000          |                                 |                  |                   |
| Type: NON-ARMS LENGTH OTHER                    |          |                |                                  | Deed1: /33119/ 00001                                         |                              |                        |                                             | Deed2:                       |                                 |                  |                   |
| Seller: PRINCE GEORGE CTR II LTD P             |          |                |                                  | Date: 05/02/2006                                             |                              |                        |                                             | Price: \$1,054,500           |                                 |                  |                   |
| Type: ARMS LENGTH IMPROVED                     |          |                |                                  | Deed1: /00000/ 00000                                         |                              |                        |                                             | Deed2:                       |                                 |                  |                   |
| Exemption Information                          |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |                  |                   |
| Partial Exempt Assessments:                    |          |                | Class                            |                                                              | 07/01/2017                   |                        | 07/01/2018                                  |                              |                                 |                  |                   |
| County:                                        |          |                | 000                              |                                                              | 0.00                         |                        |                                             |                              |                                 |                  |                   |
| State:                                         |          |                | 000                              |                                                              | 0.00                         |                        |                                             |                              |                                 |                  |                   |
| Municipal:                                     |          |                | 000                              |                                                              | 0.00 0.00                    |                        | 0.00 0.00                                   |                              |                                 |                  |                   |
| Tax Exempt:                                    |          |                |                                  | Special Tax Recapture:                                       |                              |                        |                                             |                              |                                 |                  |                   |
| Exempt Class:                                  |          |                |                                  | NONE                                                         |                              |                        |                                             |                              |                                 |                  |                   |
| Homestead Application Information              |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |                  |                   |
| Homestead Application Status:                  |          |                |                                  | No Application                                               |                              |                        |                                             |                              |                                 |                  |                   |
| Homeowners' Tax Credit Application Information |          |                |                                  |                                                              |                              |                        |                                             |                              |                                 |                  |                   |
| Homeowners' T ax Credit Application Status:    |          |                |                                  | No Application                                               |                              |                        |                                             | Date:                        |                                 |                  |                   |

|                                |                                   | FY - 2019 Total - FTE's |        |        |        |        |        |        |        |
|--------------------------------|-----------------------------------|-------------------------|--------|--------|--------|--------|--------|--------|--------|
|                                |                                   | Full-Time Equivalent    |        |        |        |        |        |        |        |
|                                |                                   | FY2016                  | FY2016 | FY2017 | FY2017 | FY2018 | FY2018 | FY2019 | FY2019 |
|                                |                                   | P/T                     | FTE    | P/T    | FTE    | P/T    | FTE    | P/T    | FTE    |
| <b>City Council</b>            |                                   |                         |        |        |        |        |        |        |        |
|                                | City Council Members              | 10                      | 0      | 10     | 0      | 10     | 0      | 10     | 0      |
| <b>City Clerk</b>              |                                   |                         |        |        |        |        |        |        |        |
|                                | City Clerk                        | 0                       | 1      | 0      | 2      | 0      | 2      | 0      | 2      |
|                                | Part-time Clerk                   | 0.5                     | 0      | 0.5    | 0      | 0.5    | 0      | 0.5    | 0      |
| <b>Mayor</b>                   |                                   |                         |        |        |        |        |        |        |        |
|                                | Mayor                             | 1                       | 0      | 1      | 0      | 1      | 0      | 1      | 0      |
| <b>Elections</b>               |                                   |                         |        |        |        |        |        |        |        |
|                                | Election Board Members            | 5                       | 0      | 5      | 0      | 5      | 0      | 5      | 0      |
| <b>Finance</b>                 |                                   |                         |        |        |        |        |        |        |        |
|                                | Treasurer                         | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
|                                | Accountant                        | 0                       | 1      | 0      | 2      | 0      | 2      | 0      | 2      |
|                                | Superior of Contracts/Grants      | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
|                                | Accounting Clerk                  | 0.5                     | 0      | 0.5    | 0      | 0.5    | 0      | 0.5    | 0      |
|                                | Admin Assistant II                | 0                       | 0      | 0      | 0      | 0      | 0      | 0      | 1      |
|                                | Intern                            | 0                       | 0      | 0      | 0      | 0      | 0      | 0      | 0.5    |
| <b>Human Resources</b>         |                                   |                         |        |        |        |        |        |        |        |
|                                | Human Resource Director           | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
|                                | Special projects/HR Coord.        | 0                       | 0      | 0      | 0      | 0      | 1      | 0      | 1      |
| <b>City Administrator</b>      |                                   |                         |        |        |        |        |        |        |        |
|                                | City Administrator                | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
|                                | Admin. Assist III/Wellness Coord. | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
|                                | Assistant City Administrator      | 0                       | 0.25   | 0      | 0.25   | 0      | 0.25   | 0      | 0.25   |
|                                | Administrative Assistant I        | 0                       | 2      | 0      | 0      | 0      | 0      | 0      | 0      |
| <b>Information Technology</b>  |                                   |                         |        |        |        |        |        |        |        |
|                                | Chief Information Officer         | 0                       | 0      | 0      | 0      | 0      | 0      | 0      | 0      |
|                                | Information Tech. Specialist      | 0                       | 0      | 0      | 0      | 0      | 0      | 0      | 0      |
|                                | Information Tech. Manager         | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
| <b>Police Command</b>          |                                   |                         |        |        |        |        |        |        |        |
|                                | Police Chief                      | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
|                                | Captain                           | 0                       | 0      | 0      | 1      | 0      | 1      | 0      | 1      |
|                                | Lieutenant                        | 0                       | 3      | 0      | 3      | 0      | 3      | 0      | 3      |
|                                | Sergeant                          | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
|                                | Administrative Assistant III      | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
| <b>Criminal Investigations</b> |                                   |                         |        |        |        |        |        |        |        |
|                                | Sergeant                          | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
|                                | Corporal                          | 0                       | 2      | 0      | 2      | 0      | 1      | 0      | 2      |
|                                | Private 1st Class/Private         | 0                       | 2      | 0      | 2      | 0      | 3      | 0      | 2      |
|                                | Evidence Technician(Civilian)     | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
| <b>Patrol</b>                  |                                   |                         |        |        |        |        |        |        |        |
|                                | Sergeant                          | 0                       | 6      | 0      | 6      | 0      | 6      | 0      | 6      |
|                                | Corporal                          | 0                       | 6      | 0      | 6      | 0      | 7      | 0      | 8      |
|                                | Private 1st Class/Private         | 0                       | 19.5   | 0      | 20     | 0      | 19     | 0      | 20     |
| <b>Records and Comm.</b>       |                                   |                         |        |        |        |        |        |        |        |
|                                | Supervisor                        | 0                       | 1      | 0      | 1      | 0      | 1      | 0      | 1      |
|                                | Public Safety Aide III            | 0                       | 5      | 0      | 5      | 0      | 2      | 0      | 2      |
|                                | Public Safety Aide II             | 0                       | 2      | 0      | 2      | 0      | 4      | 0      | 4      |
|                                | Public Safety Aide I              | 0                       | 1      | 0      | 1      | 0      | 3      | 0      | 3      |

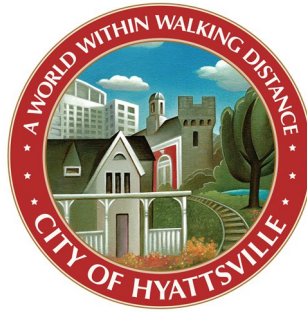
|                                                    |                                  |   |      |   |      |   |      |     |
|----------------------------------------------------|----------------------------------|---|------|---|------|---|------|-----|
|                                                    |                                  |   |      |   |      |   | 258  |     |
|                                                    | Records Clerk                    | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Technician Services Manager      | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Digital Video Mgr./Clerk Analyst | 0 | 0    | 0 | 0    | 0 | 0    | 0   |
| <b>Public Works Administration</b>                 |                                  |   |      |   |      |   |      |     |
|                                                    | Public Works Director            | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Assist. Project Manager          | 0 | 1    | 0 | 1    | 0 | 0    | 0   |
|                                                    | Project Manager                  | 0 | 0    | 0 | 0    | 0 | 1    | 0   |
| <b>Street Operations</b>                           |                                  |   |      |   |      |   |      |     |
|                                                    | Supervisor                       | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Driver                           | 0 | 2    | 0 | 2    | 0 | 2    | 0   |
|                                                    | Laborer                          | 0 | 3    | 0 | 3    | 0 | 2    | 0   |
|                                                    | Crew Leader                      | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
| <b>Solid Waste Operations</b>                      |                                  |   |      |   |      |   |      |     |
|                                                    | Supervisor                       | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Crew Leader                      | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Driver                           | 0 | 3    | 0 | 3    | 0 | 3    | 0   |
|                                                    | Laborer                          | 0 | 7    | 0 | 7    | 0 | 7    | 0   |
|                                                    | Clean & Safe Team                | 0 | 0    | 0 | 0    | 0 | 0    | 3   |
| <b>Vehicle Maintenance Operations</b>              |                                  |   |      |   |      |   |      |     |
|                                                    | Supervisor                       | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Mechanic I                       | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Mechanic II                      | 0 | 0    | 0 | 0    | 0 | 1    | 0   |
| <b>Building and Grounds Maintenance Operations</b> |                                  |   |      |   |      |   |      |     |
|                                                    | Superintendent                   | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Building Specialist              | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
| <b>Park Operations</b>                             |                                  |   |      |   |      |   |      |     |
|                                                    | City Arborist                    | 0 | 0    | 0 | 0    | 0 | 1    | 0   |
|                                                    | Laborer                          | 0 | 2    | 0 | 2    | 0 | 3    | 0   |
|                                                    | Crew Leader                      | 0 | 0    | 0 | 0    | 0 | 1    | 0   |
| <b>Communications/Public Relations</b>             |                                  |   |      |   |      |   |      |     |
|                                                    | Comm. Coordinator                | 0 | 0    | 0 | 0    | 0 | 1    | 0   |
|                                                    | Community Services Director      | 0 | 0.35 | 0 | 0.35 | 0 | 0.35 | 0   |
|                                                    | Comm. Supervisor                 | 0 | 0    | 0 | 0    | 0 | 0    | 0   |
|                                                    | Administrative Assist II/Recept. | 0 | 0    | 0 | 1    | 0 | 1    | 0   |
| <b>Recreation Operations</b>                       |                                  |   |      |   |      |   |      |     |
|                                                    | Community Services Director      | 0 | 0.65 | 0 | 0.65 | 0 | 0.35 | 0   |
|                                                    | Rec. Supervisor                  | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Teen Center Staff (1.5 FTE)      | 0 | 0    | 0 | 0    | 0 | 0    | 0.5 |
|                                                    | Teen Center Coordinators (3 FTE) | 0 | 0    | 0 | 0    | 0 | 0    | 1.5 |
|                                                    | Youth Coordinator                | 0 | 0    | 0 | 0    | 0 | 1    | 0   |
| <b>Cable Television</b>                            |                                  |   |      |   |      |   |      |     |
|                                                    | Cable TV Coordinator             | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
|                                                    | Cable TV Supervisor              | 0 | 0    | 0 | 0    | 0 | 1    | 0   |
|                                                    | Intern                           | 0 | 0    | 0 | 0    | 0 | 0    | 0   |
| <b>Volunteer Services</b>                          |                                  |   |      |   |      |   |      |     |
|                                                    | Volunteer Serv. Manager          | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
| <b>Senior Services</b>                             |                                  |   |      |   |      |   |      |     |
|                                                    | Senior & Disability Coord.       | 0 | 1    | 0 | 1    | 0 | 1    | 0   |
| <b>Call-A-Bus</b>                                  |                                  |   |      |   |      |   |      |     |
|                                                    | Bus Drivers                      | 0 | 1    | 0 | 1    | 0 | 1.25 | 0   |
| <b>Community and Economic Development</b>          |                                  |   |      |   |      |   |      |     |
|                                                    | Comm/Econ Dev Director           | 0 | 0.75 | 0 | 0.75 | 0 | 0.75 | 0   |



|                           |                               |           |              |           |              |             |               |             |              |
|---------------------------|-------------------------------|-----------|--------------|-----------|--------------|-------------|---------------|-------------|--------------|
|                           |                               |           |              |           |              |             |               | 259         |              |
|                           | Intern (s)                    | 0.5       | 0            | 0.5       | 0            | 0.5         | 0             | 0.5         | 0            |
|                           | Senior Planner                | 0         | 1            | 0         | 1            | 0           | 1             | 0           | 1            |
| <b>Code Compliance</b>    |                               |           |              |           |              |             |               |             |              |
|                           | Code Director                 | 0         | 0            | 0         | 0            | 0           | 0             | 0           | 0            |
|                           | Code/Parking Manager          | 0         | 0.5          | 0         | 0.5          | 0           | 0.5           | 0           | 0.5          |
|                           | Acting Supervisor             | 0         | 0            | 0         | 0            | 0           | 0             | 0           | 0            |
|                           | Inspector III/II/I            | 0         | 3            | 0         | 3            | 0           | 3             | 0           | 4            |
|                           | Licensing Clerk               | 0         | 0            | 0         | 0            | 0.5         | 0             | 0.5         | 0            |
|                           | Licensing Services Supervisor | 0         | 1            | 0         | 1            | 0           | 1             | 0           | 1            |
| <b>G I S</b>              |                               |           |              |           |              |             |               |             |              |
|                           | G I S Technician              | 0         | 1            | 0         | 1            | 0           | 1             | 0           | 1            |
| <b>Parking Compliance</b> |                               |           |              |           |              |             |               |             |              |
|                           | Code/Parking Manager          | 0         | 0.5          | 0         | 0.5          | 0           | 0.5           | 0           | 0.5          |
|                           | Pulic Safety Aide I           | 0.5       | 2            | 0.5       | 2            | 0.5         | 2             | 0.5         | 2            |
| <b>Speed Camera</b>       |                               |           |              |           |              |             |               |             |              |
|                           | Sergeant                      | 0         | 1            | 0         | 0.5          | 0           | 0.5           | 0           | 0.5          |
|                           | Sergeant                      | 0         | 0            | 0         | 1            | 0           | 1             | 0           | 1            |
| <b>Total</b>              |                               | <b>18</b> | <b>108.5</b> | <b>18</b> | <b>111.5</b> | <b>18.5</b> | <b>119.45</b> | <b>23.5</b> | <b>132.7</b> |



Candace B. Hollingsworth  
Mayor



Tracey E. Nicholson  
City Administrator

May 18, 2018

Honorable Mayor and Members of the Hyattsville City Council

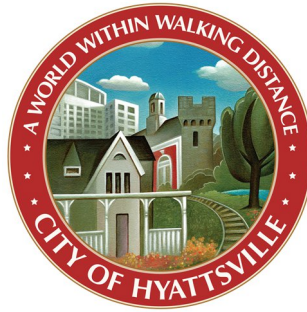
I am pleased to present the final Fiscal Year 2019 (FY19) General Fund and Capital Investment Budget for the City of Hyattsville. The budget document includes statements of revenues and expenditures, the property tax assessable base table, and a break-down of legislative and departmental expenses.

The FY19 budget includes funding to support new City Council program priorities, and improve or sustain programs and services that support residents, neighborhoods, infrastructure, economic development, smart and green technology, public safety, and the environment. The budget also includes funding to support transit-oriented development, roadway enhancements, technological advancements, and staffing levels to provide essential government services. A summary of the FY19 budget proposal and program focus areas is highlighted below:

| Proposed Budget                 |          |
|---------------------------------|----------|
| Revenues                        |          |
| General Funds                   | \$18.6M  |
| Special Revenue Funds           | \$1.3M   |
| Other Revenue                   | \$10.4M  |
| Total Revenues                  | \$30.3M  |
| Expenditures                    |          |
| General Operating Fund          | \$19.9M  |
| Capital Investment              | \$9.9M   |
| Debt Service                    | \$1.8M   |
| Special Revenue Funds           | \$1.3M   |
| Total Expenses                  | \$32.9M  |
| Total (Revenues – Expenditures) | (\$1.3M) |

The FY19 total operating budget which includes all funds is projected to be \$32,979,862. The General Fund budget projection is \$19,915,976 and the Capital Improvements Fund projection is \$9,954,000. The Special Revenue Fund will increase slightly, and our scheduled debt service payments are expected to increase due to our continued investment in major infrastructure projects.

Candace B. Hollingsworth  
Mayor



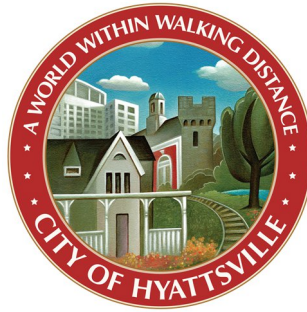
Tracey E. Nicholson  
City Administrator

Revenues in the General Fund are also expected to increase. Real property taxes are projected to be \$12,152,116 which is an increase of \$312,389 over projected year end for FY18. Personal property taxes are projected to generate \$748,800 which is lower than projected year end for FY18. City income taxes should contribute approximately \$2.5M which is a \$446 increase. Revenues such as property taxes, admissions and amusement taxes, licenses and permits, service charges, fines and forfeitures, and highway user fees are expected to increase incrementally. The real property tax rate is presented as unchanged at \$0.63 per \$100 of assessed valuation. Finally, one important measure of a City's financial health is the cash reserves. The unreserved fund balance fluctuates from year to year based on the City's audited financial statements. The most recent audit for the year ending December 31, 2015 is \$13,241,692. Notable projects and programs funded in the FY19 budget follow:

**Employee Salary & Benefits:** Investment in our workforce consumes the greatest portion of the General Fund Budget. Dedicated professionals are the backbone of a healthy and functioning City government and our employees are committed to providing quality service/s to our City. In FY19 we will continue to invest in employee training and development, review compensation, and explore a pay for performance system. The State of Maryland life and health insurance system offers very competitive rates so we included a modest 3.5% projected increase for benefits. Cost increases will also fund 12 full-time and 8 part-time employees to support new and ongoing programs and services. The full-time additions include a DPW Project Coordinator to help manage building renovation and infrastructure projects, a Mechanic II to provide routine maintenance for our fleet of vehicles, a Crime Video Analyst, Traffic Safety Officer and a Community Action Team Officer who will be certified as School Resource Officer. Other additions include a Supervisor of Projects, Communications and Outreach, a Code Compliance Inspector to provide evening and weekend support, a Teen Center Supervisor and four full-time staff to support the new Clean and Safe Team. Part-time positions include a Contracts Coordinator to help manage increased contracts and procurement actions, 5 employees to support the Teen Center and Magruder Teen Program, and 3 employees to round out the Clean and Safe Team. The budget also includes a 1% cost of living adjustment to compensate employees according to prevailing market conditions. Funding is also included to expand our Employer of Choice Programs which allow the City to be a magnet for highly motivated and visionary new employees while retaining our experienced and quality workforce. Finally, the City will continue to invest in programs that encourage employee innovation and efficiencies to save money and maximize satisfaction.

**Public Safety:** The Police Department continues to explore ways to reduce crime and keep our City safe. In addition to the Crime & Video Analyst and the Community Action Team Officer, we included funding for a Traffic Safety Officer to monitor City streets and provide greater focus on traffic violations and enforcement. This year the police will continue programs to strengthen community-police relationships and build trust and accountability. The department will fund and focus on the pillars of the President's Task Force on 21<sup>st</sup> Century Policing and implement related safety and outreach initiatives. Funding to increase CCTV cameras in public, high density areas and work with surrounding jurisdictions in support of

Candace B. Hollingsworth  
Mayor



Tracey E. Nicholson  
City Administrator

the Governor's Office of Crime Control and Prevention to combat violent offenders and gang related crime will also continue. In addition to the above, funding for the \$10.5M Police Headquarters which is expected to be completed in 2020 is included. The new building will house a growing police department, provide meeting rooms, an emergency operations center and expanded dispatch operations.

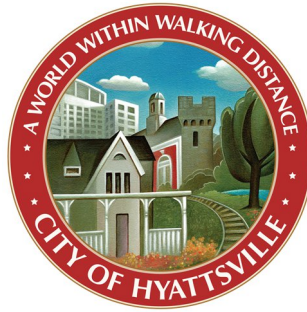
**Multi-Modal Transit:** The City is committed to fostering a vibrant, pedestrian oriented, walkable and sustainable community. In FY18, the City commissioned a Comprehensive Transportation Management Study to assess and make recommendations for improvements in the road network, bike lanes, traffic congestion points, and bus routes to improve traffic flow and maximize residential, business and leisure spaces. Funding is allocated in the FY19 budget to begin a phased implementation of some of the study's recommendations. The budget includes funding to expand the bicycle rack program, implement bicycle repair stations, and strategically implement some recommendations from the 2017-2021 Community Sustainability Plan. The City is also a partner in Prince George's County's Capital Bikeshare program and the State of Maryland's to design and construct the Rhode Island Avenue Trolley Trail connection to the Northwest Branch Trail System.

**Smart Technology:** When used effectively, technology can help reduce costs, improve community engagement, improve how we deliver services, and obtain data driven results. The City acquired the first electric police vehicles in FY18 and included funding retain the contract for grant writing support to pursue more opportunities to expand smart technology. The budget also includes funding to implement the Enterprise Resource Management System, upgrade the City's telephone system, continue investments in LED street lighting upgrades, maintain Big Belly smart trash receptacles, and electric vehicle charging stations on City-owned lots. We have also included funding to research and/or partner on programs for citywide WIFI hotspots, smart lighting on roadways, gunshot detection software, and CCTV camera technology.

**Economic Development & The Environment:** Sustainable economic growth is fundamental to ensuring residents and businesses have access to expanded opportunities. The FY19 budget includes funding to explore new programs such as affordable housing options and supporting businesses and the arts through the Community Business Corridor Fund. Funding for the implementation of an improved Residential Parking Zone program, placemaking at Hyatt Park, the outdoor National Fitness Center, maintenance and expansion of our tree canopy and several other green initiatives are also included.

**Programs & Services:** This year, the City plans to expand teen programming by renovating a leased space in University Town Center where multiple enrichment activities serving middle and high-school students will be provided. The five-year lease will provide a dedicated space for creative and educational programs and compliment the teen programming already offered at Magruder Park. In addition, the City will implement a Hyattsville Clean and Safe Team in the West Hyattsville business corridor. The Prince Georges County Workforce Development Division has committed to partnering with the City on this

Candace B. Hollingsworth  
Mayor



Tracey E. Nicholson  
City Administrator

initiative and the partnership is expected to offset some of the costs to hire and train the 7-person team responsible for greeting residents and visitors, cleaning City streets and sidewalks, and providing referral and/or directional information as needed. The City will also make a second attempt to launch a cost-neutral elementary-age aftercare program and will continue sponsoring successful community events such as the Anniversary Festival, Summer Jams, and International Festival. Funding for the popular art programs, exercise classes, outings, and educational lectures for seniors and people with disabilities will also continue. Additionally, we included limited funding as we expect the Age-Friendly Initiative Work Group to finalize their plans for Council review. Finally, we will expand the immigrant integration workshops to Northwestern High School, and plan to partner with a local non-profit for citizenship support services.

**Infrastructure & Facility Investment:** The City has committed to an infrastructure plan that prioritizes our investment in facilities, curbs, roads, sidewalks, storm water projects, parks, and street lighting. In addition to the Bldg. 3505 Police Headquarters project, funding is included for several other capital improvement projects. Projects include the \$ 3.3M renovation of the City's public works facility, the completion of the University Hills and West Hyattsville Sidewalk and Road improvement projects, investments in our street lighting as well as upgrades to Magruder and Hyatt Parks. The City administrative office building on Gallatin St. requires excessive maintenance and repair and funding is included to continue repair efforts.

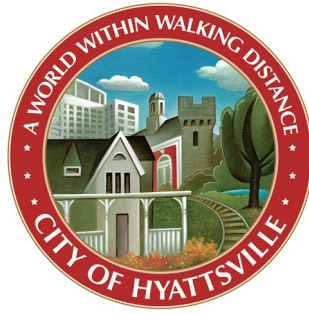
This FY19 budget provides funding to implement and staff new programs, sustain City services, and continue ongoing projects and programs to ensure the delivery of quality programs and services to meet the expectations set by the Mayor, Council, and residents. The staff remains committed to identifying opportunities to offset expenditures which currently exceed revenues, by leveraging partnerships, reducing expenditures where feasible, securing grants, improving efficiencies and ensuring competitive processes are in place.

Finally, I would like to publicly acknowledge the hard work of the department directors and the significant time and effort by the City Treasurer, Ron Brooks and his dedicated staff.

Respectfully Submitted,

Tracey Nicholson  
City Administrator

Candace B. Hollingsworth  
Mayor



Tracey E. Nicholson  
City Administrator



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Appointment

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Re-appointment to the Health, Wellness, and Recreation Advisory Committee

### HCC-386-FY18

#### Recommendation:

I move that the Mayor and Council re-appoint Dyann Waugh (Ward 2) to the Health, Wellness, and Recreation Advisory Committee for a term of 2 years to expire on June 4, 2020.

#### Sponsor(s):

Warner

#### Co-Sponsor(s):

N/A

#### ATTACHMENTS

[Re-appointment Dyann Waugh 5-31-18.pdf](#)

#### Summary Background:

Please see attached application.

#### Next Steps:

Staff liaisons for HWRAC Committee will reach out to the new appointee to invite them to attend the next meeting.

#### Fiscal Impact:

N/A

#### City Administrator Comments:

Recommend approval

#### Community Engagement:

Agendas for the HWRAC Meetings are posted on the City's website. Meetings are open to the public and all are encouraged to attend.

#### Strategic Goals:

Goal 1 - Ensure Transparent & Accessible Governance

Action 1.1 - Provide information and opportunities for resident participation in civic endeavors.

#### Legal Review Required?

N/A



**Board, Committee and Commission Application**

---

**Profile**

Dyann

First Name

Waugh

Last Name

Email Address

Street Address

City

Suite or Apt

State

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

\*

☒ Ward 2

Primary Phone

Alternate Phone

**Which Boards would you like to apply for?**

---

Health, Wellness and Recreation Advisory Committee: Appointed

Joseph Solomon

Referred By:

**Biographical Statement**

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I'm interested in the health and wellness committee because as a physician I am concerned with the health of our citizens. We need to do everything we can to prevent illness and promote physical, mental and spiritual health in our community.



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Contract

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Hyatt Park Placemaking Project - Award of Contract

### HCC-387-FY18

#### Recommendation:

I move that the City Council authorize the City Administrator to execute a purchase order with NZI Construction Corp, 11601 Spruce Avenue, Beltsville, Maryland 20705 for site improvements at Hyatt Park in an amount not to exceed \$210,000 and further authorize a purchase order with Gametime c/o Cunningham Recreation, PO Box 240981, Charlotte, NC 28224 for the furnishing of recreational equipment and amenities in an amount not to exceed \$208,000.

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

### ATTACHMENTS

[Memo - Public Placemaking - Hyatt Park Contract Awards.docx](#)

#### Summary Background:

The City Council approved a project budget of \$325,000. Based on the project estimates, the total funding necessary to complete the project is \$404,586, a gap of approximately \$80,000. The budget includes \$100,000 for electrical site work, however the system has not yet been designed and we anticipate the actual costs will be lower. The recreational amenities continue to be budgeted as an allowance and are estimated at \$208,000.

Staff is recommending authorization for a contract for services to NZI Construction in an amount not to exceed \$210,000 for electrical, landscaping, concrete and other site work.

Staff is recommending authorization for a contract for services with Gametime c/o Cunningham Recreation. The actual purchase from Gametime will depend upon the projected balance of funding after the electrical design and cost estimate are completed.

#### Next Steps:

The City will submit to the Maryland Department of Natural Resources a Community Parks & Playgrounds (CPP) grant request of \$125,000 on or before August 15, 2018. The application will request funding from Maryland DNR to cover the cost of additional recreational amenities for the park and will demonstrate the City's investment in the project.

#### Fiscal Impact:

The FY2018 Capital Improvement Plan includes \$325,000 for Hyatt Park Placemaking Project

**City Administrator Comments:**

Recommend Approval, the City will apply for a CPP grant to offset the costs.

**Community Engagement:**

The Hyatt Park Placemaking Project was developed with non-profit partner Neighborhood Design Center with the final concept was adopted by the City Council in May 2018.

**Strategic Goals:**

Goal 5 – Strengthen the City’s Identity as a Diverse, Creative, and Welcoming Community

**Legal Review Required?**

Pending



# Memo

To: City Council

From: Jim Chandler, Director, Community and Economic Development

CC: Tracey Nicholson, City Administrator  
Lesley Riddle, Director, Public Works  
Jake Rollow, Director, Community Services  
Katie Gerbes, Community Planner

Date: May 31, 2018

Re: Hyatt Park Public Placemaking Project: Award of Contracts

---

The purpose of this item is to brief the City Council on the public placemaking project concepts at Hyatt Park and request award of contracts.

## Summary

- The City Council approved a project budget of \$325,000.
- Based on the current project estimates, the total funding necessary to complete the project is \$404,586, a gap of approximately \$80,000. The budget includes \$100,000 for electrical site work, however the system has not yet been designed and we anticipate the actual costs to be \$70,000. The recreational amenities continue to be budgeted as an allowance and are estimated at \$209,000.
- Staff is recommending authorization for a contract for services to NZI Construction in an amount not to exceed \$210,000 for electrical, landscaping, concrete and other site work. We anticipate the total costs not to exceed \$180,000.
- Staff is recommending authorization of a contract for services with Gametime c/o Cunningham Recreation in an amount not to exceed \$208,000. The actual purchases from Gametime will be phased and dependent upon the projected balance of funding after the electrical design and cost estimate are completed and any grants awarded to the project.
- The City will submit to the Maryland Department of Natural Resources a Community Parks & Playgrounds (CPP) grant request of \$125,000 to cover the cost of additional recreational amenities for the project.

## Details

The City Council approved a project budget of \$325,000 in the FY2019 Capital Improvement Plan to fund the Hyatt Park Placemaking Project. The State of Maryland DHCD Community Legacy grant program will reimburse the City \$75,000 for project costs, which is included and not in addition to the project budget.

In order to keep the Hyatt Park Placemaking project on-schedule and on-budget, staff is proposing to execute purchase orders for electrical, landscaping and other site work with NZI Construction and recreational amenities through the U.S. Communities collective purchasing agreement with Gametime c/o Cunningham Recreation.

Based on the current project estimates, the total funding necessary to complete the project is \$404,586. The budget includes \$100,000 for electrical work, however the system has not yet been designed and based on our discussions with M-NCPPC's electrical technician, we anticipate the actual costs at \$70,000.

In an effort to ensure encumbrance of all available CIP funding made available for the project, staff is requesting authorization from the City Council to exceed the total allocation of \$325,000, however the total expenditures shall not exceed \$325,000.

The staff recommends the following:

- Authorization for a contract for services to NZI Construction in an amount not to exceed \$210,000 for electrical, landscaping, concrete and other site work. We anticipate the total costs not to exceed \$180,000.
- Authorization for a contract for services with Gametime c/o Cunningham Recreation in an amount not to exceed \$115,000. The actual purchase from Gametime will depend upon the projected balance of funding after the electrical design and cost estimate are completed.
- The recreational amenities continue to be budgeted as an allowance and are estimated at \$209,000. A portion of the recreational amenities will be funded through the existing CIP allocation. We intend on the balance of recreational amenities to be funded through a request to Maryland DNR for grant funding.

The City will prepare submit to the Maryland Department of Natural Resources a Community Parks & Playgrounds (CPP) grant request of \$125,000 on or before August 15, 2018. The application will request funding from Maryland DNR to cover the cost of additional recreational amenities for the park and will demonstrate the City's investment in the project.



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018  
Submitted by: Lesley Riddle  
Submitting Department: Public Works  
Item Type: Contract  
Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

FY18 Budget Appropriation: Hyatt Park Contract Approval - Electrical Design and Permits

### HCC-385-FY18

#### Recommendation:

I move that the Mayor and Council authorize the transfer of \$25,000 from Capital Outlay Municipal Building to Capital Outlay Site Improvement All Parks for the purpose of the completing electrical design work required for the Hyatt Park Place-making project, and I further move that the Mayor and Council authorize the City Administrator to enter into a contract with Johnson, Mirmiran, and Thompson for the electrical design and engineering NTE \$25,000.

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

#### ATTACHMENTS

[Hyatt Park Electrical.pdf](#)

#### Summary Background:

The Hyatt Park Place-making Project was approved by City Council in November of 2017. The project will visually transform the frontage of Hyatt Park into an attractive location for public use and special events.

Johnson, Mirmiran and Thompson (JMT), the engineering firm that we currently have a contract with will complete the electrical design and permitting for the Hyatt Park Project.

#### Next Steps:

With Council approval JMT will begin the design and permit process for this project.

#### Fiscal Impact:

Funds from the Capital Improvements Budget will be used from this project.

#### City Administrator Comments:

Recommend Approval

#### Community Engagement:

Community outreach was completed by the Neighborhood Design Center.

#### Strategic Goals:

Goal 2 – Ensure the Long-Term Economic Viability of the City

#### Legal Review Required?

Pending



May 10, 2018

Mr. Hal Metzler, Jr.  
City of Hyattsville  
4310 Gallatin Street  
Hyattsville, MD 20781

RE: Hyatt Park Wayfinding project City of Hyattsville, MD  
JMT Job No. 16-1916-032

Dear Mr. Metzler:

Johnson, Mirmiran & Thompson (JMT) is pleased to provide Task Order 032 proposal to the City of Hyattsville to provide electrical construction documents and construction administration services for the Hyatt Park Wayfinding project.

**Deliverables:**

1. 50% Submission
  - a. Drawings
  - b. Specification Table of Contents
2. 95% Submission
  - a. Drawings
  - b. Specifications – Electrical
3. CD Submission
  - a. Final drawings and specifications for bid purposes
  - b. Stamped and signed documents for Electrical Construction Permit
  - c. Design phase permitting if required by the County or State regulatory agencies (Allowance - \$1,000)

**Not included in the scope of work and deliverables:**

1. Other engineering discipline drawings
2. Landscape drawings
3. Architectural drawings
4. Surveys or SUB investigation
5. Full time construction inspection services
6. "Third party inspections"



**Assumptions:**

1. Electrical drawing will be based on the Neighborhood Design Center's, Project 3309, Drawing 201, undated
2. Electrical drawing will be based on hand drawn modifications which include:
  - a. Pedestal Mounted 120V Quad Outlets – (five shown)
  - b. Undefined Mounted/Ground Level 120V Quad Outlets – (sixteen shown)
  - c. 240V Outlets – (four shown)
  - d. Meter and/or Electrical Box – (one shown)
3. Electrical installation ground surface disruption is less than 5,000 sq. ft.
4. Excavation for electrical installation is less than 100 cubic yards
5. Excavation for electrical installation does not cross any County or State roads/highways

Please see attached scope for further details.

**Total Amount Not to Exceed**

**\$24,910.85**

Thank you for using JOHNSON, MIRMIRAN & THOMPSON to provide these services.

Very truly yours,

JOHNSON, MIRMIRAN & THOMPSON, INC.



Jeffrey S. Burkhart  
Senior Associate

Enclosures: Scope of Work and Deliverables

Cc: Lesley Riddle, City of Hyattsville  
Jon Ryan, JMT  
Soli Guille, JMT  
Salem Samim, JMT  
Ziera Chambers, JMT

## **Detailed Scope of Work and Deliverables:**

### **A. 50% Design Submission**

1. Field work to verify existing conditions and utility pole lines. Determine most likely poles for service drop
2. Site electrical layout in coordination with landscape drawings developed by the Neighborhood Design Center
3. Probable meter location
4. Panel location
5. Device (receptacle) locations
6. Load summary and panel sizing
7. Submit Request for Service to utility company
8. One (1) City Review Meeting attended by the electrical engineer of record

### **B. 95% Submission**

1. Meet with Utility Company on site to confirm meter location and source
2. Refine design based on comments on the 50% Submission
3. Design is 100% complete with minor detailing remaining
4. Specifications are complete with possibly minor changes remaining

### **C. Final CD Submission**

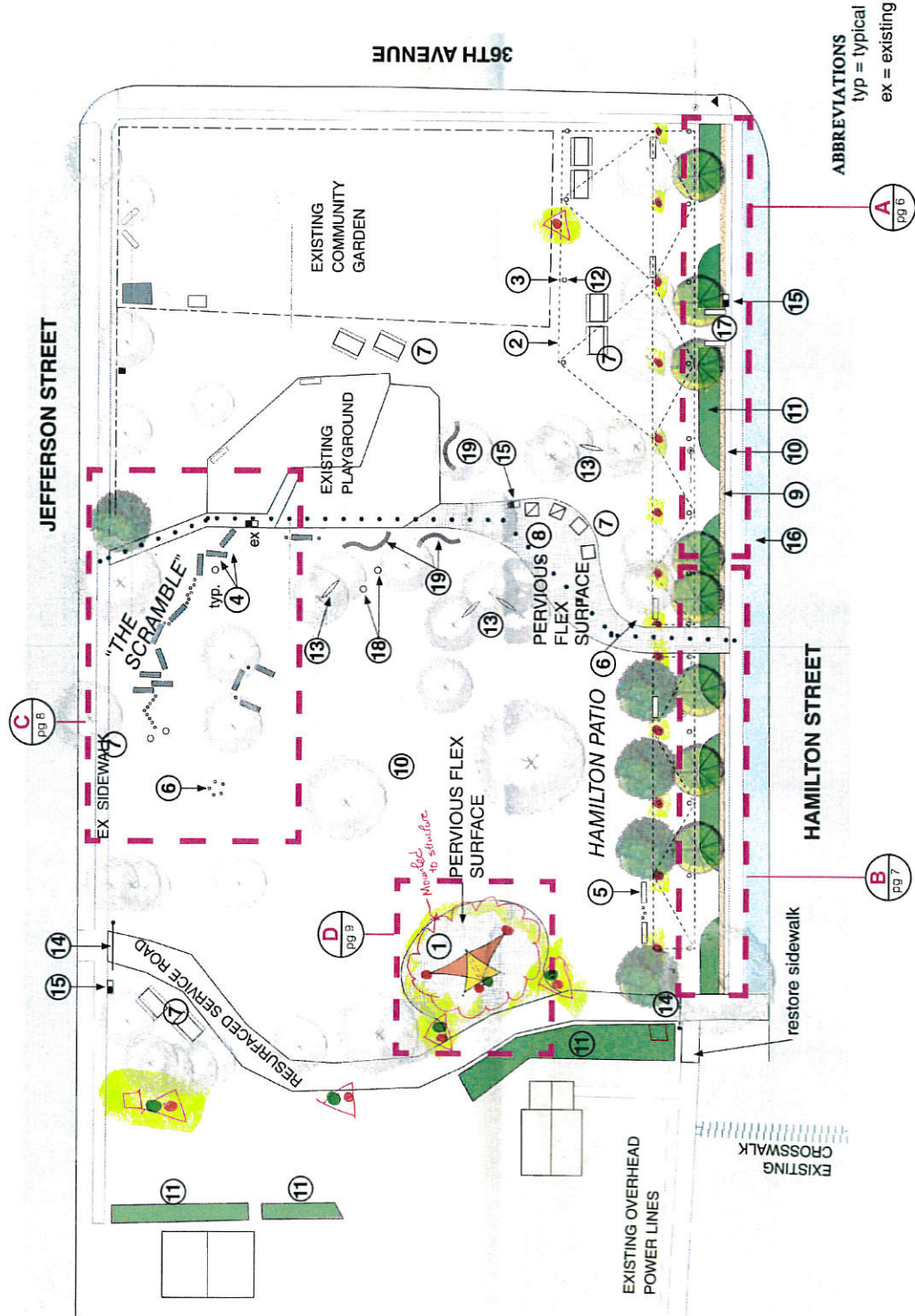
1. Incorporate any Owner Comments from the 95% review
2. Finalize all drawings, details, and specifications
3. Design phase permitting if required by the County or State regulatory agencies (Allowance - \$1,000)

### **D. Construction Administration**

1. Submittal Reviews
2. RFI Responses
3. One (1) Site Visit during construction
4. Final Punch List

# LEGEND

- 1 shaded stage
- 2 string lights
- 3 6"x6" post
- 4 log bench
- 5 metal bench
- 6 individual seats
- 7 picnic table
- 8 ADA picnic table
- 9 mulch strip with decorative pickets
- 10 lawn
- 11 planting bed
- 12 lighted planter
- 13 hammock
- 14 security gate
- 15 trash & recycle bins
- 16 proposed stormwater management
- 17 proposed bus stop
- 18 interactive art/play element
- 19 zigzag bench
- Ulmus parvifolia
- Magnolia virginiana
- existing tree
- existing utility pole
- existing fire hydrant
- accessible route



For conceptual purposes only. Not for regulatory approval, permitting, or construction. NDC and its volunteers assume no responsibility or liability for its technical accuracy nor for any unauthorized use.

## Concept Plan

NDC Staff:  
AO, LK

- △ = Redistill Hant
- = 120V Quad outlet
- = 240V
- = Potential Meier Island Locations

## Hyatt Park Placemaking City of Hyattsville

3500 Hamilton St, Hyattsville, MD 20782  
Project #: 3309 | 201 | page 3 of 9

JSB 10 MAY



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018  
Submitted by: Jim Chandler  
Submitting Department: Administration  
Item Type: Contract  
Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### **SUBJECT**

Dataprise

**HCC-388-FY18**

### **Recommendation:**

I move the City Council authorize the City Administrator to execute a contract for services with Dataprise Inc. to provide the City with managed IT services at a monthly re-occurring fee not to exceed \$15,000.

### **Sponsor(s):**

At the Request of the City Administrator

### **Co-Sponsor(s):**

N/A

### **ATTACHMENTS**

### **Summary Background:**

Dataprise Inc. has provided limited IT managed services to the City since 2014. The contract for services will include those services previously provided and will now include additional desktop support, server management and off-site managed remote backup.

### **Next Steps:**

No additional action is required.

### **Fiscal Impact:**

Funding for services is included within the FY2018 and FY2019 City Budgets

### **City Administrator Comments:**

Recommend Approval

### **Community Engagement:**

N/A

### **Strategic Goals:**

Goal 4 – Foster Excellence in all City Operations

### **Legal Review Required?**

Pending





## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Laura Reams

Submitting Department: Legislative

Item Type: Budget

Agenda Section: Consent Items (8:30 p.m. - 8:35 p.m.)

### SUBJECT

Disbursement of Ward 5 Discretionary Funds

### HCC-389-FY18

#### Recommendation:

I move that the Mayor and Council approve the disbursement of Ward 5's Council Discretionary Funds as follows:

- a) \$250 for the purchase of food for a Hamilton Street Business District Meeting
- b) \$250 for the Rosa Parks Elementary School Soccer Program Fund

#### Sponsor(s):

Solomon

#### Co-Sponsor(s):

Spell

### ATTACHMENTS

#### Summary Background:

Ward 5 Councilmembers, Erica Spell and Joseph Solomon will host a Hamilton Street Business District Meeting at Trinity Bar & Grill. The date and time of the meeting will be confirmed shortly and announced. The meeting will be open to the public and all are encouraged to attend.

In 2017, Rosa Parks Elementary launched a partnership with Maryland-based non-profit community soccer program organizers at Next Level Soccer (NLS) for a school soccer program. Funds will support the continuation of the program.

#### Next Steps:

N/A

#### Fiscal Impact:

\$500

#### City Administrator Comments:

Recommend Support

#### Community Engagement:

A flyer for the meeting will be distributed to the community and the meeting agenda will be posted on the City's website.

#### Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

**Legal Review Required?**

N/A



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Laura Reams

Submitting Department: Community & Economic Development

Item Type: Legislative

Agenda Section: Motion to Close (8:35 p.m. - 8:55 p.m.)

### **SUBJECT**

Motion to Close (20 minutes)

### **HCC-378-FY18**

#### **Recommendation:**

I move that the Mayor and Council close the Council Meeting of June 4, 2018, to consider the acquisition of real property and matters related thereto. The reason for closing the meeting under this exception is to protect the City's bargaining position. The meeting will also be closed so that the Mayor and Council may receive legal advice. The reason for closing the meeting under this exception is to protect attorney-client communications.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition and 3-305(b) (7) to consult with counsel to obtain legal advice.

#### **Sponsor(s):**

At the Request of the City Administrator

#### **Co-Sponsor(s):**

N/A

#### **ATTACHMENTS**

#### **Summary Background:**

N/A

#### **Next Steps:**

N/A

#### **Fiscal Impact:**

N/A

#### **City Administrator Comments:**

Recommend Approval

#### **Community Engagement:**

N/A

#### **Strategic Goals:**

N/A

**Legal Review Required?**

Complete.





## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section: Action Items (8:55 p.m. - 9:50 p.m.)

### SUBJECT

6009 35th Ave. Zoning Variance Request (V-10-18) (10 minutes)

### HCC-369-FY18

#### Recommendation:

I move the City Council authorize the City Administrator to issue correspondence to the Prince George's County Board of Zoning Appeals stating the City of Hyattsville's opposition to V-10-18, a zoning variance application for the subject property at 6009 35th Avenue, Hyattsville to permit a 6.5% total lot coverage and impervious surface in excess of 25% of the total front yard square footage.

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

### ATTACHMENTS

[6009\\_35th\\_Ave\\_Variance.docx](#)

[City of Hyattsville Zoning Variance Policy Statement and Variance Process 10 3 11.pdf](#)

[V-10-18 6009 35th Avenue - BZA Referral.pdf](#)

[6009 35th Ave\\_05232018.pdf](#)

#### Summary Background:

The City has received a zoning variance request for a residential dwelling unit located at 6009 35th Avenue, Hyattsville. The property owner, 3Rich LLC, has applied for a zoning variance with Prince George's County Board of Zoning Appeals to construct a park pad/driveway in the front yard of the residential property adjacent to an existing driveway.

The first requested variance is for a 6.5% total lot coverage over the permitted 30% maximum, for a total net lot coverage of 36.5%.

The second requested variance is to permit an impervious surface in excess of 25% of the total front yard square footage.

#### Next Steps:

The City has requested the Prince George's County Board of Zoning Appeals (BZA) hold the record open to provide the City to submit its comments for consideration. The BZA has scheduled the application for its June 13, 2018 agenda.

**Fiscal Impact:**

N/A

**City Administrator Comments:**

The variance request does not comply the requirements of the Variance Policy, however, on street parking is available.

**Community Engagement:**

The subject property is posted per, M-NCPPC requirements. Staff is unaware of additional efforts made to notify adjacent property owners regarding the requested variance.

**Strategic Goals:**

Goal 3 – Promote a Safe and Vibrant Community

**Legal Review Required?**

N/A



# Memo

To: Jim Chandler, Director of Community & Economic Development, Assistant City Administrator  
From: Chris Giunta, Code & Parking Compliance Manager  
CC: Tracey Nicholson, City Administrator  
Katie Gerbes, Community Planner  
Date: May 9, 2018  
Re: 6009 35th Ave. Zoning Variance Request V-10-18

The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request V-10-18, for a residential dwelling unit located at 6009 35<sup>th</sup> Avenue, Hyattsville.

- The property owner, 3Rich LLC, has applied for a zoning variance with Prince George's County Board of Zoning Appeals to construct a park pad/driveway in the front yard of the residential property adjacent to an existing driveway.
- The first requested variance is for a 6.5% total lot coverage over the permitted 30% maximum, for a total net lot coverage of 36.5%.
- The second requested variance is to permit an impervious surface in excess of 25% of the total front yard square footage.
- The variance request does not comply the requirements of the Variance Policy, therefore staff does not recommend the City Council's support of the variance request.

## Summary

The applicant, 3Rich LLC, has applied for a zoning variance with Prince George's County Board of Zoning Appeals to construct a park pad/driveway in the front yard of the residential property adjacent to an existing driveway. The specific requests are for a variance of 6.5% net lot coverage and a waiver of the parking area location requirement.

The City's Variance Policy states that the criteria for the City's support of variance request and, "affirms current zoning policy within the City limits as a matter of policy does not support zoning variances as a normal business practice. The City support of a zoning variance ordinarily be granted only after the Mayor and City Council acknowledge that the granting of the variance:

- Remedies a unique situation that zoning did not anticipate;

- Remedies that which creates significant hardship on the property owner that can be documented and clearly demonstrated;
- Will result in benefits to the residents and improve the quality of the environment of the City.”

The applicant is required to submit to the City the following materials for the purpose of evaluating the variance request:

- Current plat of site with all existing conditions;
- Photos of existing site conditions;
- Scale plans and elevations of existing conditions and proposed changes;
- Narrative description of the proposed changes, specifics of the zoning variance requirements and an explanation of how the zoning variance request responds criteria stated in the above.

To date, the applicant has not adequately addressed the City’s Variance Policy.

#### Recommendation:

The Office of Code Compliance does not recommend support of the variance request. The need for the requested variance was self-imposed by the homeowners when they converted the enclosed two-car garage into habitable living space to provide additional rooms for rent within the building footprint. The property owner has converted all living space in the residential dwelling into bedrooms and, according to the owner, his intent is to convert the entire home into a short-term rental operation.

The first requested variance is for a 6.5% total lot coverage over the permitted 30% maximum, for a total net lot coverage of 36.5%.

The second requested variance is to permit a paved driveway, located in the front yard, of 703 square feet which would be in addition to the existing 750 sq. ft. driveway. If approved the total front yard coverage would be approximately 1,453 sq. ft, or 57% of the front yard (2,530 sq. ft). The City’s ordinance (68-8) prohibits front yard impervious surfaces in excess of 25% of the total front yard square footage.

The variance request does not comply the requirements of the Variance Policy, therefore staff does not recommend the City Council’s support of the variance request.

The City has requested the Prince George’s County Board of Zoning Appeals (BZA) hold the record open to provide the City to submit its comments for consideration. The BZA has scheduled the application for its June 13, 2018 agenda.

## *City of Hyattsville Zoning Variance Policy Statement and Variance Process –*

The Mayor and Council adopted the following City of Hyattsville Policy and Process for Zoning Variance Requests: City of Hyattsville Zoning Variance Policy Statement:

The City of Hyattsville affirms the role of the Prince George's County Planning Board zoning authority and "the purposes, intent, standards and design criteria set forth in the Zoning Ordinance and appropriate County policies."

The City of Hyattsville affirms the current zoning policy within the City limits and as a matter of policy does not support zoning variances as a normal business practice.

The City's support of a zoning variance ordinarily be granted only after the Mayor and City Council acknowledge that the granting of a variance:

1. remedies a unique situation that zoning did not anticipate;
2. remedies that which creates a significant hardship on the property-owner that can be documented and clearly demonstrated;
3. will result in benefits to the residents and improve the quality of the environment of the City.

Citizens requesting such support shall submit:

1. current plat of site with all existing conditions;
2. photos of all existing site conditions;
3. scale plans and elevations of existing conditions and proposed changes
4. narrative description of the proposed changes, specifics of the zoning variance requirements and an explanation of how the zoning variance request responds to:
  - a. a unique situation that zoning did not anticipate;
  - b. a significant hardship on the property owner
  - c. benefits to the residents and improve the environment of the City

The City shall as a matter of policy provide letters of support for residents to document a "non conforming lot" as part of the normal permitting process for projects complying with all other aspects of zoning regulations, unless the matter at hand is the certification of a non-conforming use on a non-conforming lot. The standard for the support of the certification of a non-conforming use on a non-conforming lot would revert to the instant aforementioned requirements for City support of a zoning variance.

The City will not support variance requests for additional lot coverage when the intention of the request is to add off-street parking on the lot, except in extraordinary circumstances

### City of Hyattsville Zoning Variance Process

Requests for zoning variances shall be processed by the Office of Code Enforcement and reviewed by the staff for technical issues. The Office of Code Enforcement shall determine if the request complies with all of the requirements of City of Hyattsville Zoning Variance Policy or to document a "non conforming lot". The Supervisor shall then issue a report for the City Administrator citing one of the following "Actions":



- A. The request for the City's support of the zoning variance does not comply with City's policy, Do Not Recommend Approval
- B. The request for the City's support of the zoning variance does comply with City's policy, Recommend Approval - Zoning Variance
- C. The request for the City's support of the zoning variance does comply with City's policy for "non conforming lots", Recommend Approval - Non Conforming Lot

The City Administrator shall review the Office of Code Enforcement Supervisor's Report and determine which of the following actions is applicable and execute accordingly:

- A. Do Not Recommend Approval - The City Administrator shall draft a letter detailing the City's opposition for the proposed request for a zoning variance for the Mayor's consideration and signature. The City letter opposing the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.
- B. Recommend Approval - Zoning Variance - The City Administrator shall forward the Office of Code Enforcement Supervisor's Report for the proposed request for a zoning variance to the (Planning Committee for review and comment along with any other City staff comments) the Mayor and City Council for action.
- C. Recommend Approval - Non Conforming Lot - The City Administrator shall draft a letter detailing the City's support for the proposed request for a zoning variance for a "non conforming lot" to the Mayor for his review and signature. The City letter supporting the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.

**Adopted by the Mayor and Council on February 13, 2006**  
**Amended by the Mayor and Council on October 3, 2011**



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

COUNTY ADMINISTRATION BUILDING, UPPER MARLBORO, MARYLAND 20772  
TELEPHONE (301) 952-3220

## NOTICE OF HEARING

Date: May 8, 2018

Petitioner: 3Rich, LLC

Appeal No.: V-10-18

Hearing Date: WEDNESDAY, MAY 23, 2018, AT 6:00 P.M. **EVENING**

Place: Zoning Hearing Room #2190  
County Administration Building, Upper Marlboro, Md.

Appeal has been made to this Board for permission to construct a driveway extension in the front yard on the premises known as Lot 11, Block 14, Queens Chapel Manor Subdivision, being 6009 35th Avenue, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

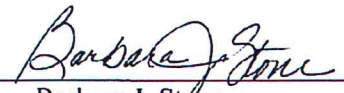
The specific violation resides in the fact that Zoning Ordinance Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Section 27-120.01(c) prescribes that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling in the area between the front street line and the sides of the dwelling. A variance of 6.5% net lot coverage and a waiver of the parking area location requirement are requested.

Public hearing on this Appeal is set for the time and place above stated. **Petitioner, or counsel representing Petitioner, should be present at the hearing. A Petitioner which is a corporation, limited liability company, or other business entity *MUST* be represented by counsel, licensed to practice in the State of Maryland, at any hearing before the Board. Any non-attorney representative present at the hearing on behalf of the Petitioner (or any other person or entity) shall not be permitted to advocate.**

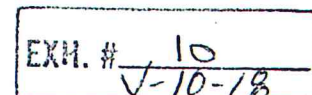
Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board.

If inclement weather exists on hearing date, please contact the office to ascertain if hearing is still scheduled.

BOARD OF ZONING APPEALS

By:   
Barbara J. Stone  
Administrator

cc: Petitioner  
Adjoining Property Owners  
Park and Planning Commission  
City of Hyattsville

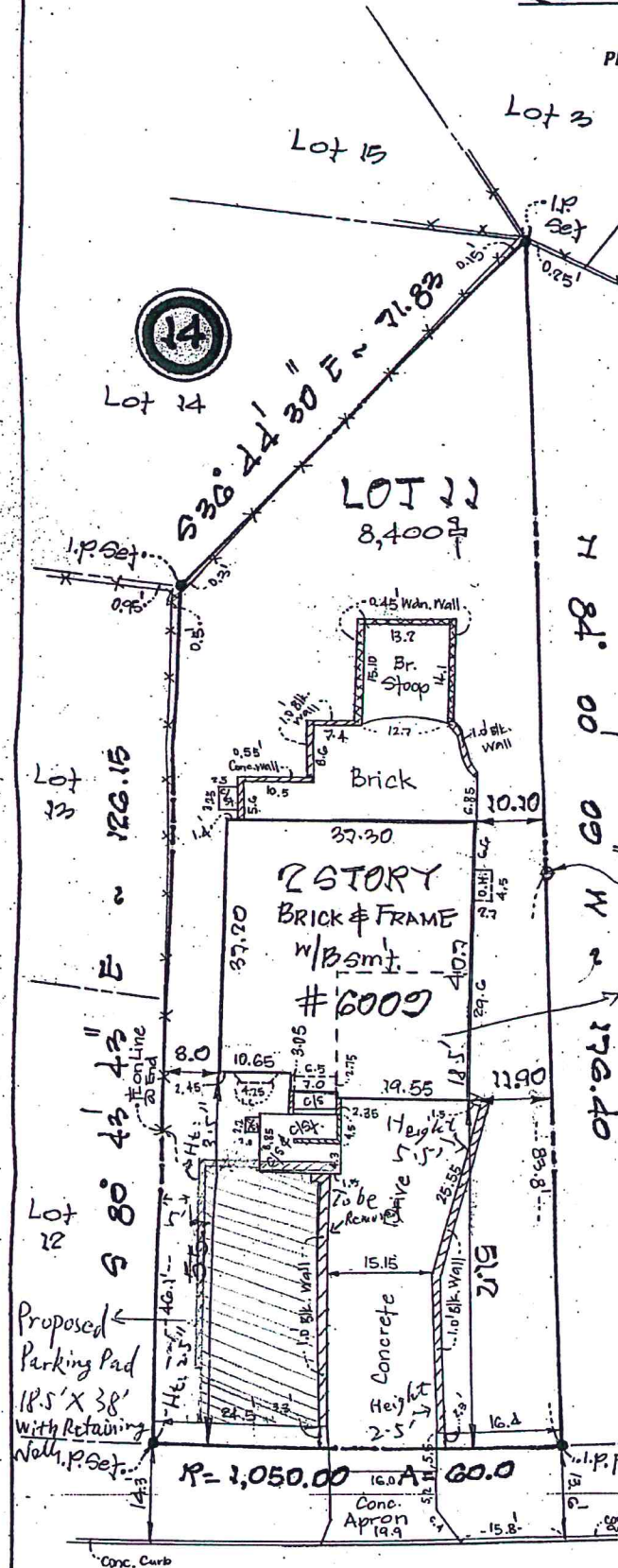




LOT STAKE OUT WITH POINT ON LINE,  
HOUSE & CURB LOCATION SURVEY

**LOT 11, BLOCK "14", SECTION FIVE**  
**QUEENS CHAPEL MANOR**

PLAT BOOK BB 14 @ PLAT NO. 56  
16<sup>TH</sup> ELECTION DISTRICT  
PRINCE GEORGE'S COUNTY, MD.



propose to convert garage  
to living space  
**SURVEYOR'S CERTIFICATES:**

I hereby certify that the position of the existing  
improvements on the above described property  
has been carefully established by a transit-tape  
survey and that unless otherwise shown, there  
are no visible encroachments.

DATE: 24<sup>th</sup> Jan. 2018 W.L.M.

I hereby certify that I have carefully surveyed  
the property as shown by this plat and iron pipe  
are in place as shown.

DATE: 2<sup>nd</sup> Nov. 2017 W.L.M.

**NOTE:** House location surveys do not  
include setting iron pipes on property corners.

**NO TITLE REPORT FURNISHED**  
**PLAT SUBJECT TO RESTRICTIONS & EASEMENTS**  
**OF RECORD OR OTHERWISE.**

**W. L. MEEKINS, INC.**

3101 RITCHIE ROAD  
FORESTVILLE, MD 20747  
TEL : 301-736-6387 / 7115  
email : info@meekins.net  
web : www.meekins.net

**REGISTRATIONS**

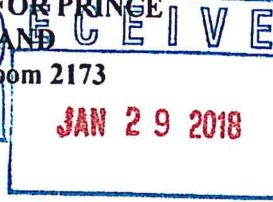
MD # 10833  
DCLS # 900860

EXH. # 2  
V-10-18



**(USE BLACK INK ONLY)****PLEASE READ ALL INSTRUCTIONS  
BEFORE FILLING OUT APPLICATION**

**TO: BOARD OF ZONING APPEALS FOR PRINCE  
GEORGE'S COUNTY, MARYLAND**  
County Administration Building, Room 2173  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
(301) 952-3220



Filing Fee Paid: \$ 200.00  
CKM.O.# 17-666248478  
By: Zhao Ouyang  
811 D Street NW  
Wash DC 20001

Sign Posting Fee Paid: \$ 30.00  
CKM.O.# 17-666248479  
By: Zhao Ouyang

APPEAL NO. V-10-18

(OFFICE USE ONLY)

**APPLICATION FOR A VARIANCE  
FROM STRICT APPLICATION OF THE ZONING ORDINANCE**

*(If variance is being applied for due to receipt of a Violation Notice, a copy of the notice is required.)*

Owner(s) of Property 3Rich, LLC  
(AS SHOWN ON DEED)  
Address of Owner(s) Zhao Ouyang, 811 Q St NW  
City Washington State DC Zip Code 20001  
Telephone Number (home) 202 642 8081 (cell) 202 642 8081 (work) \_\_\_\_\_  
E-mail address: abc@3rich.com

Attorney/engineer/contractor name, address and telephone number (applicant if different from above): (circle one)  
N/A

For assistance in completing questions below, see corresponding paragraphs on *Instructions to Applicants*, which is designed to help you fill out this form. **SUBMITTED SITE PLANS/PLATS MUST BE DRAWN TO SCALE BY A CERTIFIED ENGINEER, SURVEYOR OR ARCHITECT (WITH OFFICIAL SEAL OR STATE OF MARYLAND REGISTRATION NUMBER SHOWN ON THE SITE PLAN/PLAT) AND MUST SHOW ALL STRUCTURES (TO INCLUDE ALL DIMENSIONS AND NUMBER OF STORIES) AS WELL AS OFF-STREET PARKING AND ANY PROPOSED CONSTRUCTION ON THE PROPERTY. THE PLAN MUST NOTE THE SCALE, THE LOT SIZE, THE LEGAL DESCRIPTION AND A NORTH ARROW.**

Location of Property involved: a) Street Address 6009 35th Ave  
City Hyattsville MD

b) Lot(s) 11 Block 14 Parcel \_\_\_\_\_  
Subdivision Name Queens Chapel Manor

c) Association Name(s) & Address(es) (Homeowners/Citizens/Civic and/or Community):  
None

d) Municipality (Incorporated City/Town) Name Hyattsville

What will be/has been constructed on the property? (Variance(s) Required) (1) Proposed Parking Pad  
at the front of house 18.5' x 28' with retaining wall.  
(2) Convert the 18.5' x 19.5' garage to living space.

EXH. # 1  
V-10-18

LOT COVERAGE WORKSHEETNET LOT SIZE 8400 SQUARE FEET30 % LOT COVERAGE ALLOWED 2520 SQUARE FEET

| <u>STRUCTURE/PARKING</u>         | <u>MEASUREMENTS</u>                                                         | <u>SQUARE FOOTAGE</u>             |
|----------------------------------|-----------------------------------------------------------------------------|-----------------------------------|
| HOUSE                            | $37.20 \times 37.30$<br>$3.05 \times 26.55$<br>$.3 \times 19.55$            | $1387.56$<br>$80.98$<br>$5.87$    |
|                                  |                                                                             | 1474.41                           |
| GARAGE/CARPORT                   |                                                                             |                                   |
| DRIVEWAY                         | $16 \times 40.5$<br>$11 \times 13$<br>$7.5 \times 26.5$<br>$18.5 \times 38$ | $648$<br>$143$<br>$97.5$<br>$684$ |
|                                  |                                                                             | 1766                              |
| PORCH/SUNROOM                    |                                                                             |                                   |
| SHED(S)                          |                                                                             |                                   |
| ADDITION(S)                      |                                                                             |                                   |
| OTHER: Cherry a.H.<br>Bay Window | $27 \times 45$<br>$(1.5 \times 425) + (1.5 \times 225) = 638 + 338 =$       | $12.15$<br>$9.76$                 |

TOTAL LOT COVERAGE

EXH. # 9  
V-10-183068.82

TOTAL % NET LOT COVERAGE

36.5 %

TOTAL % OVER NET LOT COVERAGE

6.5 % (549 S.F.)



6009 35th Avenue





## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Katie Gerbes

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section: Action Items (8:55 p.m. - 9:50 p.m.)

### SUBJECT

CSP-18002: Magruder Pointe (45 minutes)

### HCC-371-FY18

#### Recommendation:

I move the City Council authorize the Mayor to send correspondence to the Maryland-National Capital Park & Planning Commission in support of the conceptual site plan application for Magruder Pointe (CSP-18002), an amendment to the Gateway Arts District Table of Uses to permit both detached and attached residential dwelling units within boundary the subject properties with the condition that the applicant shall be limited to a cumulative density of not greater than nine (9) dwelling units per acre. The correspondence shall also express the City's concerns that residential development on the lower parcel diminishes the opportunity for enabling the future expansion of Magruder Park.

#### Sponsor(s):

At the Request of the City Administrator

#### Co-Sponsor(s):

N/A

### ATTACHMENTS

[CSP Action Memo FINAL.docx](#)

[Previous\\_Development\\_Applications\\_for\\_WSSC\\_Building.docx](#)

[CSP-18002.pdf](#)

[SOJ CSP-18002.pdf](#)

[Zoning Map.PNG](#)

[Character Area Map.PNG](#)

[TRN Summary.PNG](#)

[TRN Goals and Recommendations.pdf](#)

[Sec.\\_27\\_548.19.\\_\\_\\_\\_Introduction.doc](#)

[Table of Uses - Residential TRN.pdf](#)

[Planning Committee Minutes - Adopted - 02.27.2018.pdf](#)

**Summary Background:**

The applicant is proposing a combination of single-family detached homes and townhouses at 4017 Hamilton Street – the site of the former WSSC headquarters. The property is located within the “Traditional Residential Neighborhood” character area of the Gateway Arts District Sector Plan.

The applicant has filed a Conceptual Site Plan (CSP), as permitted Section 27-548.26 of the County Zoning Ordinance, in order to amend the Table of Uses for the Gateway Arts District Development District Overlay Zone (DDOZ) Sector Plan to allow the construction of townhouses within the Traditional Residential Neighborhood character area.

At the request of the City Council, staff has included a summary of three substantive proposals previously considered for the site, none of which were submitted to M-NCPPC for land-use consideration.

Additional details are provided in the attached memorandum and supporting materials.

**Next Steps:**

The Planning Board date is currently scheduled for July 12, 2018.

**Fiscal Impact:**

N/A

**City Administrator Comments:**

This action can be supported.

**Community Engagement:**

A series of public engagement opportunities to provide feedback on this proposal have occurred over the past four months. The proposal was first presented to the community and City Council at the February 5, 2018 Council meeting. The proposal was also discussed at the February 27th and March 20th Planning Committee meetings. In addition to in-person meetings, a page has been established on the Speak Up HVL website, allowing for residents to give comment on the proposal.

**Strategic Goals:**

Goal 2 – Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**

N/A



## Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development  
Katie Gerbes, Community Planner

Date: May 30, 2018

Re: CSP-18002: Magruder Pointe

Attachments: CSP-18002.pdf  
Statement of Justification CSP-18002  
Zoning Map  
Traditional Residential Neighborhood Summary  
Traditional Residential Neighborhood Goals & Recommendations  
Section 27-548.26  
Table of Uses  
Zoning Ordinance Section 27  
Planning Committee Minutes – February 27, 2018  
Planning Committee Minutes – March 20, 2018

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The purpose of this memorandum is to provide the Mayor and City Council with a detailed analysis and staff recommendation regarding Conceptual Site Plan application CSP-18002, for the Magruder Pointe Development.

### Project Summary

- The applicant is proposing a combination of single-family detached homes and townhouses at 4017 Hamilton Street – the site of the former WSSC headquarters;
- The property is located within the “Traditional Residential Neighborhood” character area of the Gateway Arts District Sector Plan;

- The Table of Uses for the Traditional Residential Neighborhood character area permits the development of single-family detached and semi-detached homes, 'if allowed in the underlying zone'
- The lower lot of the subject property underlying zoning is Open Space (O-S), therefore townhouse and other semi-detached dwelling units are not permitted by right;
- The applicant has filed a Conceptual Site Plan (CSP), as permitted Section 27-548.26 of the County Zoning Ordinance, in order to amend the Table of Uses for the Gateway Arts District Development District Overlay Zone (DDOZ) Sector Plan to allow the construction of townhouses within the Traditional Residential Neighborhood character area;
- Staff recommends support of Conceptual Site Plan application CSP-18002, with the condition that a corresponding Preliminary Plan of Subdivision (PPSD) application shall be consistent with the limited density goals of the Traditional Residential Neighborhood (TRN) Character Area and shall not exceed a maximum of nine (9) dwelling units per acre.

### Project Details

Magruder Pointe is a redevelopment application to construct single-family homes and townhouses at 4017 Hamilton Street, the location of the former Washington Suburban Sanitary Commission (WSSC) Headquarters. The subject property is composed of two parcels, which together total 8.26 acres. The "upper" lot currently houses the vacant WSSC building, and the "lower" lot is utilized as a parking lot. The parcels are not contiguous, as they are separated by 40<sup>th</sup> Place.

The upper lot is zoned R-55 and totals 4.66 acres. The lower lot is zoned O-S (open space) and totals 3.6 acres. Both parcels fall within the Gateway Arts District Overlay Zone and are located within the "Traditional Residential Neighborhood" (TRN) character area.

The Gateway Arts District Sector Plan comes with a "Table of Uses," which specifies uses that are permitted in each of the different character areas of the plan geography. Within the Table of Uses, single-family homes, known in the plan document as "dwelling, one-family, detached," are permitted by-right within the Traditional Residential Neighborhood character area. Townhouses, and other semi-detached dwellings, are permitted 'by-right' if allowed in the underlying zone. Because townhouses are not permitted in the O-S underlying zones of the subject property, the applicant is seeking an amendment to the table of uses to allow the development of townhouses.

The applicant is utilizing Section 27-548.26 of the Zoning Ordinance, which allows for the filing of a Conceptual Site Plan in order to amend the Table of Uses listed within the Gateway Arts District Sector Plan, in order to permit townhouse development within the TRN in the O-S and R-55 zones. If an amendment is granted, the amendment would be site specific, applying only to the subject property and would not impact the Table of Uses for other properties within the City or the larger Gateway Arts District.

The applicant must provide evidence demonstrating that the proposed uses, in this case, townhouses, are consistent with the nature and intent of the Traditional Residential Neighborhood character area. The definition of the TRN from the Gateway Arts District Sector Plan reads:

*"Traditional Residential Neighborhood Character Areas goal to present the single-family residential neighborhood character as an anchor of the Arts District, while supporting artists who produce and teach from their homes...the Arts District single-family communities are generally*



For the purposed of the CSP, the applicant has submitted a “bubble diagram” showing the locations proposed for the townhouses versus locations for the single-family homes. At this time, the applicant has not settled on a final unit count, nor is the unit count relevant to the CSP application. Exact unit count and siting locations will be determined with the Preliminary Plan of Subdivision (PPS), which staff expects the applicant to submit to M-NCPPC in summer 2018.



## Variance Requests

298



## Planning Committee Review

On February 27, 2018, applicant met with the Hyattsville Planning Committee to present their proposal for the WSSC site. The presentation included all facets of their development – conceptual site plan, preliminary plan of subdivision and detailed site plan details. At this meeting, members of the public in attendance were also invited to give their brief comments on the plan. Due to the heavy attendance in the room and the length of the meeting, Planning Committee withheld the adoption of recommendations to the City Council until the March 20, 2018 meeting.

At the March Planning Committee meeting, members discussed the merits and shortfalls of the conceptual site plan and preliminary plan of subdivision facets of the proposal. The committee had one adopted recommendation pertaining to the conceptual site plan, which reads:

- The Committee is split on whether or not this plan is consistent with the goals and values of the Traditional Residential Neighborhood character area;
- The Committee is in agreement that the upper lot is consistent, but the Committee is split on whether or not the lower parcel is consistent. For lower lot, there is a concern that the density and configuration do not fully meet the intent of the TRN. The Committee would like to see other options and arrangements to the bottom parcel. The other half of the committee like the density on the lower lot and it is important that the green space and are of the opinion that proposed density it consistent with the density surrounding the park in other areas where there are apartment buildings;
- The Committee is supportive of the Conceptual Site Plan application for an amendment to the development district standards.

Regarding the Planning Committee comments, it is noted by staff that the CSP application is not speaking to density, just allowing the use. The determination of density and related conditions are subject to the preliminary plan of subdivision application.

Minutes from the February 27<sup>th</sup> and March 20<sup>th</sup> Planning Committee meetings are attached.

## Staff Review and Recommendations

The Gateway Arts District Sector plan describes the TRN as walkable communities made up of single-family homes on small lots with front yards and single apron driveways. While the townhomes in question are not single-family *detached* homes, they are fee-simple, single-family homes. The subject application is not a multi-family building or other rental dwelling – units are intended to be owner occupied by a single family. Staff's opinion is that this differentiation makes the purposed amendment request consistent with the intent of the TRN.

When considering this application, it is also important to consider the surrounding zoning and built environment. In addition to the plethora of single-family, detached homes in the area surrounding the subject site, also within the Traditional Residential Neighborhood and adjacent to the subject site lies the Top of the Park Apartment complex. This property is zoned R-10, multi-family, high density residential. Also in the immediate vicinity of the subject site lies the Prince George's Apartment Complex, which is considered by the zoning ordinance to be multi-family, medium density residential (R-18). The proposed use of townhouses would fall in line with R-T, which is categorically less dense than multifamily zoning, per the Zoning Ordinance. It is staff's opinion that a residential dwelling product of townhouse on the

lower lot provides an appropriate transition from the higher-density, multi-family land uses located along the adjacent periphery of Magruder Park.

As stated in the analysis of the application above, the subject property lies wholly within the Traditional Residential Neighborhood (TRN) character area of the Gateway Arts District Sector Plan. While the development of townhouses is not permitted by right, it is staff's opinion that the intent of the development is consistent with the goals and recommendations of the TRN character area.

Finally, per the Zoning Ordinance Section 27-548.20, the purpose of Development District Overlay Zones, such as the Gateway Arts District Sector Plan, is to, "provide flexibility within a regulatory framework to encourage innovative design solutions," and, "to promote an appropriate mix of land uses [and] to encourage compact development." More specifically, Section 27-548.22 states, "development district standards may allow uses prohibited in the underlying zone where the uses are compatible with the goals of the Development District and the purposes of the D-D-O zone." It is staff's opinion that this section of the zoning ordinance appropriately warrants an amendment to the table of uses.

As a result of the findings detailed above, staff recommend that the City Council support Conceptual Site Plan application CSP-18002 with the following condition:

- Allowable cumulative density on the site shall not be greater than nine (9) dwelling units per acre.

The density figure provided in the condition above is consistent with the limit of density of the density goals for the Traditional Residential Neighborhood TRN Character area within the Gateway Arts District Sector Plan. As noted previously, this CSP application will not determine unit counts, but given the range of density prescribed by the TRN Character Area of the Gateway Arts District Sector Plan, staff is of the opinion that it is appropriate to include a condition specifying a density limit to be incorporated into the amendment to ensure the Preliminary Plan of Subdivision application is consistent with the Gateway Arts District Sector Plan goals and objectives for this character area.

#### Next Steps

CSP application CSP-18002 is scheduled to come before the City Council on the "Action" agenda at the June 4<sup>th</sup> Council meeting. The referral for this case is due to M-NCPPC on June 4<sup>th</sup>. Staff will coordinate with M-NCPPC to ensure that the City's comments are reflected in the M-NCPPC Staff Report. The Planning Board date for the CSP application is currently scheduled for July 12, 2018.



# Memo

To: Mayor and Council

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development  
Katie Gerbes, Community Planner

Date: May 17, 2018

Re: Previous Proposals for the Former WSSC Site

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At the May 7th Council meeting, the City Council asked staff to prepare a summary of the previous development proposals for the WSSC site located at 4017 Hamilton Street. The purpose of this memo is to outline staff's findings in response to the Council request for a history of proposals for the site.

It should be noted that there were many informal, verbal proposals for the reuse/redevelopment of the former WSSC site, but none of them made it far enough through the process to be submitted to M-NCPPC as a formal application. As a result, it is hard to find concrete details on each proposal. Below are details for three of the most prevalent proposals discussed.

## Community 3 Partners - 2014

The Community 3 Partners proposal is the most recent proposal for the WSSC site. The proposal involved the rehabilitation of the existing building and turning it into an approximately 150-unit condominium building. The project also proposed five single-family, detached houses fronting 41<sup>st</sup> Avenue on the top parcel. On the lower site, the proposal called for the construction of 58 townhouses and a parking lot area that would be donated to the City. This project would have required the rezoning of both the upper and lower parcels of land to proceed.

## Miller & Smith/Victory Housing - 2004

One of four acquisition proposals entertained by WSSC when selling the building in 2004. This proposal was for the building site only, not the parking lot. The proposal included the demolition of the building and redevelopment of the site with 24 single-family, detached homes. In order to build that number of units, the property would have had to undergo a rezoning, as the zoning at the time allowed for a maximum of 14 units on the upper parcel.

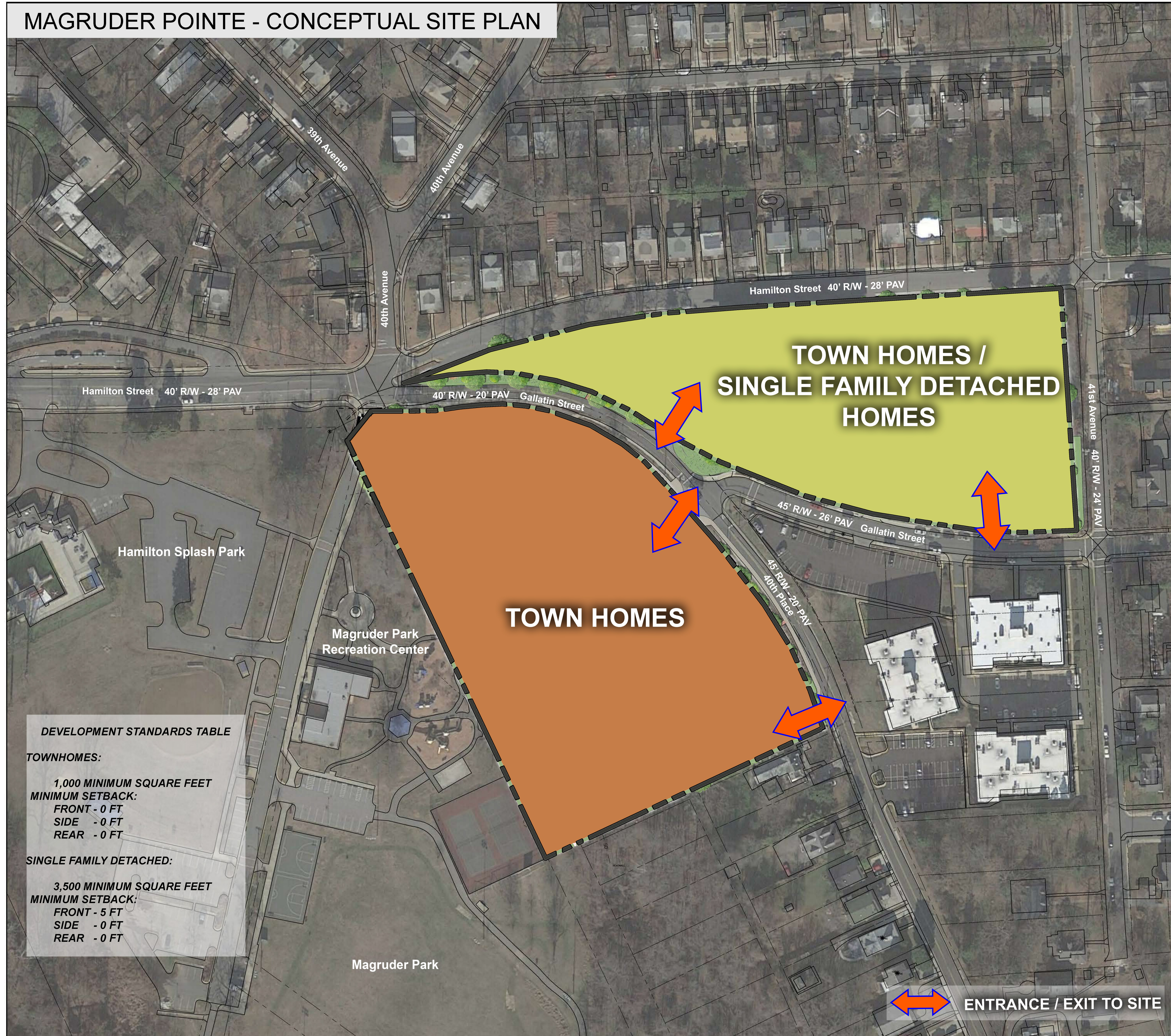
#### Leonardo LLC - 2004

One of four acquisition proposals entertained by WSSC when selling the building in 2004. The proposed use was for housing on the top site, and athletic fields on the lower parking lot site, presumably donated to DeMatha Catholic High School. There is limited information available about what type of housing was proposed on the upper lot, but it was speculated to be a multifamily rental building.





# MAGRUDER POINTE - CONCEPTUAL SITE PLAN



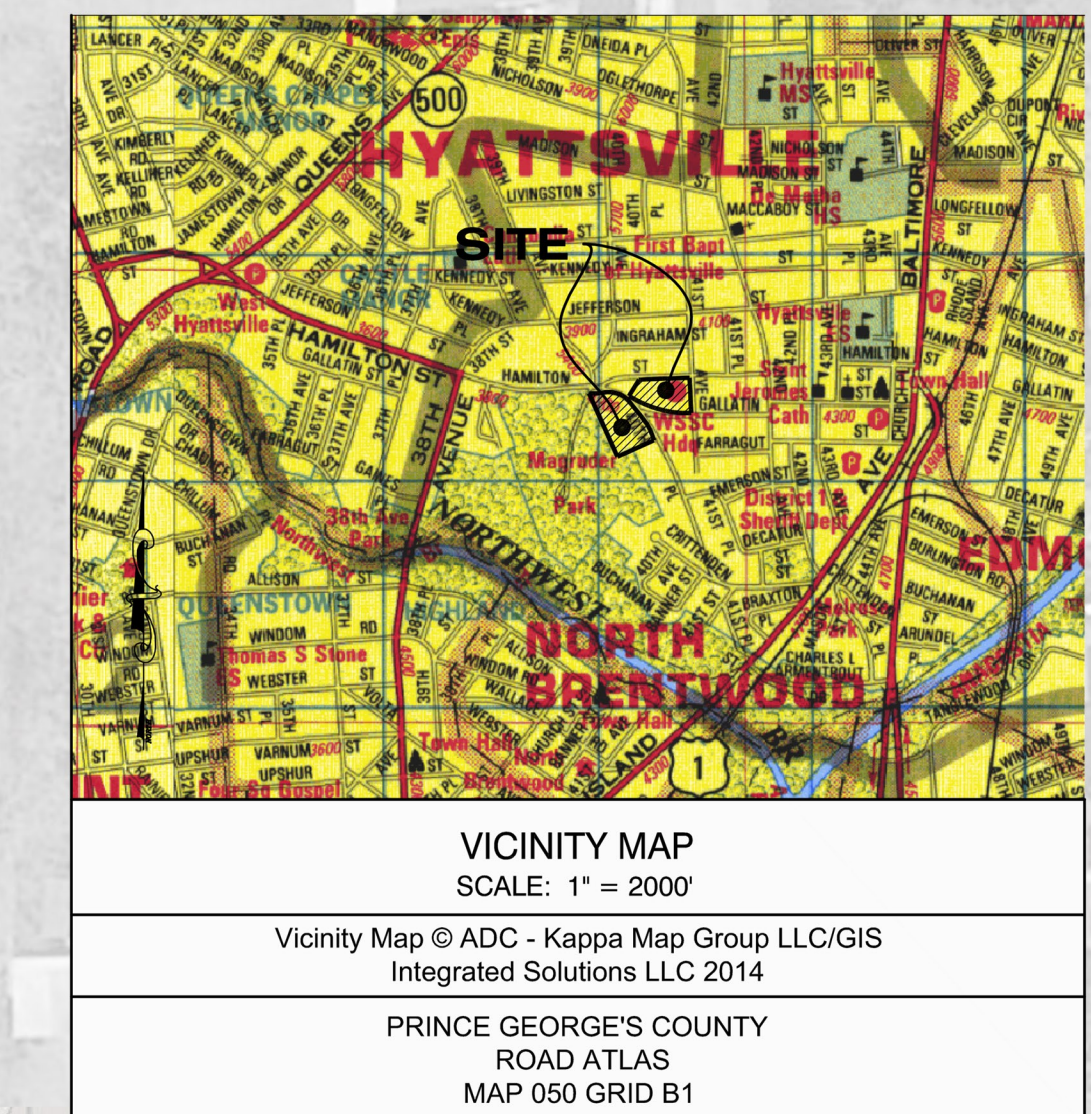
## DEVELOPMENT STANDARDS TABLE

### TOWNHOMES:

1,000 MINIMUM SQUARE FEET  
MINIMUM SETBACK:  
FRONT - 0 FT  
SIDE - 0 FT  
REAR - 0 FT

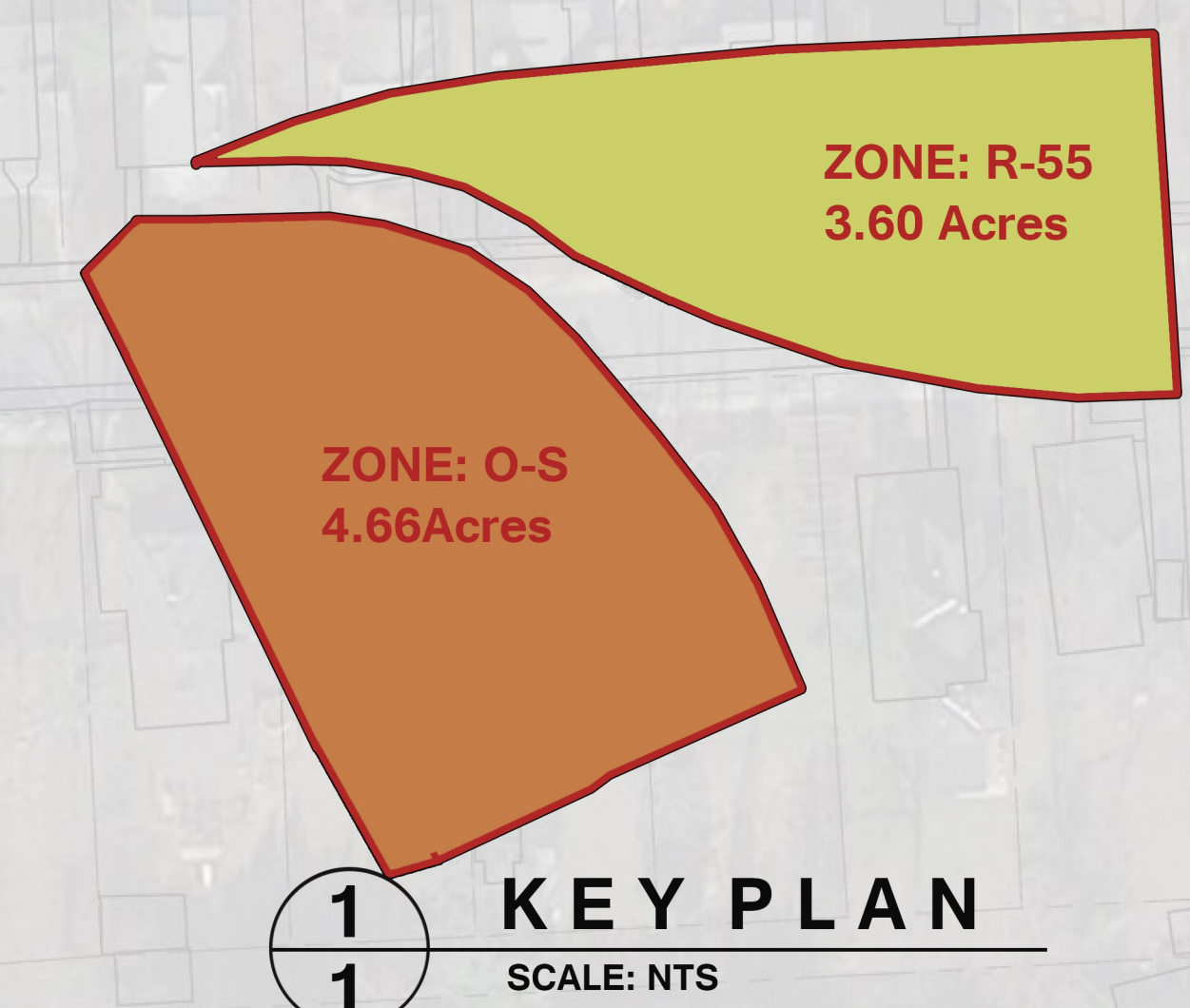
### SINGLE FAMILY DETACHED:

3,500 MINIMUM SQUARE FEET  
MINIMUM SETBACK:  
FRONT - 5 FT  
SIDE - 0 FT  
REAR - 0 FT



## General Notes:

- 1.) Project Name: Magruder Pointe
- 2.) Owner:  
Werrlein WSSC LLC  
522 Defense Highway  
Annapolis, MD 21401
- 3.) Total Acreage: 8.26AC
- 4.) Existing Zoning:  
O-S (Open Space): 4.66 AC  
R-55 (One-Family Detached Residential): 3.60 AC
- 5.) Existing Use of Property:  
Parking Lot: 4.66 AC  
WSSC Property (Vacant): 3.60 AC
- 6.) Proposed Use of Property: Residential
- 7.) 200 foot Reference (WSSC Map): 206NE03
- 8.) Tax Map Number and Grid: 050B1
- 9.) Number of Units:  
66 Attached DU  
16 Detached Single Family  
82 Total Dwelling Units (Max.)
- 10.) Water Category (Existing/Proposed): W-3  
Sewer Category (Existing/Proposed): S-3



**Dewberry**  
4601 FORBES BOULEVARD, SUITE 300  
LANHAM, MD 20706  
P 301.731.5551



**Norman D. Rivera, Esquire**  
Law Offices of Norman D. Rivera, LLC  
17251 Melford Boulevard Suite 200  
Bowie, MD 20715  
301-352-4973 Direct  
301-580-3287 Mobile  
[normanrivera2012@gmail.com](mailto:normanrivera2012@gmail.com)

**STATEMENT OF JUSTIFICATION**

March 29, 2018

**Magruder Pointe – 4017 Hamilton Street Hyattsville, MD 20781**  
**Conceptual Site Plan Submittal to Amend the Table of Uses in the Transitional**  
**Character Area of the Gateway Arts District Plan**  
**CSP-18002**

**REQUEST:**

This Statement of Justification is submitted in support of a proposed Conceptual Site Plan to Amend the Table of Uses in the Transitional Neighborhood Character Area (TRN) of the Gateway Arts District Sector Plan. The applicant, Werrlein Properties WSSC, LLC, is the contract purchaser of the site, which houses the former WSSC headquarters building on Hamilton Street and the parking lot to the south across Gallatin Street. The building is located in the R-55 Zone/DDOZ and the parking lot is located in the O-S Zone/DDOZ. Both portions are entirely within the TRN area.

The applicant respectfully requests a single amendment to the table of uses applicable to the property as permitted by Section 27-548.26 of the Ordinance. The amendment request is to page 196 of the Table of Uses for the TRN area category to allow townhouses in the TRN area for this site only in the O-S and R-55 Zones. Our development program is to gain approval for this “Uses Only” CSP which allows financing of the site for the uses proposed. Then and only then, is the applicant permitted to file and process the preliminary plan and DSP. In our opinion the uses CSP is akin to a zoning case and as such is to be submitted prior to a preliminary plan and detailed site plan for the entire site and follows the order of approvals established in Section 27-270 of the Ordinance. The enclosed conceptual site plan (CSP) is for a combination of single family detached dwellings (SFDU) and townhomes) in the area on Hamilton Street (“Upper Area”) as shown on the enclosed survey. The “Lower Area” adjacent to Magruder Park is proposed to be all townhomes.

**BACKGROUND:**

The Applicant is the contract purchaser of the site. The Gateway Arts District Sector Plan defines an area as the TRN, which seeks to maintain a tradition neighborhood concept; however,

an obsolete building with no occupants for over twenty-six (26) years is an anomaly and an incongruous use in an established neighborhood with no other commercial or institutional uses. The Magruder Pointe project will be a complete redevelopment of the building and parking lot. The finished product will be a cornerstone project for the City of Hyattsville and allow this property to be a benefit to the City rather than an eyesore with no employment, hence little tax revenue and a parking lot, which is 100% impervious area.

As to outreach, the applicant has been diligently working with the City of Hyattsville and the community for months and have considered their input carefully and incorporated many ideas into the draft plans. The City has held/scheduled open meetings including:

- a presentation to the City Council on February 5;
- a Planning Committee meeting held February 27;
- an April 16 Council worksession to discuss the project;
- a May 7 vote; and
- a May 8<sup>th</sup> – A letter of recommendation to the MNCPPC.

#### **LEGAL CRITERIA FOR A USE TABLE REVISION:**

The Zoning Ordinance, a process utilizing a CSP or a DSP to amend the use table for a specific property for land in a DDOZ. If approved, the use table amendment only applies to the site, which is the subject of the instant CSP. In this matter, we are utilizing a CSP as the vehicle to amend the use table to allow SFA's in the TRN. The CSP also notes limited design standards on the plan to guide the subsequent plans. While townhomes appear to meet Footnote 111 of the Sector Plan as a permitted use in the R-55 Zone, we prefer to leave this request in the submittal so that a positive finding can be made for financing.

The enclosed CSP is limited to items relevant to the use only request. By way of background a CSP is defined by the Ordinance as follows:

Sec. 27-267. - Introduction. (emphasis added)

(a) The term "site plan" is often used to refer to any type of two dimensional, scaled drawing which illustrates existing and proposed features of a piece of property. There are a number of references in this Subtitle to a site plan being required to be reviewed and approved by the Planning Board or its designee. There are other situations in the development process where approval of a site plan is required as a condition of approval of Zoning Map Amendment applications, Preliminary Plats of Subdivision, or Special Exceptions. It is the intent of this Division to simplify the site plan review requirements by standardizing the review procedures, criteria, approval procedures, and terminology.

(b) This Division provides for Conceptual Site Plans and Detailed Site Plans. This Division also provides for limiting or expanding the review requirements to accommodate the peculiarities of each type of development for which site plan review is required.

In this case, the review requirements are governed by the following and I have highlighted what I believe is relevant to the instant use as to the single use requested and no physical development which will be addressed by the forthcoming preliminary plan and DSP as allowed by Section 27-267(b) above:

## **SUBDIVISION 2. - REQUIREMENTS FOR CONCEPTUAL SITE PLANS.**

### **Sec. 27-272. - Purpose of Conceptual Site Plans.**

#### **(a) Examples.**

(1) There is often a need for approval of a very general concept for developing a parcel of land before subdivision plans or final engineering designs are begun.

Such cases include:

- (A) Planned employment parks;
- (B) Planned mixed-use developments;
- (C) Recreational Community Developments;
- (D) Large single-use developments;
- (E) Development which is potentially incompatible with land uses on surrounding properties; and
- (F) Developments involving environmentally sensitive land, or land that contains important natural features that are particularly worthy of attention.

#### **(b) General purposes.**

(1) The general purposes of Conceptual Site Plans are:

- (A) To provide for development in accordance with the principles for the orderly, planned, efficient, and economical development contained in the General Plan, Master Plan or other approved plan;
- (B) To help fulfill the purposes of the zone in which the land is located;
- (C) To provide for development in accordance with the site design guidelines established in this Division; and
- (D) To provide approval procedures that are easy to understand and consistent for all types of Conceptual Site Plans.

#### **(c) Specific purposes.**

(1) The specific purposes of Conceptual Site Plans are:

- (A) **To explain the relationships among proposed uses on the subject site, and between the uses on the site and adjacent uses;**
- (B) To illustrate approximate locations where buildings, parking lots, streets, green areas, and other similar physical features may be placed in the final design for the site;
- (C) To illustrate general grading, woodland conservation areas, preservation of sensitive environmental features, planting, sediment control, and storm water management concepts to be employed in any final design for the site; and
- (D) To describe, generally, the recreational facilities, architectural form of buildings, and street furniture (such as lamps, signs, and benches) to be used on the final plan.



(CB-75-1989; CB-84-1990; CB-47-1996; CB-28-2010)

**Sec. 27-273. - Submittal requirements.**

- (a) The Conceptual Site Plan shall be submitted to the Planning Board by the owner of the property (or his authorized representative).
- (b) The Conceptual Site Plan shall be prepared by an engineer, architect, landscape architect, or urban planner.
- (c) Upon filing the Plan, the applicant shall pay to the Planning Board a fee to help defray the costs related to processing the Plan. The scale of fees shall be determined by the Planning Board. A reduction in the fee may be permitted by the Planning Board if it finds that payment of the full amount will cause an undue hardship upon the applicant.
- (d) If more than one (1) drawing is used, all drawings shall be at the same scale (where feasible).
- (e) A Conceptual Site Plan shall include the following:
  - (1) **Location map, north arrow, and scale;**
  - (2) **Boundaries of the property, using bearings and distances (in feet) around the periphery;**
  - (3) **Zoning categories of the subject property and all adjacent properties;**
  - (4) **General locations and types of major improvements that are within fifty (50) feet of the subject property, and a general description of all land uses on adjacent properties;**
  - (5) Existing topography, at not more than two (2) foot contour intervals;
  - (6) An approved Natural Resource Inventory (NRI);
  - (7) Street names, right-of-way and pavement widths of existing streets and interchanges within and adjacent to the site; and
  - (8) Existing rights-of-way and easements (such as railroad, utility, water, sewer, access, and storm drainage);
  - (9) Existing site and environmental features as shown on the approved NRI;
  - (10) A Type 1 Tree Conservation Plan prepared in conformance with Division 2 of Subtitle 25 and the Woodland and Wildlife Habitat Conservation Technical Manual or a Standard Letter of Exemption;
  - (11) Proposed system of internal streets, including right-of-way widths;
  - (12) Proposed lot lines and the land use proposed for each lot;
  - (13) General locations of areas of the site where buildings and parking lots are proposed to be located, and the general orientation of buildings on individual lots; and
  - (14) A stormwater concept plan approved or submitted for review pursuant to Section 4-322 of this Code;
  - (15) A statement of justification describing how the proposed design preserves and restores the regulated environmental features to the fullest extent possible.
- (f) **The submittal requirements in (e), above, may be modified in accordance with [Section 27-277](#).**

(g) A Plan shall be considered submitted on the date the Planning Director determines that the applicant has filed a complete Plan in accordance with the requirements of this Section.

(h) This Section shall not apply to:

(1) All stadium wayfinding signs located within parking areas at a stadium.

(CB-54-1986; CB-75-1989; CB-84-1990; CB-47-1996; CB-28-2010; CB-34-2011; CB-54-2012; CB-83-2015)

**Sec. 27-274. - Design guidelines.**

**COMMENT:** These will be addressed with the subsequent DSP and PPS.

Section 27-548.22 of the Zoning Ordinance includes the following criteria for the approval of uses through a DDOZ that are not permitted in the underlying zone:

**Sec. 27-548.22. Uses.**

(a) The uses allowed on property in a Development District Overlay Zone shall be the same as those allowed in the underlying zone in which the property is classified, except as modified by Development District Standards approved by the District Council.

(b) Development District Standards may limit land uses or general use types allowed in the underlying zone where the uses are incompatible with, or detrimental to, the goals of the Development District and purposes of the D-D-O Zone.

**Development District Standards may not allow uses prohibited in the underlying zone, with the exception of Development District Standards of the Prince George's County Gateway Arts District D-D-O Zone, where the uses are compatible with the goals of the Prince George's County Gateway Arts District and purposes of the D-D-O Zone.**

(c) A table of uses shall be incorporated within each Development District Overlay Zone clearly showing all uses in the underlying zone that will be permitted, prohibited, or otherwise restricted pursuant to Section 27-548.25 of this Division.

(CB-8-2000; CB-71-2004; CB-5-2007; CB-24-2013)

**COMMENT:** It is our contention that the townhomes are an appropriate use in the TRN area of the Gateway Arts District. The goals and recommendations are addressed in detail below.

Section 27-548.26 of the Code defines the procedure of using a CSP to modify the use table by an owner (Sec. 27-548.26. (b)):

**Sec. 27-548.26. Amendment of Approved Development District Overlay Zone.**

- (a) District Council.
  - (1) The following amendments to development requirements within the Development District may be initiated and approved by the District Council through the minor plan amendment procedure and concurrent Sectional Map Amendment process, in accordance with Part 13, Division 2, and Part 3, Division 4:
    - (A) Changes to the boundary of the D-D-O Zone; and
    - (B) Changes to the underlying zones or the list of allowed uses, as modified by the Development District Standards.
  - (2) At the written request of a municipality in which development district property is located, the District Council may modify the Development District Standards under the following procedures. The District Council shall direct the Planning Board to prepare the amendment and shall specify which Development District Standards should be reviewed.
    - (A) For hearing procedures in general, the Planning Board and District Council shall follow the requirements in Part 3, Division 9, for Conceptual Site Plans as found in Sections 27-276(a)(1), (3), (4), (5), (6) (7); and 27-276(d). Review by the District Council shall follow the procedures in Section 27-280. Notice of the Planning Board's hearing shall be sent by first-class mail to all municipalities with development district property, all parties of record in the Sectional Map Amendment, and all property owners within the area specified in the District Council's direction;
    - (B) Planning Board staff must prepare a report and recommendation. The Planning Board shall hold a public hearing, file its decision with the Clerk of the Council, and send copies to persons of record of this amendment process within fifty (50) days of the receipt of the District Council's direction to the Planning Board;
    - (C) In order to approve an amendment of the Development District Standards the Planning Board shall make the following findings:
      - (i) The amendment is in compliance with the goals of the Development District; and
      - (ii) The amendment is in conformance with the purposes of the D-D-O Zone.
- (b) Property Owner.
  - (1) A property owner may request that the District Council amend development requirements for the owner's property, as follows:
    - (A) An owner of property in, adjoining, or separated only by a right-of-way from the Development District may request changes to the boundary of the approved D-D-O Zone.
    - (B) An owner of property in the Development District may request changes to the underlying zones or the list of allowed uses, as modified by the Development District Standards.
  - (2) The owner's application shall include:

- (A) A statement showing that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan; and
- (B) A site plan, either the Detailed Site Plan required by Section 27-548.25 or a Conceptual Site Plan.
- (3) Filing and review of the application shall follow the site plan review procedures in Part 3, Division 9, except as modified in this Section. The Technical Staff shall review and submit a report on the application, and the Planning Board shall hold a public hearing and submit a recommendation to the District Council. Before final action the Council may remand the application to the Planning Board for review of specific issues.
- (4) An application may be amended at any time. A request to amend an application shall be filed and reviewed in accordance with Section 27-145.
- (5) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, **the District Council shall find that the proposed development conforms with the purposes and recommendations for the Development District**, as stated in the Master Plan, Master Plan Amendment, or **Sector Plan**, and meets applicable site plan requirements.
- (6) If a Conceptual Site Plan is approved with an application, the owner may not obtain permits without an approved Detailed Site Plan.

(CB-8-2000; CB-5-2007)

The Gateway Arts District Sector Plan and SMA sets forth the following goal and recommendations for the TRN area (page 26-7):

The Development District. The goal and/or recommendation is provided in italic typeface with comments that follow.

*Goal: Traditional Residential Neighborhood Character Areas Goal to preserve the single-family residential neighborhood character as [an] anchor of the Arts District, while supporting artists who produce and teach from their homes.*

**Comment:** All of the units proposed are single-family dwellings. There is a maximum of sixteen (16) single family detached dwellings and sixty-seven (66) single family attached dwellings to be submitted in a subsequent preliminary plan and detailed site plan. This proposal replaces a vacant office building which is not in keeping with this goal.

Recommendations;

1. *Rezone to implement the proposed development district standards and guidelines.*

**Comment:** Our request will implement the TRN goal for residential development rather than the office building and parking lot which is not compatible.

2. *Reinforce existing single-family detached residential neighborhoods as community-oriented, quiet, low-traffic, and child-safe.*

**Comment:** As the County will see in the subsequent preliminary plan and DSP, those issues will be completely addressed. However, there will be some townhomes but the overall concept is community oriented, largely self-contained as to parking and access, and safe through design and all residential. We have done a traffic study which will be filed with the preliminary plan that more than meets the APF guidelines. There are paths and trails through the site and to the adjacent Magruder Park.

3. *Maintain the integrity of residential streetscape. Front yards should not be paved, nor should wide driveway aprons be constructed.*

**Comment:** No front yards shall be paved nor driveway aprons constructed onto a public street. In fact, all units except perhaps one will have access through internal public alleys.

4. *Support arts and handcraft home occupations.*

**Comment:** We concur and believe the traditionally designed homes will inherently support art and home occupations due to their size and adjacency to the nearby Arts District(s).

Based on the above, the Applicant requests approval of this CSP to amend the Table of Uses for this site only to allow townhomes in the O-S and R-55 Zones in the TRN/DDOZ. We look forward to working with you and your staff on the enclosed application. Thank you in advance for your attention to this matter. If I can be of further assistance, please do not hesitate to contact me.

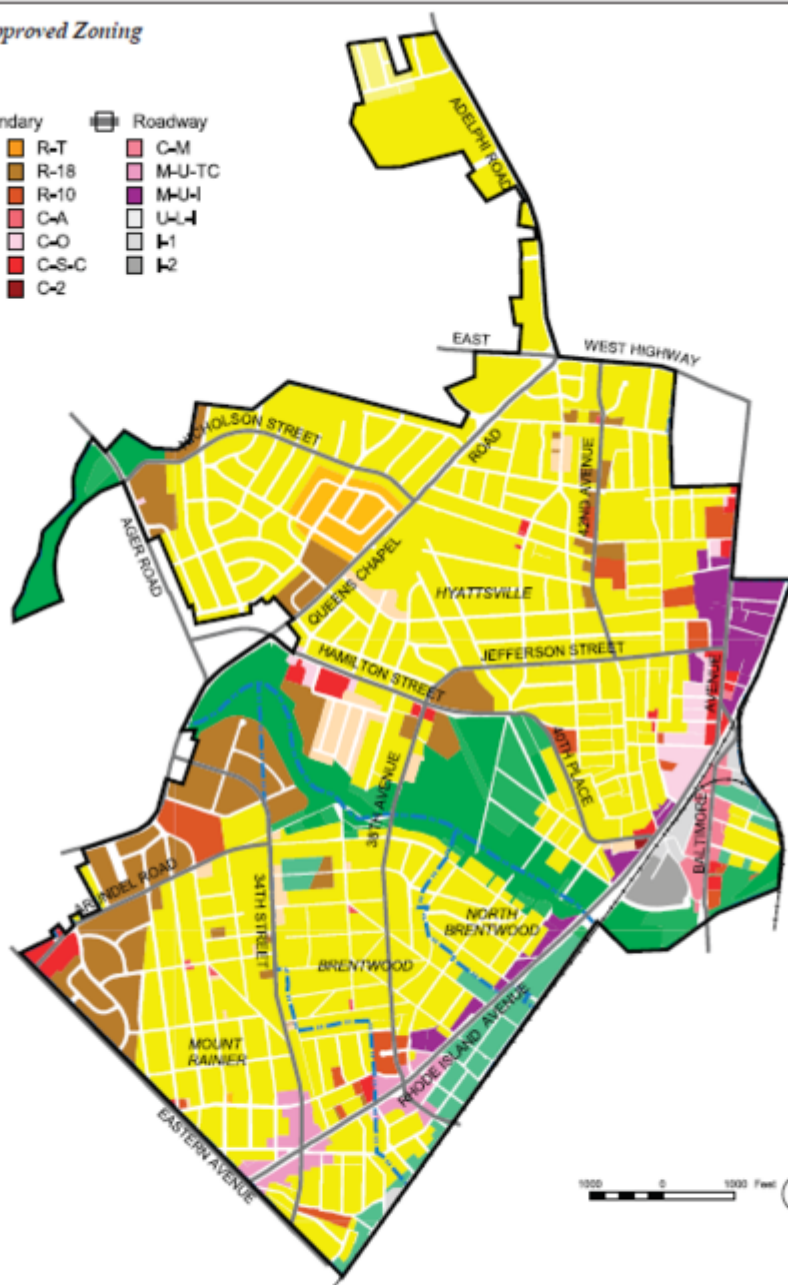
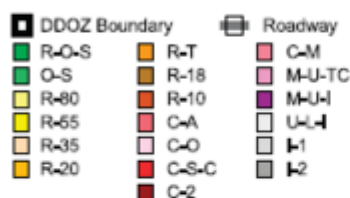
Sincerely,



Norman D. Rivera

Attachments

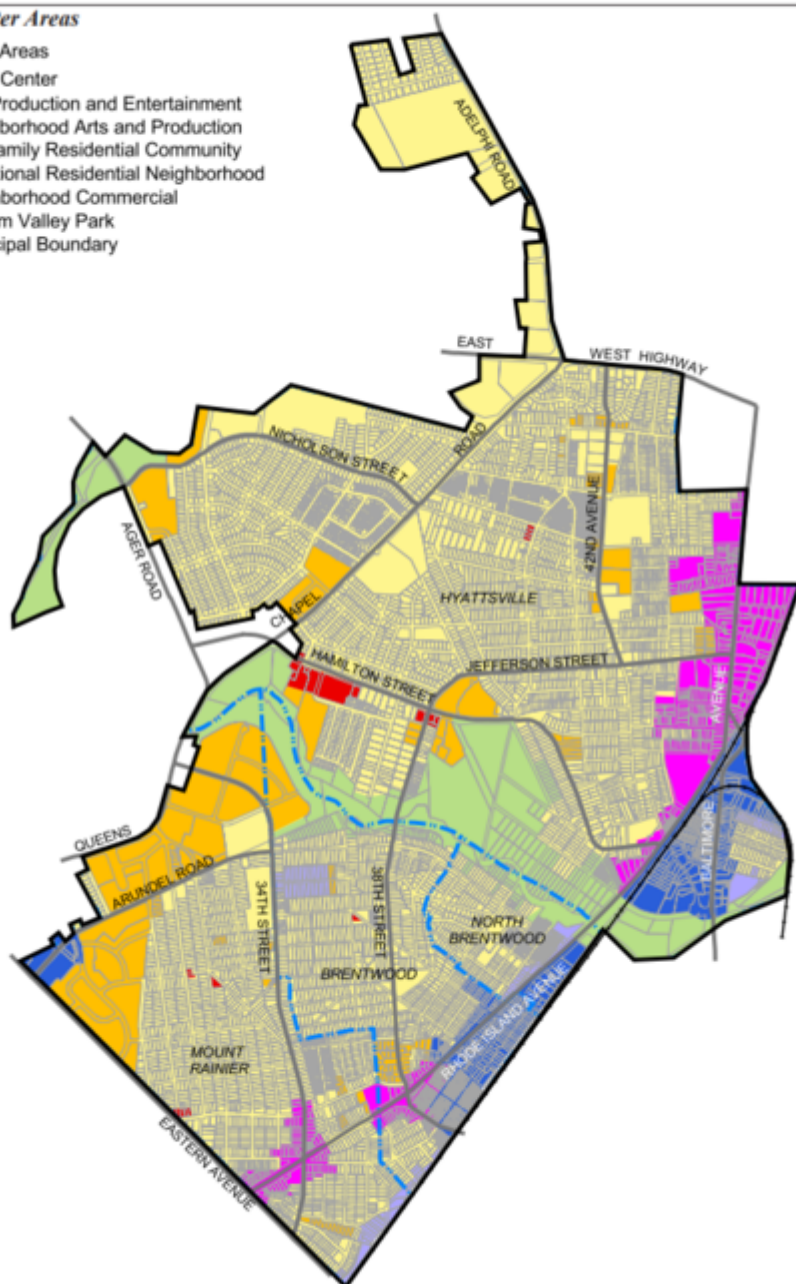
Map 13: Approved Zoning



**Map 2: Character Areas**

Character Areas

- Town Center
- Arts Production and Entertainment
- Neighborhood Arts and Production
- Multifamily Residential Community
- Traditional Residential Neighborhood
- Neighborhood Commercial
- Stream Valley Park
- Municipal Boundary





## MULTIFAMILY RESIDENTIAL COMMUNITY

The multifamily residential community character areas are comfortable high-quality apartment neighborhoods. They overlay existing R-30, R-18, and R-10-zoned land in the municipalities of Hyattsville, Brentwood, and Mount Rainier that is developed as multifamily apartment buildings, generally within three-quarters of a mile or less from Metro stations or a commercial center. This character area may also include underutilized land adjacent to a town center.

This development character supports mixed-income, multifamily residential spaces. It allows accessory buildings to be used as studio space for artists, which creates a market niche for artist apartment homes with separate studios.



*Multifamily residential community character areas provide attractive residential alternatives to single-family homes and offer the ability to provide artist studio space as well.*

## TRADITIONAL RESIDENTIAL NEIGHBORHOOD

In many ways, the traditional residential neighborhood character areas suggest a glimpse of small town Americana. They overlay land zoned for single-family housing (attached and detached). The historic houses and streetcar suburban pattern of interconnecting narrow streets and shaded sidewalks within easy access to town centers and Metro are assets to be

protected from encroachment or significant loss of integrity.

This development character reinforces the existing single-family detached residential neighborhoods as calm, low-traffic, and child-safe. Although the area is residential, fine art and handcraft home occupations are permitted. Development district standards retain the block face and scale of residential streets, as well as prohibit the paving-over of front yards and the construction of overly wide driveway aprons. For the bulk of land within the district, this development character protects the existing traditional pattern of single-family homes built close together on narrow streets laid out in a grid.



*In many ways the traditional residential neighborhood character areas suggest a glimpse of small-town Americana.*



## Multifamily Residential Community Character Areas

### Goals

- To promote development of high-quality multifamily residential housing with auxiliary buildings that will include artist studios for the residents.
- To promote renovation and/or redevelopment and to increase the variety of multifamily housing options, especially for artists and their families.
- To enhance safety through the implementation of development district standards that increase natural surveillance.
- To encourage multimodal transportation options.

### Existing Conditions and Issues

The locations of the multifamily residential community character areas are scattered throughout the Arts District, mostly east of Queens Chapel Road, in areas currently zoned multifamily. Most of the multifamily housing was developed with brick construction in the late 1940s and has stood the test of time. There is relatively little land available for new multifamily development.

Many multifamily developments are nonconforming with the Zoning Ordinance design standards. This has limited the ability of owners to renovate and adapt existing structures to market tastes and inhibited reinvestment in the communities. Many apartments are surrounded by wide but poorly maintained lawns that lack functional green space. Current multifamily zoning regulations require 50-60 percent of the site for open space, not including parking. They also require substantial setbacks. The effect of these regulations makes redevelopment of obsolete multifamily housing financially impractical.

### Recommendations

1. Rezone to implement the proposed development district standards for affordable and mixed-income buildings.
2. Permit uses that will support dense, mixed-income, multifamily residential units.
3. Encourage Crime Prevention Through Environmental Design (CPTED) and green building standards.
4. Package multifamily housing with separate studios for artists.
5. Set aside a percentage of new residential units for affordable artist housing.
6. Reduce the required buffers, side yards, and setbacks.
7. Retain the current density for any future development of existing multifamily communities.

## Traditional Residential Neighborhood Character Areas

### Goal

To preserve the single-family residential neighborhood character as anchor of the Arts District, while supporting artists who produce and teach from their homes.



*Front yards of residential homes should not be paved over, nor should wide driveway aprons be constructed.*

### **Existing Conditions and Issues**

The traditional residential neighborhood character area is the largest part of the Arts District. Each of the four Arts District municipalities has historic districts emphasizing the quality of historic and vernacular housing stock. These communities are known for their large stock of moderately priced housing, as most lots had been built out by the first half of the twentieth century with housing stock dating from the 1910s to the 1940s. Recently housing prices have approached market rates, after going through a long period of being undervalued. There are also higher-priced homes, mainly large historic structures, which are for the most part restored or under restoration.

The Arts District single-family residential communities are generally walkable, laid out on a grid, and have few cul-de-sacs or loops. Small lots, with 20-foot setbacks, single-apron driveways, and minimal lot widths are the norm and add to the appeal of these neighborhoods. Generally, density is four to ten units per acre. In addition to the built environment, many natural features such as wooded slopes run through these neighborhoods. These add to the appeal of these neighborhoods and their ability to stabilize and add long-term value to the Arts District as a whole.

### **Recommendations**

1. Rezone to implement the proposed development district standards and guidelines.
2. Reinforce existing single-family detached residential neighborhoods as community-oriented, quiet, low-traffic, and child-safe.
3. Maintain the integrity of residential streetscape. Front yards should not be paved, nor should wide driveway aprons be constructed.
4. Support arts and handcraft home occupations.

## **Neighborhood Commercial Character Areas**

### **Goals**

1. To facilitate the development, redevelopment, and renovation of small businesses and institutions compatible with the surrounding neighborhoods, but discourage stores whose primary goods include beer, wine, cigarettes, and lottery tickets.
2. To encourage neighborhood and convenience services and retail establishments within easy walking distance of residences.
3. To offer opportunities for residential and artist studio spaces above ground-level retail.
4. To provide design, landscaping, and screening methods to mitigate the impact of neighborhood commercial uses on the traditional residential neighborhoods.

Sec. 27-548.19. - Introduction.

The Development District Overlay Zone is intended to ensure that the development of land in a designated development district meets the goals established for the district in a Master Plan, Master Plan Amendment, or Sector Plan, and takes advantage of unique opportunities presented by the district. Development districts may be designated for town centers, Metro areas, commercial corridors, employment centers, revitalization areas, historic areas, and other special areas which are the subject of development recommendations in a Master Plan, Master Plan Amendment, or Sector Plan. The D-D-O Zone is a mapped zone which is superimposed by a Sectional Map Amendment (SMA) over other zones in a designated development district, and may modify development requirements within the underlying zones. In the Development District Overlay Zone, new development is generally subject to the approval of a Detailed Site Plan by the Planning Board. Detailed Site Plans are reviewed for compliance with development standards approved by the District Council, in a Sectional Map Amendment, or in a later amendment of adopted standards.

(CB-8-2000; CB-5-2007)

Sec. 27-548.20. - Purposes.

(a) The specific purposes of the Development District Overlay Zone are:

- (1) To provide a close link between Master Plans, Master Plan Amendments, or Sector Plans and their implementation;
- (2) To provide flexibility within a regulatory framework to encourage innovative design solutions;
- (3) To provide uniform development criteria utilizing design standards approved or amended by the District Council;
- (4) To promote an appropriate mix of land uses;
- (5) To encourage compact development;
- (6) To encourage compatible development which complements and enhances the character of an area;
- (7) To promote a sense of place by preserving character-defining features within a community;
- (8) To encourage pedestrian activity;
- (9) To promote economic vitality and investment.

(CB-8-2000; CB-5-2007)

Sec. 27-548.21. - Relationship to other zones.

The Development District Overlay Zone shall be placed over other zones on the Zoning Map, and may modify specific requirements of those underlying zones. Only those requirements of the underlying zones specifically noted in this Subdivision and elsewhere in this Subtitle are modified. All other requirements of the underlying zones are unaffected by the Development District Overlay Zone. The Development District Overlay Zone may not be placed over the Urban Center or Corridor Node Zones (UC). Where properties in a Development District Overlay Zone are also classified in the Military Installation Overlay Zone, the requirements of both zones shall apply. Where requirements of the D-D-O Zone and M-I-O Zone conflict, the more restrictive of the requirements shall apply.

(CB-8-2000; CB-2-2010; CB-42-2015)

Sec. 27-548.22. - Uses.

- (a) The uses allowed on property in a Development District Overlay Zone shall be the same as those allowed in the underlying zone in which the property is classified, except as modified by Development District Standards approved by the District Council.
- (b) Notwithstanding the provisions of subsection (a) of this Section, any other provision of the Zoning Ordinance, or any applicable provision within an approved comprehensive plan, a Hospital is a permitted use in the M-X-T/D-D-O Zone.
- (c) Notwithstanding any other provision of this Subtitle, or any other applicable provision within the Development District Standards for an approved Development District Overlay Zone, a Medical Cannabis Grower, Medical Cannabis Processor, or Medical Cannabis Dispensary use shall be permitted or prohibited in accordance the prescriptions of this Subtitle for the underlying zone in which the property is classified.
- (d) Development District Standards may limit land uses or general use types allowed in the underlying zone where the uses are incompatible with, or detrimental to, the goals of the Development District and purposes of the D-D-O Zone. Development District Standards may allow uses prohibited in the underlying zone where the uses are compatible with the goals of the Development District and purposes of the D-D-O Zone.
- (e) A table of uses shall be incorporated within each Development District Overlay Zone clearly showing all uses in the underlying zone that will be permitted, prohibited, or otherwise restricted pursuant to Section 27-548.25 of this Division.

(CB-8-2000; CB-71-2004; CB-5-2007; CB-24-2013; CB-101-2013; CB-12-2015; CB-5-2016)

Sec. 27-548.23. - Development District Standards.

- (a) In general, Development District Overlay Zone regulations shall be the same as those in the underlying zone in which property is classified, except as modified by Development District Standards approved by the District Council, in a Sectional Map Amendment, in a Military Installation Overlay Zoning Map Amendment, or in a later amendment of adopted standards. The use of Development District Standards in each Development District Overlay Zone is intended to allow flexibility in the development review process and foster high-quality development through application of design guidelines and standards which promote the purposes of the Master Plan, Master Plan Amendment, or Sector Plan.
- (b) Development District Standards may modify density regulations only to meet the goals of the Development District and the purposes of the D-D-O Zone. Development District Standards may not permit density in excess of the maximum permitted in the underlying zone.
- (c) The location, size, height, design, lot coverage of structures, parking and loading, signs, open space, and other regulations may be specified in the text, concept plans, and maps in the Development District Standards. The regulations in the underlying zone may be modified by the Development District Standards only to meet the goals of the Development District and the purposes of the D-D-O Zone.
- (d) Landscaping, screening, and buffering of development shall conform to Landscape Manual requirements. Specific landscaping, screening, and buffering also may be required by the Development District Standards. Development District Standards may require specific landscaping, screening, and buffering, but only to meet the goals of the Development District and the purposes of the D-D-O Zone.
- (e) The Master Plan, Master Plan Amendment, or Sector Plan may specify the location and size of proposed roads and transit facilities.

- (f) Notwithstanding the provisions of subsection (c) of this Section, in furtherance of the core vision, purposes, and specific goals of an approved Development District to locate a regional medical center health campus as a major public health institution, and pursuant to its site plan application for development of parcels of property within a Development District Overlay Zone bound by the Capital Beltway right-of-way, Arena Drive, and the north side of the Blue Line Metrorail track line, filed, accepted, and permitted prior to December 31, 2021, an applicant may request a one-story departure (reduction) from the applicable Minimum Height requirements set forth in the Development District Standards.
- (g) Where a property lies in both the M-I-O Zone and a D-D-O Zone, the maximum permitted height of structures shall be the more restrictive of the Development District Standards and Section 27-548.54, whichever maximum permitted height is lower.

(CB-8-2000; CB-5-2007; CB-5-2014; CB-42-2015)

Sec. 27-548.24. - Master Plan, Master Plan Amendment, or Sector Plan.

- (a) For every Development District Overlay Zone, a Master Plan, Master Plan Amendment, or Sector Plan shall be prepared in accordance with the master plan procedures set forth in Part 13, which may include the following elements:
  - (1) Overall recommendations;
  - (2) Subarea recommendations;
  - (3) Illustrative concept plans;
  - (4) Plan maps.
- (b) The Development District Overlay Zone shall be applied through the Sectional Map Amendment process, in accordance with the procedures in Part 3, Division 4.
- (c) Development District Standards shall be prepared for each Development District Overlay Zone. Development District Standards shall be stated in a Sectional Map Amendment and conform generally to recommendations in the applicable Master Plan, Master Plan Amendment, or Sector Plan.

(CB-8-2000)

Sec. 27-548.25. - Site Plan Approval.

- (a) Prior to issuance of any grading permit for undeveloped property or any building permit in a Development District, a Detailed Site Plan for individual development shall be approved by the Planning Board in accordance with Part 3, Division 9. Site plan submittal requirements for the Development District shall be stated in the Development District Standards. The applicability section of the Development District Standards may exempt from site plan review or limit the review of specific types of development or areas of the Development District.
- (b) In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.
- (c) If the applicant so requests, the Planning Board may apply development standards which differ from the Development District Standards, most recently approved or amended by the District Council, unless the Sectional Map Amendment text specifically provides otherwise. The Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.



- (d) Special Exception procedures shall apply to uses within a Development District as provided herein. Uses which would normally require a Special Exception in the underlying zone shall be permitted uses only if the Development District Standards so provide within a table of uses, and such uses shall instead be subject to site plan review by the Planning Board. Development District Standards may restrict or prohibit any such uses. The Planning Board shall find in its approval of the site plan that the use complies with all applicable Development District Standards, meets the general Special Exception standards in Section 27-317(a)(1), (4), (5), and (6), and conforms to the recommendations in the Master Plan, Master Plan Amendment, or Sector Plan.
- (e) If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.

(CB-8-2000; CB-5-2007; CB-24-2013)

Sec. 27-548.26. - Amendment of Approved Development District Overlay Zone.

- (a) District Council.
  - (1) The following amendments to development requirements within the Development District may be initiated and approved by the District Council through the minor plan and Development District Overlay amendment procedure in accordance with Section 27-642 of this Subtitle:
    - (A) Changes to the boundary of the D-D-O Zone; and
    - (B) Changes to the underlying zones, the list of allowed uses, or the Development District Standards.
  - (2) Notwithstanding the provisions of subsection (a), above, at the written request of a municipality in which development district property is located, the District Council may modify the Development District Standards under the following procedures. The District Council shall direct the Planning Board to prepare the amendment and shall specify which Development District Standards should be reviewed.
    - (A) For hearing procedures in general, the Planning Board and District Council shall follow the requirements in Part 3, Division 9, for Conceptual Site Plans as found in Sections 27-276(a)(1), (3), (4), (5), (6), (7); and 27-276(d). Review by the District Council shall follow the procedures in Section 27-280. Notice of the Planning Board's hearing shall be sent by first-class mail to all municipalities with development district property, all parties of record in the Sectional Map Amendment, and all property owners within the area specified in the District Council's direction;
    - (B) Planning Board staff must prepare a report and recommendation. The Planning Board shall hold a public hearing, file its decision with the Clerk of the Council, and send copies to persons of record of this amendment process within fifty (50) days of the receipt of the District Council's direction to the Planning Board;
    - (C) In order to approve an amendment of the Development District Standards the Planning Board shall make the following findings:
      - (i) The amendment is in compliance with the goals of the Development District; and
      - (ii) The amendment is in conformance with the purposes of the D-D-O Zone.
  - (3) The following amendments to development requirements within the Development District may be approved by the District Council through Military Installation Overlay Zoning Map Amendments for Development Districts in the M-I-O Zone, in accordance with Part 3, Division 2, Subdivision 8 of this Subtitle:
    - (A) Changes to the boundary of the D-D-O Zone; and

- (B) Changes to the Development District Standards where previously approved standards conflict with the requirements of the M-I-O Zone.
- (b) Property Owner.
  - (1) Notwithstanding the provisions of subsection (a), above, a property owner may request that the District Council amend development requirements for the owner's property, as follows:
    - (A) An owner of property in, adjoining, or separated only by a right-of-way from the Development District may request changes to the boundary of the approved D-D-O Zone.
    - (B) An owner of property in the Development District may request changes to the underlying zones or the list of allowed uses, as modified by the Development District Standards.
  - (2) The owner's application shall include:
    - (A) A statement showing that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan; and
    - (B) A site plan, either the Detailed Site Plan required by Section 27-548.25 or a Conceptual Site Plan.
  - (3) Filing and review of the application shall follow the site plan review procedures in Part 3, Division 9, except as modified in this Section. The Technical Staff shall review and submit a report on the application, and the Planning Board shall hold a public hearing and submit a recommendation to the District Council. Before final action the Council may remand the application to the Planning Board for review of specific issues.
  - (4) An application may be amended at any time. A request to amend an application shall be filed and reviewed in accordance with Section 27-145.
  - (5) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan, and meets applicable site plan requirements.
  - (6) If a Conceptual Site Plan is approved with an application, the owner may not obtain permits without an approved Detailed Site Plan.

(CB-8-2000; CB-5-2007; CB-35-2015; CB-42-2015)

| Use                                                                                                                                                                                               | Source                     | Character Areas |     |     |     |     |    |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-----------------|-----|-----|-----|-----|----|-----|
|                                                                                                                                                                                                   |                            | TC              | APE | NAP | MRC | TRN | NC | SVP |
| (8) RESIDENTIAL/LODGING:                                                                                                                                                                          | 27-473<br>27-461<br>27-441 |                 |     |     |     |     |    |     |
| Apartment hotel                                                                                                                                                                                   | 27-441                     | SP              | X   | SP  | X   | X   | X  | X   |
| Apartment housing for elderly or handicapped families in a building other than a surplus public school building (with provisions for increased density and reduced lot size in multifamily zones) | 27-441                     | P               | X   | X   | P   | X   | P  | X   |
| Apartment housing for elderly or handicapped families in a surplus public school building                                                                                                         | 27-441                     | P               | X   | X   | P   | X   | P  | X   |
| Apartment housing for the elderly or physically handicapped                                                                                                                                       | 27-461                     | P               | X   | X   | P   | X   | P  | X   |
| Artists' residential studios                                                                                                                                                                      | 27-441<br>27-461<br>27-473 | P               | P   | P   | P   | P   | P  | X   |
| Boarding house                                                                                                                                                                                    | 27-441                     | P               | X   | X   | X   | X   | X  | X   |
| Congregate living facility for more than eight elderly or physically handicapped residents                                                                                                        | 27-441                     | P               | SP  | SP  | P   | SP  | SP | X   |
| Congregate living facility for not more than eight elderly or physically handicapped residents                                                                                                    | 27-441                     | SP              | X   | X   | SP  | P   | P  | X   |
| Convent or monastery                                                                                                                                                                              | 27-441                     | X               | X   | X   | P   | X   | X  | X   |
| Conversion of one-family detached dwelling to a building containing up to three dwelling units (not considered as a two-family, three-family, or multifamily dwelling)                            | 27-441                     | SP              | SP  | X   | P   | SP  | SP | X   |
| Country inn                                                                                                                                                                                       | 27-461<br>27-441           | P               | X   | X   | X   | SP  | P  | X   |
| Dwelling, provided that it was legally erected prior to the date upon which the property was classified in a Commercial Zone, or was legally erected in a Commercial Zone under prior regulations | 27-461                     | P               | P   | P   | P   | P   | P  | P   |
| Dwelling                                                                                                                                                                                          | 27-473                     | P               | X   | X   | X   | P   | P  | X   |
| Dwelling unit above the first floor within a building containing commercial, industrial, or arts-related uses                                                                                     | 27-461                     | P               | P   | SP  | X   | X   | P  | X   |
| Dwelling unit on the first floor:                                                                                                                                                                 | new                        |                 |     |     |     |     |    |     |
| (A) Facing streets wider than two lanes                                                                                                                                                           | new                        | SP              | X   | X   | P   | P   | X  | X   |
| (B) Facing streets a total of two lanes of traffic or less                                                                                                                                        | new                        | P               | SP  | X   | P   | P   | X  | X   |



| Use                                                                                                                                                   | Source                     | Character Areas |     |     |     |     |    |     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-----------------|-----|-----|-----|-----|----|-----|
|                                                                                                                                                       |                            | TC              | APE | NAP | MRC | TRN | NC | SVP |
| Dwelling unit on the first floor as an adaptation of a building from an industrial or vehicle-related use and not an arts-related use into loft units | new                        | P               | P   | SP  | X   | X   | X  | X   |
| Dwelling, multifamily                                                                                                                                 | 27-441                     | P               | SP  | P   | P   | X   | P  | X   |
| Dwelling, one-family attached, for the elderly                                                                                                        | 27-441                     | P               | X   | X   | X   | X   | X  | X   |
| Dwelling, one-family detached, cluster development                                                                                                    | 27-441                     | P               | X   | X   | X   | P   | X  | X   |
| Dwelling, one-family detached (in general)                                                                                                            | 27-441                     | P               | X   | X   | X   | P   | X  | X   |
| Dwelling, one-family semidetached:                                                                                                                    | 27-441                     | P               | X   | X   | X   | P   | X  | X   |
| (A) If allowed in the underlying zone                                                                                                                 | 27-441                     |                 |     |     |     |     |    |     |
| (B) All other                                                                                                                                         | new                        | P               | X   | X   | X   | P   | X  | X   |
| Dwelling, two-family detached:                                                                                                                        | new                        | P               | X   | X   | X   | X   | X  | X   |
| (A) If allowed in the underlying zone                                                                                                                 | 27-441                     | P               | X   | X   | X   | P   | X  | X   |
| (B) All other                                                                                                                                         | new                        | P               | X   | X   | X   | P   | X  | X   |
| Dwelling, three-family:                                                                                                                               | 27-441                     | P               | SP  | X   | P   | X   | X  | X   |
| Dwellings, one-family triple-attached (in general)                                                                                                    | 27-441                     |                 |     |     |     |     |    |     |
| (A) If allowed in the underlying zone                                                                                                                 | new                        | P               | X   | X   | X   | P   | X  | X   |
| (B) All other                                                                                                                                         | new                        | P               | X   | X   | X   | X   | X  | X   |
| Dwelling, quadruple-attached:                                                                                                                         | 27-441                     |                 |     |     |     |     |    |     |
| (A) If allowed in the underlying zone                                                                                                                 | new                        | P               | X   | X   | X   | P   | X  | X   |
| (B) All other                                                                                                                                         | new                        | P               | X   | X   | X   | X   | X  | X   |
| Flag lot development                                                                                                                                  | 27-441                     | SP              | SP  | X   | SP  | SP  | X  | X   |
| Fraternity or sorority house                                                                                                                          | 27-441                     | X               | X   | X   | X   | X   | X  | X   |
| Granny flat, carriage house, or in-law suite, provided the owner continues to occupy the main structure <sup>2</sup>                                  | new                        | P               | X   | X   | X   | P   | X  | X   |
| Group residential facility for mentally handicapped dependent persons in accordance with Section 27-107.01(109)(D)                                    | 27-441                     | P               | SP  | X   | P   | X   | X  | X   |
| Guest house, as an accessory use                                                                                                                      | 27-441                     | P               | SP  | X   | P   | X   | X  | X   |
| Hotel or motel                                                                                                                                        | 27-461<br>27-473<br>27-441 | P               | P   | XSP | X   | X   | X  | X   |
| Mobile home used as a dwelling for emergency purposes as a temporary use, in accordance with Sections 27-260 and 27-261                               | 27-441                     | X               | X   | X   | X   | X   | X  | X   |
| Mobile home used as a one-family detached dwelling                                                                                                    | 27-441                     | X               | X   | X   | X   | X   | X  | X   |
| Mobile home, with use for which amusement taxes collected                                                                                             | 27-441                     | P               | P   | P   | P   | P   | P  | P   |

<sup>2</sup>The City of Hyattsville is exempt from this provision.

| Use                                                                                                                                                                                                                                                    | Source | Character Areas |     |     |     |     |    |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-----------------|-----|-----|-----|-----|----|-----|
|                                                                                                                                                                                                                                                        |        | TC              | APE | NAP | MRC | TRN | NC | SVP |
| Planned retirement community                                                                                                                                                                                                                           | 27-461 |                 |     |     |     |     |    |     |
|                                                                                                                                                                                                                                                        | 27-473 | SP              | X   | X   | SP  | X   | X  | X   |
|                                                                                                                                                                                                                                                        | 27-441 |                 |     |     |     |     |    |     |
| Recreational community development, in accordance with Section 27-444                                                                                                                                                                                  | 27-441 | X               | X   | X   | X   | X   | X  | X   |
|                                                                                                                                                                                                                                                        | 27-441 | X               | X   | X   | X   | X   | X  | X   |
|                                                                                                                                                                                                                                                        | 27-441 |                 |     |     |     |     |    |     |
| Residential Revitalization: Comprising any form of proposed multifamily, attached one-family or detached one-family dwellings, in a residential revitalization project, as shown on a detailed site plan approved in accordance with Section 27-445.09 | 27-441 | SP              | X   | X   | SP  | X   | X  | X   |
|                                                                                                                                                                                                                                                        | 27-441 | X               | X   | X   | X   | X   | X  | X   |
|                                                                                                                                                                                                                                                        | 27-441 |                 |     |     |     |     |    |     |
| Rooming houses                                                                                                                                                                                                                                         | 27-441 | X               | X   | X   | X   | X   | X  | X   |
| Tourist cabin camp                                                                                                                                                                                                                                     | 27-461 | X               | X   | X   | X   | X   | X  | X   |
|                                                                                                                                                                                                                                                        | 27-441 |                 |     |     |     |     |    |     |
| Tourist home                                                                                                                                                                                                                                           | 27-461 | X               | X   | X   | X   | X   | X  | X   |
|                                                                                                                                                                                                                                                        | 27-441 |                 |     |     |     |     |    |     |
| Townhouse, in general                                                                                                                                                                                                                                  | 27-441 |                 |     |     |     |     |    |     |
| (A) If allowed in the underlying zone                                                                                                                                                                                                                  |        | P               | P   | P   | P   | P   | X  | X   |
| (B) All other                                                                                                                                                                                                                                          |        | P               | X   | X   | X   | X   | X  | X   |
| Loft-style housing above the first floor                                                                                                                                                                                                               |        | P               | P   | SP  | P   | X   | X  | X   |
| Transitional shelter for the homeless                                                                                                                                                                                                                  | 27-461 | SP              | X   | X   | X   | X   | X  | X   |
| (9) RESOURCE PRODUCTION/RECOVERY:                                                                                                                                                                                                                      | 27-473 |                 |     |     |     |     |    |     |
|                                                                                                                                                                                                                                                        | 27-461 |                 |     |     |     |     |    |     |
|                                                                                                                                                                                                                                                        | 27-441 |                 |     |     |     |     |    |     |
|                                                                                                                                                                                                                                                        | 27-441 | X               | X   | X   | X   | X   | X  | P   |
| Agricultural uses                                                                                                                                                                                                                                      | 27-441 | X               | X   | X   | X   | X   | X  | SP  |
|                                                                                                                                                                                                                                                        | 27-461 |                 |     |     |     |     |    |     |
|                                                                                                                                                                                                                                                        | 27-473 |                 |     |     |     |     |    |     |
| Sand and gravel wet-processing                                                                                                                                                                                                                         | 27-461 | X               | X   | X   | X   | X   | X  | X   |
|                                                                                                                                                                                                                                                        | 27-473 |                 |     |     |     |     |    |     |
| Sawmill                                                                                                                                                                                                                                                | 27-441 | X               | X   | X   | X   | X   | X  | X   |
|                                                                                                                                                                                                                                                        | 27-461 |                 |     |     |     |     |    |     |
| Surface mining                                                                                                                                                                                                                                         | 27-473 | X               | X   | X   | X   | X   | X  | X   |
|                                                                                                                                                                                                                                                        | 27-441 |                 |     |     |     |     |    |     |

**CITY OF HYATTSVILLE**  
**PLANNING COMMITTEE MINUTES**  
**FEBRUARY 27, 2018**

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1. Introduction of Committee & Guests Members (7:31 PM)
  - Maureen Foster, Committee Member
  - Nkosi Yearwood, Committee Member
  - David Marshall, Committee Member
  - Jonathan Mueller, Committee Member
  - Todd Dengel, Committee Member
  - Thomas Sheffer, Committee Member
  - Chad Copeland, Committee Member
  - Wil Maxwell, Committee Member
  - Thomas Wright, Council Liaison
  - Jim Chandler, Staff Liaison
  - Katie Gerbes, Community Planner
  - Sean Bruce, Werrlein Properties
  - Norman Rivera, Werrlein Properties
  - Jon Werrlein, Werrlein Properties
  - Lisa Burdy, Werrlein Properties
  - Karl Granzow, Werrlein Properties
  - Michael Romero, Romero Architects
  - Mike Lenhart, Lenhart Traffic Consulting
  - Bryan Turton, Dewberry
  - See sign-in sheet for list of additional guest attendees
  - Process for meeting: presentation by Werrlein properties, followed by a round of committee clarifying questions and a round of committee comments. Public comment will follow, with each guest permitted two minutes to make a comment. Comments must pertain to the proposed development, not to ideas of other uses of the building/what would like to be seen on site.
2. Committee Business (9:33 PM)
  - Initially skipped in the interest of time to get to the presentation
  - Adoption of Minutes from January 2018
    - i. Approved unanimously
  - Open Meetings Act Training
    - i. Training will occur in April, and
    - ii. at least one committee member must attend. If interested, send a note to Katie or Jim. Katie will send out follow up email with meeting date/time.
3. Magruder Pointe Presentation & Discussion (7:33 PM)
  - Introduction of Werrlein Team
  - 3 phases of the project:
    - Uses detailed site plan
    - Preliminary plan of subdivision – subdivision and traffic impacts
    - Detailed site plan – architecture and grading of site

- Norman Rivera, Attorney
  - Notification has been sent to adjacent property owners and registered civic associations
  - Discussions have happened with Hyattsville Aging in Place about the creation of a fund to help retrofit existing homes
- Sean Bruce, Consultant for Werrlein Properties and former employee of Douglas Development Corporation
  - Over the years, there have been many proposals for the building, but none have come to fruition when looking at all of the different market conditions, costs associated with the building, etc.
- Bryan Turton, Civil Engineer, Dewberry
  - Two direct connections through the community to Magruder Park
  - Stormwater will be approved through Prince George's County; this project has a reduction in impervious surface and a net growth in the amount of green space
  - Floodplain plan will not change the elevation of the floodplain, but the limits of the floodplain will be altered as a response of the site grading
    - Floodplain compensation area will be created in the southeast portion of the lot to handle water
  - Everything will go through Community Development for comments before M-NCPPC
- Michael Lenhart, Traffic Engineer, Lenhart Traffic Consulting
  - Traffic impact study has been prepared for the project
  - Worked with M-NCPPC on a scope for the proposal which included 9 nearby intersections
  - Traffic counts are gathered in the morning and evening, identifying peak periods in each hour, then study those hours to evaluate existing traffic conditions, add in growth and trip generation estimates for the proposed site
  - County has methodology for signalized and unsignalized intersections. 2 are signalized (Hamilton & 38th, Baltimore Avenue & Crittenden). M-NCPPC defines LOS acceptable as E or high for inside the capital beltway
  - Both study intersections operate at LOS B with total build out projected
  - Unsignalized intersections pass County's standards
  - Assign traffic assuming no reduction for transit or bicycle use; assumes full vehicle trip generation to simulate the highest level of traffic generated by the site
  - There are bus stops in the immediate vicinity of the site, as well as a Capital Bikeshare station proposed to be in Magruder Park
- Mike Romero, Architect
  - Neighbor who lives on Gallatin Street, personally lives nearby and uses Magruder Point
  - Different plan than the one proposed at Vigilante, as a direct response to resident comments
  - First instinct is to try to match architecture across the street; single family homes on Hamilton are of a similar size and character as those already in the neighborhood
  - Townhouses on Gallatin are set back to create a "community green" and will be hardiplank siding to better fit in with the homes in the neighborhood. Townhouses on the lower site will be brick.
  - Multiple connections will be made to Magruder Park, making it a pleasant walk for residents from the neighborhood into the park



- Architecture:
  - In keeping with historic nature of existing homes, seeking to include features like large porches to create an outdoor living space and sense of community
  - Variety of architecture to prevent cookie cutter appearance of homes
  - For townhouses, Hyattsville doesn't have a comparable of older, brick homes, so have looked to places like Savannah and Charleston for inspiration for the lower townhouses
  - Lower townhouses will have double porches
- Plan to salvage the face of the WSSC building and reuse it within the site as a gateway into the new project
- Committee Questions/Comments:
  - TD: For landscaping, what will be done on the site? Will utilities be buried?
    - To be determined. At this stage looking at what is required based on the number and type of homes proposed. Anything new for utilities will be underground, existing will likely stay above ground
  - TD: Is brick on every side of town homes?
    - Yes.
  - TD: Do you serve as your own realtors yourself?
    - Yes.
  - TD: Mentioned meeting with residents and committees. Can you elaborate on that and what it entailed?
    - Architecture subcommittee made up of residents (5-6) after the Vigilante meeting. Group met in December, determined a change in architecture was necessary, resulting in Mike Romero as the new architect. Committee met again in January to check in with current design with committee.
  - CC: Are there going to be barriers or fences along the perimeter of the development?
    - Haven't gotten that far.
    - CC: Not advocating for a fence, but curious.
    - Not intending to fence off from the park, hoping to face the park and incorporate it. There will be a grade difference between the path and the green, but not a fence.
  - CC: Do you envision any kind of visitor area or surplus parking?
    - All homes have rear loaded 2 home garages, and vast majority will also be able to accommodate cars on the driveway, so more parking will be provided than required.
  - MF: What is the number of single family homes?
    - 16 SFH, 66 townhouses.
  - MF: Do homes have detached garages?
    - All have two car garages, some are attached, some are detached.
  - MF: Just to clarify, there are two more WMATA bus stops just up the street for the 86 bus.
  - NY: What was assumed on the background development for the transportation study? Did you assume any growth factors?
    - Worked with staff at M-NCPPC on a scoping agreement. There were no background developments in the vicinity identified in the scope of the property. Assumed 0.5% per year, for 6 years, growth for background development.

- In PG County, when a property is previously developed, it is considered vested in trips generated, but we did not include any background traffic generated from the building because it is vacant.
- NY: How far did your study go out? As far as Ager Road?
  - Hamilton & 38<sup>th</sup> to West, 40<sup>th</sup> and Crittenden on the east
- JM: Houses built on lower portion is in the floodplain currently? The idea is that the houses will be graded out of floodplain?
  - Some is floodplain currently, some is not. Lot will be regraded so that the volume of floodplain area will stay the same, but the location will change based on the grading of the site. Green area adjacent to the park will serve as the compensation area.
    - JM: How much difference are you talking about?
      - Will depend, but likely a couple of feet.
    - JM: Do you need to get a waiver to do this?
      - Need to get a floodplain plan approved by the county to do this
    - JM: Is stormwater treated?
      - Required to manage on site, so combination of that and removal of existing impervious surface should reduce runoff by 30%
- JM: Is the purchase complete?
  - Not at this time.
- JM: You mentioned in the past people have talked about having schools there?
  - We've talked to lots of people, but the County expressed that they had very limited money and the cost-benefit analysis of a rehab versus a new construction didn't work out for this building. It would take a lot to bring this building up to code.
- JM: Is the building recognized as historic in a legal way?
  - No. Listed as a historic resource for the Hyattsville Historic District, but not listed as a contributing feature in the Gateway Arts District Sector Plan.
- JM: Alleys will be public?
  - Working with the City so build to their standards, so they will be dedicated to the City.
- JM: is there any street parking?
  - Existing street parking on Hamilton and Gallatin, but no new street parking created.
- TS: Speaking to the brick design, was their consideration of a more Art Deco architecture that could fit with the existing structure?
  - Don't really build in stucco anymore, but Art Deco doesn't allow for features like porches as easily as other styles. The appropriateness of Art Deco doesn't necessarily apply to this situation.
- TS: Green courtyard would be open to the public?
  - Yes, totally open connection to the park
  - TS: Sidewalks will be open to the public as well?
    - Yes, to connect to park.
- TS: Are concept drawing accurate elevation wise, because the drop in the plan doesn't seem to match up.
  - Concept drawing will be updated.
- TS: Is there anything proposed to give back to the community and the park?

- Working with the City and Park and Planning on that, haven't gotten that far.
- TS: Does the county floodplain plan include mitigations to Magruder Woods?
  - Not entirely sure. County floodplain plan will be limited as a volume and area study for this property. In terms of construction, as part of the permitting process there will be a sediment control plan to address runoff issues.
- TS: Are there existing trees on site that will be preserved?
  - Not many trees on site, but at the corner of the site trees will be preserved.
- DM: There is an indentation on the southern border of the property. Why is it indented?
  - That spot still needs to be determined how it will interact with the park. We didn't want to imply it will look like one thing in particular.
- DM: When will the title transfer?
  - Probably sometime in May 2018.
- DM: What is the timeline for project, start to finish?
  - Probably about 3 years.
- DM: Is there any plan, anywhere on this project for fencing or walls to prevent people from passing through it.
  - No.
- DM: There was no mention of public art on the property, but that should be considered to find a place for it. Pathways are outlined, so I'm assuming there will be sidewalk on frontage of all SFH and frontage of Gallatin Street. Inside the project, will there be sidewalks or pathways? Make sure there is a connectivity of the pathways and where pedestrians actually walk.
- TS: Further discussion on the townhouse architecture will be welcomed. Look forward to opportunities to discuss the connection to Magruder Park. Would like to see more landscaping around the green to soften the edge to Magruder Park. I know this is a challenging site and it is sensitive, but it shows that you've taken the local thoughts in mind and it is appreciated.
- JM: Really like the idea of reusing the stone entryway and could help address public art in the development and helps to preserve some of the historic elements of the site. Happy to see that it should reduce the total amount of impermeable surface. When planning for the construction, plan out the noise and traffic impact to be sensitive to neighbors.
- NY: Find the townhouse architecture interesting. Overall, it is a good start with open spaces and orienting towards the community. Should find ways to incorporate visitor parking. Missing from proposal is any offsite amenities and upgrades like art, bus shelters, etc. The more specific you are, the better off the dialogue will be moving forward. Rectangle area towards the bottom looks like a green, but will function as SWM, so thought should be given to how it is planted/maintained over time.
- CC: Echo comments how you've responded to questions/concerns of the community and applaud that effort. For parking, there needs to be a balance of visitor parking and people parking in the community to go to the park. Interesting and thoughtful proposal. There are a lot of sentiments in the community about what we wish could be here, but I don't think that takes away from what you've presented to us.

- TD: Have seen iterations of this presentation and it is clear that you've engaged the community, heard what we have said, and that speaks to wanting to have this project be embraced by the community. From an architectural side I think it is well thought out and want to see how landscaping further comes into play. Consider some sort of financing or plans for the community's first responders, but overall, it is a strong start.
- MF: Townhouses on the bottom remind me of Fort McNair. Not a big fan about saving the portico of the building. See a need for some bike racks for the people who live there.
- Community Comments:
  - Libby Welch: concerned about green floodplain area being a catch all for water and breeding ground for mosquitos. Hard to keep potholes off of Crittenden/40<sup>th</sup> as it is, and increase of residents on street may make the street worse. Already have bumper to bumper traffic, so worried about the increase in traffic during rush hour. Worry about the wildlife with lots of building occurring in the City. Believes will increase taxes and force residents out.
  - Maiya Dacey: Commend development team for taking feedback from the community and looks forward to seeing the next iteration of plans over time to make this is welcoming community where people can pass through. I think you're seeing needs of the community and the more places you can insert yourself into the community is good. Love the new architecture.
  - Mariales Zamuda: does not like putting townhouses on floodplain and curious of price of the houses and any inclusion of affordable housing within the plan.
    - Townhouses will be in \$500,000s, single family homes in \$600,000s.
  - Lisa Walker: met with developers representing Hyattsville Aging in Place. I hadn't heard parking and traffic discussion before, so not clear if there has been a traffic plan going up Gallatin Street. Parking on Gallatin in front of WSSC on both sides of streets, will that remain. Originally spoke to City Council about affordability and accessibility. I think you could find a way to make the townhouses lateral so they are accessible on the first floor. We talked about accessibility and developer has looked at making a fund for aging in place.
  - Flawn Williams: generally in favor of this plan, but there are still improvements that could be made. Echo Nkosi's remarks on the portion of dedicated, per unit extra parking versus community flex parking. Along 41<sup>st</sup> and Hamilton, no matter how much parking is provided in back, residents may want to park along the front of the street. Want to keep the archway entrance. Is there an vision for a pedestrian crossing at stairway, should be well marked as it is a blind corner.
  - Brandt Anderson: We bought home from Jonathan Werrlein and speaks to the integrity of the team and willingness to listen to the community. There is concern about developers coming into the community from the outside, but they are not and have stood with us with any issues to make problems right. They are good by their word and looking forward to not looking out at the building any more.
  - Victoria Moss: spent 21 years looking at the building and been involved in every plan brought forth for the building, but do support the project. Concerns are primarily parking related and would like to see significant contribution to community as a whole. Would like the name to be reconsidered, as it is a bit contentious.
    - Just the project name.



- James Danley: Live one house up in a house built by Jonathan. Caution community not to become misty eyed about the building, when in reality it is dirty and decrepit, so welcome its replacement. SFH facing SFH is financially viable because of higher density lower, that is a tradeoff I am willing to take. We were out bid on many houses in the community, so we should be building more of it.
- Lee: thanks for having meetings and incorporating feedback. Want to talk to stormwater controls. Urge to look at other features to manage instead of large bio retention- green roofs, cisterns, and permeable surface. Should consider doing environmental assessment on impact of development to ecosystem nearby in Magruder Park.
- Anne Barrett: From someone who has worked with Werrlein in the past, they have done beautiful work and have been a pleasure to work with. Often, they take off without being seen again, but Jonathan is here.
- Dale Crowell: question coming back to is on western edge next to the park, is the entryway part of the park or private development. Should it be a public road?
  - Signage for the park will remain and working with City for interaction against the park
  - Right of way issue along the western edge, working on the solution with City
  - Park access at entrance will not be changed at all
- Karen Everhart: Is it correct there will be no additional traffic lights added to Hamilton Street?
  - Correct.
- Yohannes Bennehoff: Is floodplain using 500-year or 100-year standard. Right now, FEMA has both.
  - Based on 100-year
  - YB: Concern that 100 years is not a very accurate standard, so consider looking at 500-year standard
- Will Seath: practicing architect serving on architectural committee for Werrlein. They have been very receptive to comments about improving the architecture. Worth keeping in mind that organized preservation as we know it didn't exist when the additions to the building made, as it demolished SFH to expand bundling. Argue that this is more true to preservation.
- Brendan Cain: Has seen project evolve and this has only gotten better over time. A residential solution is the best option for this property and the final project will only be better than we see now.
- Sherry Wilder: concern is quality of life while being built. Will the construction be phased? Welcome development in Hyattsville, but trend is that long term residents are being priced out of the community and it is becoming unaffordable to live here and we need to think about that as a community.
- Joe Bryon: Team has been successful at improving homes in this community and look forward to redevelopment of the property as it is currently an eyesore. Sympathize with the affordable housing concerns, but believe that is a larger conversation and shouldn't be on the shoulders of this development. Team has always followed through on their commitments and those are the people we want as neighbors and builders.
- Susan Hines: would like to see the building preserved but to see it being high density, like an apartment building. Acknowledge preservation concerns, but

understand there are challenges. Team has responded to concerns of the community, but instead of putting money into amenities, dedicate it to Magruder Park and preserving the bog and the site itself.

- Joann Mood: enjoys the bogs
- Arlene Reiniger: see a lot of individuals and families move into the community and seeing that we want to build up community sensibility more. Wondering if way to make improvements on the Magruder Community center and incorporate building remains into the community center.
- Margot Nassar: support the project, but with questions about the floodplain and architecture.
- Lisa Davidson: Do not support the project, but is bigger than preservation of this building. Find it troubling that we are ignoring issues of building on a floodplain and zoning changes on a high-end development that create fake historic architecture in a real historic district.
- Loire Przygodzki: Do not support the project. No issues with the architectural style, but believe it is short sighted to do this work in a floodplain. Magruder Park has serious water problems and these houses will too. Magruder Park is heart of the community and troubled about density around the play areas.
- Andra Daviron: not in favor of the project. We've seen other communities who go ahead with development unchecked. Not even a year since Houston was flooded and FEMA studies underestimated floodplain and there are extreme water problems that are created. For last 25 years, Arlington has accepted all development, unchecked. Historic buildings in Arlington don't exist anymore. Buildings are at highest price point, closer together than current neighborhood and large square footage that puts economic pressure on the other homes in the neighborhood.
- Nick Harris: valid concerns about construction and how that will be handled. I lived across from development of houses on Hamilton Street and it was fine. In favor of the proposal and it is heading in the right direction. Have been involved in conversations about land swap for City Hall and it is not feasible. It is the best shot we've got.
- Dan Muth: Commend Werrlein on accommodating the community. Great development in the wrong place, which says that the lot is worthless without the county granting a waiver. Caution against developing in a floodplain. Unless you can show clear, compelling interest to do this, going forward will be a fierce critic.
- Elise Thompson: on architecture committee and live across the street. Appreciate how open team was to direct and critical feedback. Should look at opportunities for incorporating green technologies such as permeable pavement.
- Eli Brown: excited to see development here. Single family homes is the best option for the site and will preserve the character without increasing density.
- Mary Kay Giunta: would prefer if this was all single-family homes. Seen a lot of opportunities come and go on the site, it is feasible and will look nice, but would like it to be less dense.
- Claud Russo: lived across building for years. Concerns are traffic and impact on park. Interactions with community have been great, but this is a larger development than they've done in the past. Hyattsville shouldn't be a trial run.

- Cathy Fall: On south and west side, you're proposing no fences? There is a fence now, that make the wood less accessible thereby preserving the bog. Don't need pedestrian access into the woods and bog.
  - We will keep that existing fence on the south side, but not on the west side, which will open to the park
  - CF: Pictures look wonderful, but do some of the houses look out onto cement?
    - All read loaded, so they will all face onto green pace
- Brian Schoem: Community Liaison for Alonzo Washington and has been taking notes. See him at end if you have concerns to talk to him about.
- Stefano Terricola: Lives in one of Jonathan's new houses and speaks to the quality of the work of the home. Moved into Hyattsville because we wanted to be in a neighborhood with a wide range of people. Don't want to look at the building anymore and it is a death trap. For the development and hope others are as well.

#### 4. Landy Development Update (9:35 PM)

- Council provided letter of support at the last meeting. Conditions included with support include:
  - i. Street standards and public dedication
  - ii. DPIE approves SWM plan
  - iii. Bikeshare included in the development
  - iv. Developer provides for a connection to Northwestern, if the school wants to create it.
- We've been telling the developer to slow down as it was moving too fast. March 1 Planning Board hearing has been bumped back to March 22.
- Will be coming forth with infrastructure and architecture plans in the future and coming back to the committee.
- Path forward will now separate subdivision and DSP applications per new M-NCPPC process.
- Street names: if you have ideas for street names or are wildly opposed to any, let us know and we will pass it on
  - i. DM: because it is close to the school, maybe educational names?
- MF: Can we find out what the process is with the school board interacting with the Planning Board?
  - i. Yes, will need to happen
  - ii. CC: When time is right for school board to consider, can you let us know so we can get this done.
    - 1. Yes.

#### 5. Hyatt Park Placemaking Project (9:47 PM)

- City is funding Hyatt Park placemaking project. Park has garden, playground but not much else. Hamilton Street is part of the Gateway Arts District and are relocating the police across the street, so want to bring life to the park. Uses may include food truck hub, summer jam, non-programmed space, etc.
  - i. Want to focus on giving multiple uses to multiple users.
- Neighborhood Design Center has proposed two concepts, and after feedback from community, will come back with a final design.
  - i. Concept plan looks at lighting, grading, a stage and some sort of interesting seating/play options.

- ii. Aggressive time schedule, likely building in late summer/early fall.
- Feedback can be given tonight, on Speak Up site, or by emailing us.
- TD: Went to the meeting and it was a fun and engaging meeting.
- Jim explained both concepts
- Comments:
  - i. TS: Density of use seems misdirected with lack of parking and restrooms
  - ii. JC: Magruder Park will have major renovation, but this is a smaller project and we need to use funds before they expire

#### 6. Development Updates (10:00 PM)

- Kiplinger: still doing well and have exceeded price points estimated
- Jimmy Johns TBD
- Gas station in Riverdale – no tenant, but generally renovating the space with the hopes of finding a tenant
- NY: Status of Route 1 Parking Garage?
  - i. JC: can't really say anything publicly There will be a resolution by June. Likely be a public session with Council in late April on the garage.
- MF: What is happening this weekend at Melrose Park?
  - i. Commemorating of Women's Suffrage movement that took place in Hyattsville. Historic plaque will be installed and recognized by a major in the Army.
  - ii. Event starts at 10 AM; parking should be directed to the County Services building.
- NY: any updates on UIP's plan?
  - i. JC: under contract with Pressing Towards the Mark Church. DSP will probably come in the summer, we haven't seen any final plans.
- NY: Riverfront at West Hyattsville?
  - i. JC: Looking for builders for the townhouses and will come forward with the architecture DSP in the summer/early fall. Also talking to WMATA about acquiring the landlocked parcel.
- DM: Any update on Mall and the restaurant parcel?
  - i. JC: Have some new tenants including &pizza. Still trying to figure out who will be at the freestanding restaurant.

#### 7. Adjourn (10:08 PM)

**CITY OF HYATTSVILLE**  
**PLANNING COMMITTEE MINUTES**  
**MARCH 20, 2018**

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1. Introduction of Committee & Guests Members (7:31 PM)

- Maureen Foster
- Wil Maxwell
- David Marshall
- Todd Dengel
- Thomas Sheffer
- Chad Copeland
- Thomas Wright
- Jonathan Mueller
- Andrew Bishop
- Jim Chandler
- Katie Gerbes
- Thomas Wright
- Flawn Williams
- Stefano Terricola
- Yohannes Bennehoff
- Sherry Cain
- Brendan Cain
- Nick Harris
- Chris Colan
- Maureen Vosmele
- Nina Faye
- Daniel Schaible
- Austin Lipari
- Marisa Johnson
- Cliff Mayo
- Eli Braun
- Katie Asland
- Deona Kalala
- Illinga Kalala

2. Committee Business (7:32 PM)

- Adoption of Minutes from February 2018
  - i. Adopted unanimously at 7:35 PM
- Open Meetings Act Training

3. Magruder Pointe Discussion & Recommendation (7:38 PM)

- Subdivision Plan: site plan is shown in the packet of materials. We met with the applicant last week and there will be some changes to this site plan when the plat is submitted. Most notable change is that there will be a new sidewalk placed along the main road of the lower lot to support better access to Magruder Park.
- Streets: Streets will be constructed to the Urban Street Standards for Prince George's County, which means that the City will accept them into our network. The applicant plans to dedicate all roads to the City. By accepting them, we would be responsible for street maintenance, snow removal, trash services, etc.
- Historic Preservation: This property is a contributing structure to the Hyattsville Historic District. It is not listed as a contributing historic resource to the Gateway Arts District Sector Plan. The building individually is not listed on the National, State or County Register of Historic Places, so as a result, there are no legal protections that exist for the building.
- Floodplain: the lower parcel lies largely within the floodplain, as seen on the map in the packet. Grading must be completed to lift the property out of the floodplain to build habitable space. This has happened before, more recently with the Riverfront at West Hyattsville development. Stormwater mitigation will be done on site to control for all run off, though it will likely have less run off when developed as it currently is due to the large amount of asphalt. The Department of Environment and FEMA will need to approve their stormwater and grading plan in order to move forward. We have asked the applicant to do an additional study to get actual volume changes as is, and what is anticipated when fully redeveloped.
- Traditional Residential Neighborhood: Gateway Arts District Plan is different from other plans in the county in that it identifies character areas with characteristics that are desired. Jim read definition of Traditional Residential Neighborhood character area from the GAD Plan.
- Zoning Ordinance/Amendment: the process to go about allowing the development on the lower site would be an amendment to the development standards within the GAD plan. Technically, it is not a rezoning, which is important for legal reasons. They are citing Section 27-548.26 of the zoning ordinance, which reads the process by which they could seek this change. This is not common, but does tend to happen for institutional or other highly specialized buildings, as they are a bit different from the majority of parcels in the county.
- Clarifying Questions from Committee Members:
  - TS: How does this process go for getting the amendment to the GAD plan work?
    - KG: Similar to any other development getting approved. The Hyattsville Council would make a recommendation to the Prince George's Planning Board. Because this is an amendment to a legal

document, it would also need to go to the District Council, where there would be another public hearing.

- TS: Last meeting there was conversation about how there were single family homes on the site before this building. Have you been able to verify that?
  - JC: No, we have not, but it is not really relevant to the historic preservation piece because they are no longer standing.
- TS: I have some concerns about the regrading on the site. It is hard to imagine what that will look like here with the water table without seeing any visuals.
  - KG: I believe the grading is approximately 18 inches.
- KG: There was concern at the last meeting about the “easement” area which is the area where the park abuts the property. We have no record of an easement on that property. We’ve done some digging, and that is a paper road that was platted in 1878. According to Maryland State Code, when a parcel is dedicated to public use prior to 1908, the dedicated agency must accept the road. After 1908, right-of-way dedication automatically transfers to that agency. Because this occurred prior to 1908, and the City never accepted the dedication, it technically is still part of the WSSC parcel.
- TS: Discussions with developer about improvements to Magruder Park?
  - JC: Technically will be handled as part of the detailed site plan, as that is when recreational amenities are discussed. We’ve talked about natural barriers that don’t seem like barriers to connect it to the park, such as a recreational path or trail. City is working with Neighborhood Design Center to try and help figure out what the park could be and how this development could feed into it.
- TD: We will have another opportunity to review this after seeing the updated transportation study?
  - JC: For traffic circulation, yes, for site access, that would be determined at PPS.
- TD: So what are we looking to do with the amendment to the table of uses? What are we evaluating?
  - JC: Whether or not you believe this plan is consistent with the goals listed in the Traditional Residential Neighborhood character area.
- TD: 500-year flood plain is not currently required to be met.
  - JC: Correct. Maryland law only required developers to address the 100-year flood plain.
- TD: Can we recommend items that aren’t required of them but we would like to see?
  - KG: Yes, there is no promise, but we can ask for them.
- JM: Are floodplain conversations relevant now?

- JC: Yes.
- JM: How much higher would they need to go to build out of the 500-year flood plain?
  - JC: I don't know, the boundaries are similar from the 100 to 500-year floodplains, but it could be difficult to make that a condition to be applied because it is not a legal requirement of them.
- JM: Everything would have to come out of the floodplain? The whole site? Including roads?
  - KG: Anything that is habitable, so roads, utilities and housing. In the southern portion of the site they are proposing a green area that will not be out of the floodplain.
  - TS: It will be lowered, because they want it to catch water.
  - KG: Correct.
- Public Clarifying Questions:
  - Brendan Cain: Drawing shows a footpath at 40<sup>th</sup> near the woods. Are they required to add a stop sign or crosswalks there?
    - JC: No, and we don't want them to because there is already a lot happening there and we want to make it clear that that is not an area for pedestrians.
  - Brendan Cain: Because the building has been unoccupied, if someone wanted to keep the building would they be allowed to do it by right or would they also need an amendment to the standards?
    - KG: It would depend on what they are proposing to do there – both the use and the density. At a minimum, they would need a special permit, but they may need a full amendment, as is the case with this application.
  - Marisa Johnson: Is there any legal requirement for an environmental impact statement or archeological survey of the site?
    - JC: No, can you speak to that a bit more to what you're looking for in an archeological study there?
    - MJ: They would come in and survey the property to determine its history, what has been there in the past, chronicling that history and ensuring there are no archeological features of value on the site.
    - JC: Nothing like that is a requirement of them.
  - Marissa Johnson: Who decides on the grading and if that is okay?
    - JC: The Department of the Environment through Department of Permits, Inspections and Enforcement
  - Marissa Johnson: Which of these zones would be the most restrictive to the developer?
    - JC: The O-S, but there is still the character area consideration.
  - Danny Schaible: Save Our Sustainable Hyattsville. The development in the floodplain is advised against by the County and goes against the October 2004 Council Resolution.



- JC: The motion in reference from October 2004 mentions three things: demolition of all parts of the building built after 1935, supporting projects that reserve the O-S zoning on the lower site and removing the asbestos on site. Ultimately, a motion is just a motion. Unless it is tied to a policy, the Council has the ability to change their mind, especially after significant time has passed.
  - Danny Schiabe: I don't see how this meets any of the characteristics of the traditional residential neighborhood.
  - Yohannes Benehoff: It is 2 feet not 18 inches that it will need to be raised. How much of the property will need to be lifted out?
    - JC: Almost the entire floodplain with the exception of the green area.
  - Cliff Mayo: If the grade is raised, how will that water be managed on site? The green space is not enough area to make up that much water.
    - KG: They are not planning on doing anything off site, between the compensatory storage area and the increased pervious surfaces on the site, they believe it will all be captured. Will be reviewed by DOE before reviewed.
  - Maureen Vosmek: Is there a requirement to provide any three-dimensional view of the grading? I understand it is being handled in phases.
    - JC: There is no requirement. Everything used to be handled together, but it is now being reviewed separately. The 3-D is not relevant for the subdivision. There may be possibility during the architectural state, but it is not required.
  - Deona Kalala: Do we know if the project is viable with the top portion developed but not the bottom?
    - KG: I don't know, I could only speculate.
- Committee Comments
  - JM: Happy to hear of improvements to the sidewalk to get people through the property. Happy that the plan is replacing a parking lot that is completely impermeable, and should improve the water runoff. I hope DOE looks closely at the regarding, but as you said, there is a precedent for it and it has happened. Assuming they live up to this, I support it.
  - TS: I continue to be uncomfortable with the level of detail on the lower parcel. I think it is unanimous that the upper parcel works. The 3-D profile will allow us to have a better sense of the impacts on the park and their ability to lift out of the floodplain without a large disturbance. Welcome them to consider offering the recreation access easement on the compensatory storage area, as well as the area that is disputed to be in the park/on their property. The lower site doesn't fully meet the definition, in my opinion, of the TRN. If they could bring it down to the 10 units per acre, that would be welcomed. Mitigation of runoff/topsoil would need to be fully investigated. Consideration of the ponding effect raising the floodplain might have on City parcels.

- JC: Right now, there is no stormwater management, but will have to meet 100% of new runoff and 50% of existing runoff, so with the replacement of pervious with impervious surface, it is hard to see how there wouldn't be a reduction in water runoff to the park.
  - TS: But it would be channeling it into the bog area.
  - JC: yes.
- TD: Am in support of the project but agree that we ask that careful consideration be taken towards the environmental impact. It is impervious surface, but there are homes there that should have longevity, so we want to be vigilant that our voice was heard.
- DM: What Todd said. I am in support of the project, both the top and the bottom. I am in favor of the density in the bottom. This lot abuts apartment buildings in one area, and there are a bunch of apartments on the other side of the park. I think this is appropriate.
- CC: Recommendation should have strong language about the floodplain issues and it is a big concern for everyone. Bonded and underlined.
- AB: Speaking as a City resident, not a County employee. The entrance into the lower lot looks to not be at a 90-degree angle, so would like to bring that in to 90 degrees. There is no indication that there will be visitor parking.
  - KG: There are 7 spaces provided in the middle of the development.
- WM: Agree with others' comments. Concerned with the floodplain issues. Concerned with the density on the bottom half, it seems like a lot of houses and cars.
- MF: Seems we have agreement on the issue of the floodplain that we are concerned about the building of the floodplain. We would have benefitted from greater information about the floodplain, but given the amount of limited information we have, want to ensure that the City Council and Staff follow up on the containment of the water, the reduction in runoff and any runoff impact on the park.
  - CC: And that going forward we are provided those details.
  - TD: They had a group looking at architecture plans, but as a recommendation could form a similar environmental committee to review.
  - JM: recommendation of support conditional on DOE verifying all of the floodplain issues.
  - TS: No basements.
- JC: The applicant is proposing the urban street standards to be dedicated to the City – are there any questions, comments or concerns?
  - DM: Would like to see language about pedestrian crossings being well defined (crosswalks and internal flow).
  - CC: Agree, we need to live up to the name of a world within walking distance.

- JM: Echo that to improve pedestrian safety.
  - MF: City needs to work with Maryland State Highway to look again at the Octopus intersection to make it safer.
- MF: Regarding TRN, we are in favor of the standards in the TRN, but concerned that they are not meeting those standards.
  - TS: Bring up their density, then what the TRN states
  - Note that there is support and opposition to that
- MF: What is the issue with the zoning?
  - JC: Is the applicant's request consistent with the intent of the TRN is what will be posed.
  - TS: Can we add that we want an access easement for the compensatory storage area as well as the paper road area.
    - DM: Who would maintain that?
    - JC: The HOA because it is also acting as a stormwater management function, but the easement would allow
- RECOMMENDATION: We are concerned about the pedestrian access and encourage the City Council to pay special attention to how pedestrians are treated. We support the new sidewalk and any additional pedestrian amenities. The Council should ensure that no barriers are placed preventing pedestrian access through the development to the park.
  - Approved unanimously
- RECOMMENDATION: The Committee is split on whether or not this plan is consistent with the goals and values of the Traditional Residential Neighborhood character area. Everyone is in agreement that the upper lot is consistent, but the committee is split on whether or not the lower parcel is consistent. For lower lot, there is a concern that the density and configuration do not fully meet the intent of the TRN. Would like to see other options and arrangements to the bottom parcel. The other half of the committee like the density on the lower lot and it is important that the green space. Believe that is it consistent with the density surrounding the park in other areas where there are apartment buildings.
  - Approved unanimously.
- RECOMMENDATION: The Planning Committee not have complete information on the floodplain and it's impacts and want to ensure that the City Council sees the approved stormwater management plan from DOE and DPIE before acting. Recommend 3-D visual profiles of the grading if possible. If appropriate, additional details related to the mitigation of the runoff of the soil should be submitted. Density should be cautious of the
  - Approved unanimously.
- RECOMMENDATION: The green space in used for the compensatory storage area and the "paper road" abutting Magruder Park should have a recreational access easement over them to allow for public use and full integration into the park.
  - Approved unanimously.

- RECOMMENDATION: Committee is supportive of the Conceptual Site Plan application for an amendment to the development district standards.
  - 7 in favor, 1 abstention
- TD: should go on the record that the planning committee labored over this recommendation and was not taken lightly.
  - TW: I believe we will have a matrix with all of these comments for us all to see.
  - CC: Some of your colleagues are dismissive of our comments, but I would encourage you to make sure they pay attention to them on this project.

#### 4. Development Updates (9:27 PM)

- Kiplinger project is winding down and is moving forward with pedestrian street lighting. The multifamily building will start leasing in July. We may schedule a summer meeting to be a tour of the site. No update on sales of the townhouses/condos since the last meeting.
  - i. DM: Are the lights already in? How long until they are electrified?
  - ii. JC: Needs MOU with state highway before they can lay the conduit in the ground and lay sidewalk. Estimate it will be installed and lit by the end of May. SHA thinks it is a 4-8 week turn around for an MOU.
- Any update on the Metro II building?
  - i. KG: We met with them last week and they said they are moving along with demolition on the interior of the site and are currently on schedule.
- Is it possible to get presentation materials for the next meeting in advance?
  - i. KG: Yes, I can send it out early in the week before.

#### 5. Adjourn (9:33 PM)

\* Times listed are estimates and may vary.



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Katie Gerbes

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section: Discussion Items (9:50 p.m. - 10:35 p.m.)

### SUBJECT

DSP-18003: Landy Property (Infrastructure Only) (15 minutes)

### HCC-335-FY18

### Recommendation:

### Sponsor(s):

At the Request of the City Administrator

### Co-Sponsor(s):

N/A

### ATTACHMENTS

[Infrastructure\\_DSP\\_Discussion\\_Memo\\_FINAL.docx](#)

[DSP Infrastructure.pdf](#)

[Landscape and Lighting Plan.pdf](#)

[Tree Conservation Plan.pdf](#)

[Planning Committee Minutes - 05.15.18.docx](#)

### Summary Background:

In April 2018, the Preliminary Plan of Subdivision for the Landy property was approved by the Prince George's County Planning Board. The project is now proceeding with approval of an infrastructure only Detailed Site Plan. The architecture component for the DSP will be submitted and reviewed as a separate application. See the attached memo for more details.

### Next Steps:

The application is scheduled for the City Council to take "Action" on July 16, 2018.

### Fiscal Impact:

N/A

### City Administrator Comments:

For Discussion

### Community Engagement:

The application was presented to the City Council on May 14, 2018, and subsequently presented to the Planning Committee on May 15, 2018. A Speak Up HVL page has also been created to gather community comment on the proposal.

**Strategic Goals:**

Goal 2 – Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**

N/A



## Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development  
Katie Gerbes, Community Planner

Date: May 29, 2018

Re: DSP-18003: Landy Property (Infrastructure Only)

Attachments: DSP-18003 Infrastructure  
Landscape and Lighting Plan  
Tree Conservation Plan  
May 2018 Planning Committee Minutes

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The purpose of this memorandum is to provide the City Council with information submitted to the City of Hyattsville by the Marvin Blumberg Company regarding the 'Infrastructure Only' Detailed Site Plan (DSP-18003) for the Landy property development project.

### Project Summary

- The Landy property is a 33-acre parcel of undeveloped land north of Toledo Terrance and immediately south of Northwestern High School;
- The applicant has proposed and was approved to build 341-fee simple townhouses;
- The applicant is breaking up the Detailed Site Plan (DSP) into two phases: infrastructure and architecture. The infrastructure component touches on issues of roadway construction, lighting, landscaping and recreation space;
- Staff are recommending the City Council support the application subject to the following conditions:
  - The applicant's proposal to include entryway signage is consistent with the intent of the Prince George's Plaza TDDP Development Standards, however staff recommends the applicant revise the proposed 'sub-urban' subdivision concept and replace it with an illuminated art/signage installation:



- o In lieu of a proposed 'security call box', the applicant shall include on its site plan the location of an elevated security camera, as specified by the Hyattsville Police Department at the entrance along Belcrest Road, which shall be networked into the City's existing camera network at a cost not to exceed \$16,000;
- o Staff is considering the cost-benefit and operational capacity of dedication of the proposed park area to the City in lieu of it remaining private and operated by the future HOA. Staff will have a firm recommendation for the City Council to consider prior to consideration on July 16, 2018;
- o Staff is considering suggesting a revision to their proposed landscape plan based on the durability and maintenance considerations for two of the species listed on the landscape plan. Staff will have a firm recommendation for the City Council to consider prior to consideration on July 16, 2018.

### Project Details

The Landy property is a 33-acre parcel of undeveloped land north of Toledo Terrance and immediately south of Northwestern High School. The property is zoned R-20 (one-family, triple-attached residential) and lies with the "Neighborhood Edge" character area of the Prince George's Plaza Transit District Development Plan.

On February 20, 2018, the City Council voted to support the Preliminary Plan of Subdivision application associated with the site. The Prince George's County Planning Board approved the PPS application on March 29, 2018, enabling the sub-division of the property for the purpose of constructing 341-fee-simple townhomes.

At this time, the applicant is prepared to begin work on the Detailed Site Plan (DSP) for the property. Due to the scale of the development, the applicant has opted to separate the DSP into two parts: infrastructure and architecture. The infrastructure plan addresses the issues of roadway geometry and construction, lighting, landscaping and recreational elements within the development. The applicant has further divided the subject property into two phases: east and west. The DSP before the City Council is for the infrastructure components of the eastern phase of the development, adjacent to Belcrest Road. Phase I consists of 133 lots.

Construction of the roadways are consistent with the County's Urban Street Standards, and thereby can be accepted into the City of Hyattsville's road network. Alleys and side streets within the development are 20 feet wide, while the main "spine" road that runs through the northern part of the development is 22 feet wide. These widths allow the Department of Public Works (DPW) to provide sanitation services to the homes through the rear alleys.

Regarding landscaping, the applicant plans to remove 27 specimen trees from the property and replace them with 1,169 other trees, shrubs and ground cover. The replacement planting are a culmination of street trees and plantings for the entrance, public park and open green areas within the development. DPW has reviewed the landscaping plans proposed by the applicant and have slight concerns about two of the species of plants being proposed. DPW will provide the Council and applicant with a suggestion of alternative plantings before the July 16, 2018 City Council meeting.

The recreational area proposed by the applicant is a 2.07-acre parcel at the north-western portion of the site. The recreation area will have play equipment for tots aged 0-5, play equipment for kids aged 5-12, a shade structure, a sculptural element and unprogrammed open space. The park is intended to be owned and maintained by the homeowner's association, and therefore private and accessible only by residents of the development. The applicant has expressed their willingness to dedicate the park to the City, if the City would like to make it a fully public park. DPW has been notified of this and is assessing the park to determine if it would be feasible/advantageous for the City to own that property. A recommendation from the Director of Public Works about ownership of the park will be presented to the Council at the July 16<sup>th</sup> meeting.

#### Variance Requests

No variances are being sought by the applicant at this time.

#### Planning Committee Review

This application was presented to, and discussed by, the Planning Committee at their May 15, 2018 meeting. Comments from the Planning Committee included the desire to incorporate call boxes into the development, dislike of the entrance sign provided in the plan, and the desire to enhance the micro-bio-rotation area in the northeast corner of the park to make it as aesthetically pleasing as possible.

Ultimately, the Planning Committee moved to transmit the following four recommendations to the City Council:

- We appreciate the green spaces that have been incorporated into this plan and encourage the developer to find additional green spaces, possibly at the second cross street in Phase I. We support the use of native plants and encourage that the architecture reflects the environmental emphasis of what has been done to date (unanimously approved);
- In order to address safety issues, we recommend that the developer add call boxes and support the replacement of the existing chain link fence with a more attractive and permeable fencing option that allows access to Northwestern High School (6 in favor, 2 abstentions);
- The application should replace the current entrance space with some sort of welcoming, iconic community space, possibly including an art feature (unanimously approved);
- The City should work with the developer to ensure public access to the park space is provided within the community (7 in favor, 1 abstention).

Regarding the Planning Committee recommendation on call boxes, staff have discussed this desire with the Police Department. The Police Department has indicated that they are phasing out call boxes, so would not like to have any installed at the subject property. In lieu of that, the Police Department would like to install a camera at the entrance of the property that faces out to Belcrest Road. This is desire so that the Police Department has a better view of the roadway conditions, as well as any incidents that may be happening in the University Town Center area.

Minutes from the May 2018 Planning Committee meeting are attached to this document.

#### Staff Recommendations

Staff recommend that the City Council support DSP-18003, subject to the following conditions:

- The applicant's proposal to include entryway signage is consistent with the intent of the Prince George's Plaza TDDP Development Standards, however Staff recommends the applicant revise the proposed 'sub-urban' subdivision concept and replace it with an illuminated art/signage installation:
- In lieu of a proposed 'security call box', the applicant shall include on its site plan the location of an elevated security camera, as specified by the Hyattsville Police Department at the entrance along Belcrest Road, which shall be networked into the City's existing camera network at a cost not to exceed \$16,000;
- Staff is considering the cost-benefit and operational capacity of dedication of the proposed park area to the City in lieu of it remaining private and operated by the future HOA. Staff will have a firm recommendation for the City Council to consider prior to consideration on July 16, 2018;
- Staff is considering suggesting a revision to their proposed landscape plan based on the durability and maintenance considerations for two of the species listed on the landscape plan. Staff will have a firm recommendation for the City Council to consider prior to consideration on July 16, 2018.

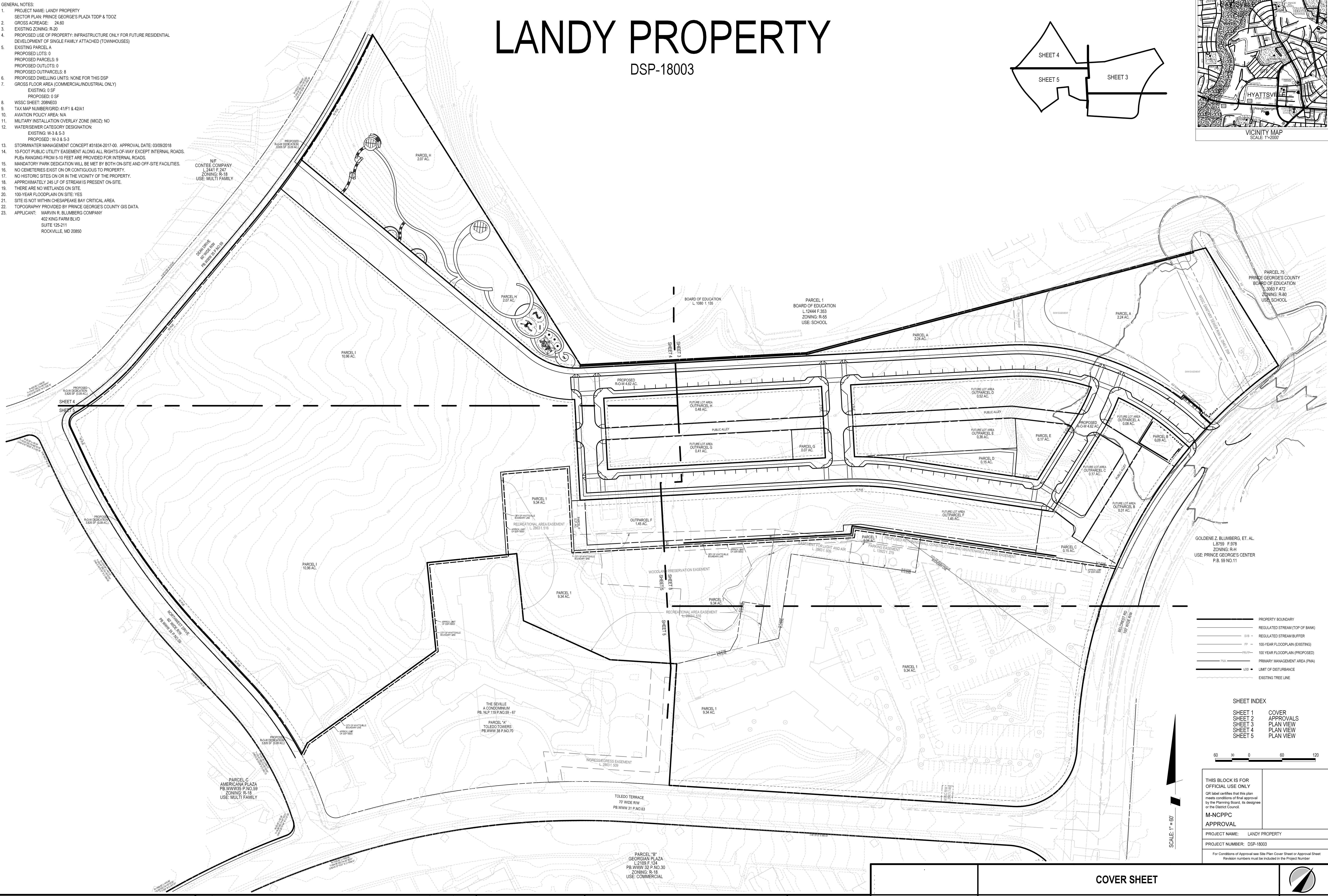
#### Next Steps

This application will come before the City Council on the "Discussion" agenda on June 4, 2018. The application is scheduled to come back on the "Action" agenda on July 16, 2018. It is anticipated that the project application will be considered by the Planning Board in late July 2018.



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- GENERAL NOTES:
- PROJECT NAME: LANDY PROPERTY
  - SECTOR PLAN: PRINCE GEORGE'S PLAZA TDDP & TDOZ
  - GROSS ACREAGE: 24.60
  - EXISTING ZONING: R-20
  - PROPOSED USE OF PROPERTY: INFRASTRUCTURE ONLY FOR FUTURE RESIDENTIAL DEVELOPMENT OF SINGLE FAMILY ATTACHED (TOWNHOUSES)
  - EXISTING PARCELS: 0
  - PROPOSED LOTS: 0
  - PROPOSED PARCELS: 9
  - PROPOSED OUTLOTS: 0
  - PROPOSED OUTPARCELS: 8
  - PROPOSED DWELLING UNITS: NONE FOR THIS DSP
  - GROSS FLOOR AREA (COMMERCIAL/INDUSTRIAL ONLY):  
EXISTING: 0 SF  
PROPOSED: 0 SF
  - WSSC SHEET: 208NE03
  - TAX MAP NUMBER/GRID: 41F1 & 42A1
  - AVIATION POLICY AREA: N/A
  - MILITARY INSTALLATION OVERLAY ZONE (MIOZ): NO
  - WATER/SEWER CATEGORY DESIGNATION:  
EXISTING: W-3 & S-3  
PROPOSED: W-3 & S-3
  - STORMWATER MANAGEMENT CONCEPT #31834-2017-00. APPROVAL DATE: 03/09/2018
  - 10-FOOT PUBLIC UTILITY EASEMENT ALONG ALL RIGHTS-OF-WAY EXCEPT INTERNAL ROADS.
  - PUEs RANGING FROM 5-10 FEET ARE PROVIDED FOR INTERNAL ROADS.
  - MANDATORY PARK DEDICATION WILL BE MET BY BOTH ON-SITE AND OFF-SITE FACILITIES.
  - NO CEMETERIES EXIST ON OR CONTIGUOUS TO PROPERTY.
  - NO HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY.
  - APPROXIMATELY 245 LF OF STREAM IS PRESENT ON-SITE.
  - THERE ARE NO WETLANDS ON SITE.
  - 100-YEAR FLOODPLAIN ON SITE: YES
  - SITE IS NOT WITHIN CHESAPEAKE BAY CRITICAL AREA.
  - TOPOGRAPHY PROVIDED BY PRINCE GEORGE'S COUNTY GIS DATA.
  - APPLICANT: MARVIN R. BLUMBERG COMPANY  
402 KING FARM BLVD  
SUITE 125-211  
ROCKVILLE, MD 20850





**SOLTESZ, LLC**

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| DATE: JANUARY 2018 | CAD STANDARDS VERSION: V8 - 2000 |
| DESIGNED: GAM      | TECHNICIAN: GAM                  |
|                    | CHECKED: DJB                     |

THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN

HORIZONTAL: XXXXXX XXXX  
VERTICAL: XXXXXX



CHILLUM (17th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND 1866-00-00

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet  
Revision numbers must be included in the Project Number





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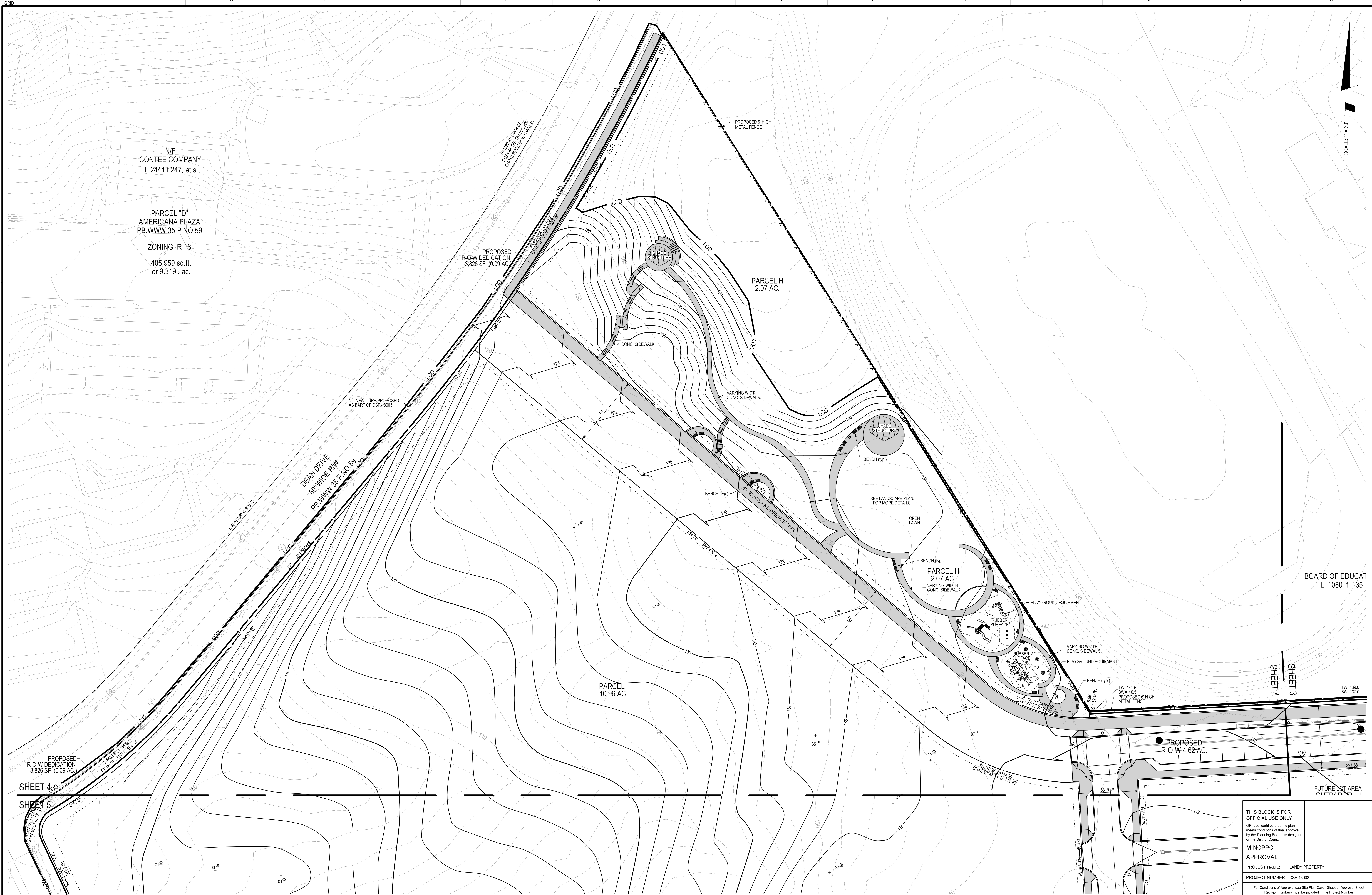
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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <p>DETAILED SITE PLAN. INFRASTRUCTURE ONLY. DSP-18003</p> <p><b>LANDY PROPERTY</b></p> <p><b>PARCEL A</b></p> <p>CHILLUM (17th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND</p> |                                          |
|                                                                                                                                                                                         | <p>SHEET <u>3</u></p> <p>OF <u>5</u></p> |
|                                                                                                                                                                                         | <p>PROJECT NO.</p> <p>1886-00-00</p>     |
|                                                                                                                                                                                         |                                          |



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Engineering  
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Planning  
Environmental Sciences

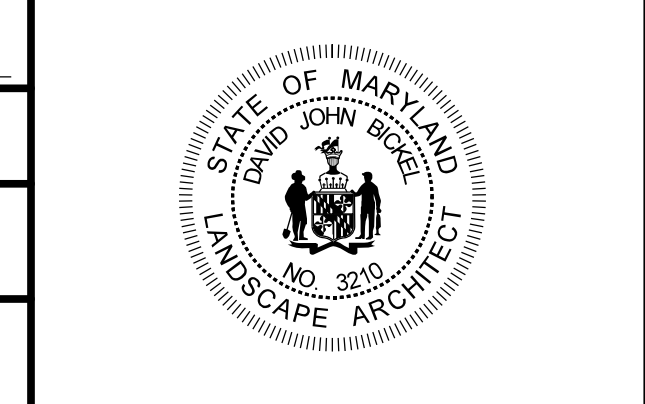
4300 Forbes Boulevard, Suite 230  
Lanham, MD 20706  
P. 301.794.7555 F. 301.794.7656  
www.solteszco.com

| NO. | REVISIONS       | DATE         |
|-----|-----------------|--------------|
| 1   | DESIGNED: GAM   | JANUARY 2018 |
| 2   | TECHNICIAN: GAM |              |
| 3   | CHECKED: DJB    |              |

**MISS UTILITY NOTE**  
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY EXCAVATING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777. 48 HOURS PRIOR TO THE START OF EXCAVATION, IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER/DEVELOPER/APPLICANT**  
MARVIN R. BLUMBERG COMPANY  
402 KING FARM BLVD  
SUITE 125-211  
ROCKVILLE, MD 20850  
301.531.5477  
CONTACT: SETH BLUMBERG

|                    |      |                 |      |
|--------------------|------|-----------------|------|
| MAP                | 5409 | GRID            | 5G   |
| TAX MAP            | 41/1 | ZONING CATEGORY | R-20 |
| WBC 200 SHEET      | XXXX |                 |      |
| 20BNE03            | XXXX |                 |      |
| SITE DATUM         | XXXX |                 |      |
| HORIZONTAL: XXXXXX | XXXX |                 |      |
| VERTICAL: XXXXXX   | XXXX |                 |      |



**PLAN VIEW**

**DETAILED SITE PLAN. INFRASTRUCTURE ONLY. DSP-18003**

**LANDY PROPERTY**

**PARCEL A**

CHILLUM (17th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

THIS BLOCK IS FOR OFFICIAL USE ONLY  
QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.

**M-NCPPC APPROVAL**

PROJECT NAME: LANDY PROPERTY  
PROJECT NUMBER: DSP-18003

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet  
Revision numbers must be included in the Project Number

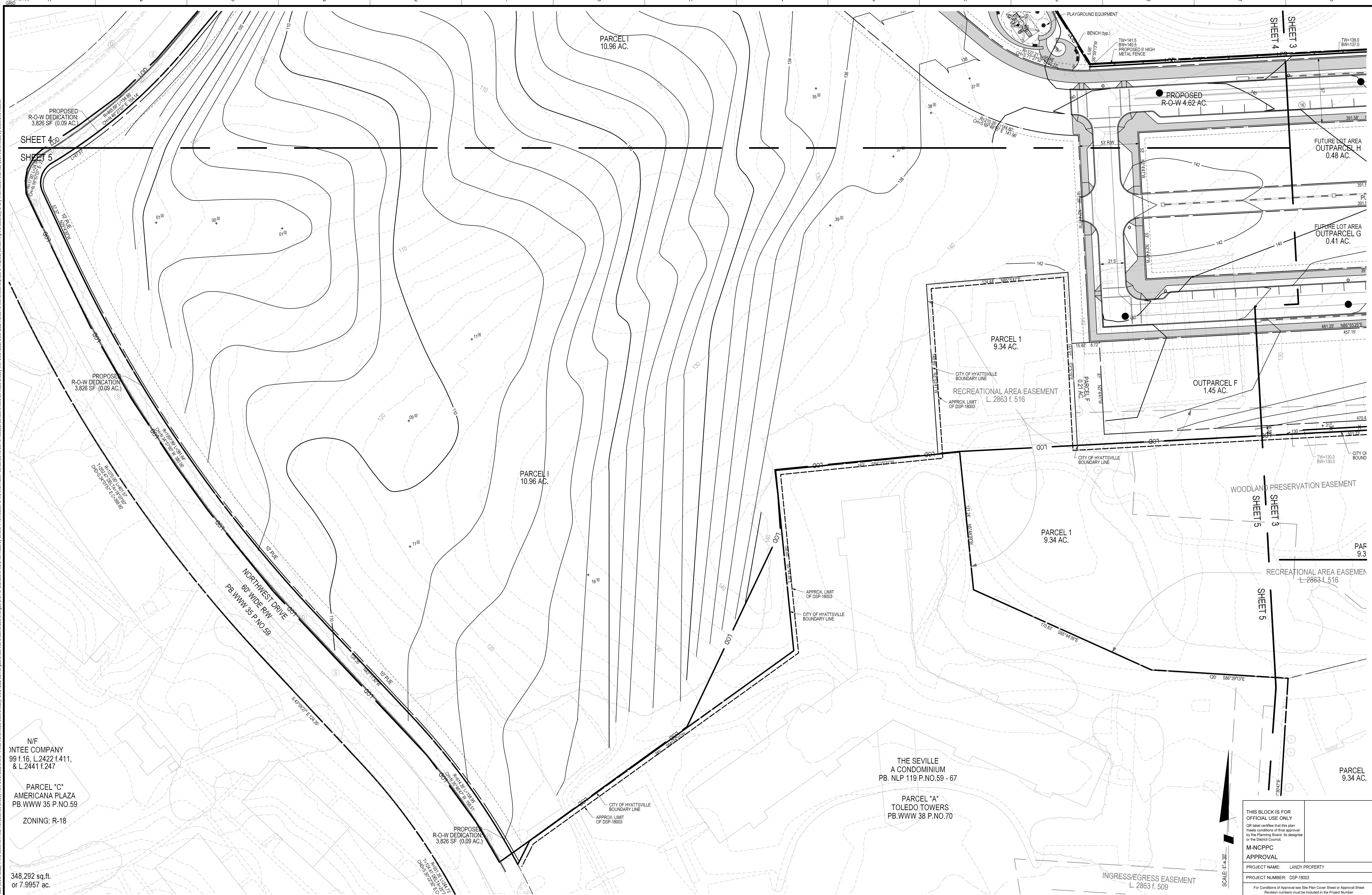
1" = 30'

SHEET 4 OF 5

PROJECT NO. 1866-00-00



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N/F  
NTEEC COMPANY  
99 f.16, L.2422 f.411,  
& L.2441 f.247

PARCEL "C"  
AMERICANA PLAZA  
PB.WWW 35 P.NO.59

ZONING: R-18

348,292 sq.ft.  
or 7.9957 ac.

THE SEVILLE  
A CONDOMINIUM  
PB. NLP 119 P.NO.59 - 67

PARCEL "A"  
TOLEDO TOWERS  
PB.WWW 38 P.NO.70

THIS BLOCK IS FOR  
OFFICIAL USE ONLY

QR label certifies that this plan  
meets conditions of final approval  
by the Planning Board, its designee  
or the District Council.

M-NCPPC  
APPROVAL

PROJECT NAME: LANDY PROPERTY

PROJECT NUMBER: DSP-18003

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet  
Revision numbers must be included in the Project Number



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**MISS UTILITY NOTE**

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES  
WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR  
MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL  
EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST  
PIES BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION.  
CONTACT "MISS UTILITY" AT 1-800-251-7777, 48 HOURS PRIOR TO  
THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN  
SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS  
LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY  
BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS  
THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER/DEVELOPER/APPLICANT**

MARVIN R. BLUMBERG COMPANY  
402 KING FARM BLVD  
SUITE 125-211  
ROCKVILLE, MD 20850  
301.631.5477  
CONTACT: SETH BLUMBERG

| MAP                                                   | GRID                     | 5G   |
|-------------------------------------------------------|--------------------------|------|
| TAX MAP<br>431/1<br>42/1A                             | ZONING CATEGORY:<br>R-20 |      |
| WISC 200 SHEET<br>208NE03                             | XXXX                     | XXXX |
| SITE DATUM:<br>HORIZONTAL: XXXXXX<br>VERTICAL: XXXXXX | XXXX                     | XXXX |



**PLAN VIEW**

**DETAILED SITE PLAN. INFRASTRUCTURE ONLY. DSP-18003**

**LANDY PROPERTY**

**PARCEL A**

CHILLUM (17th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

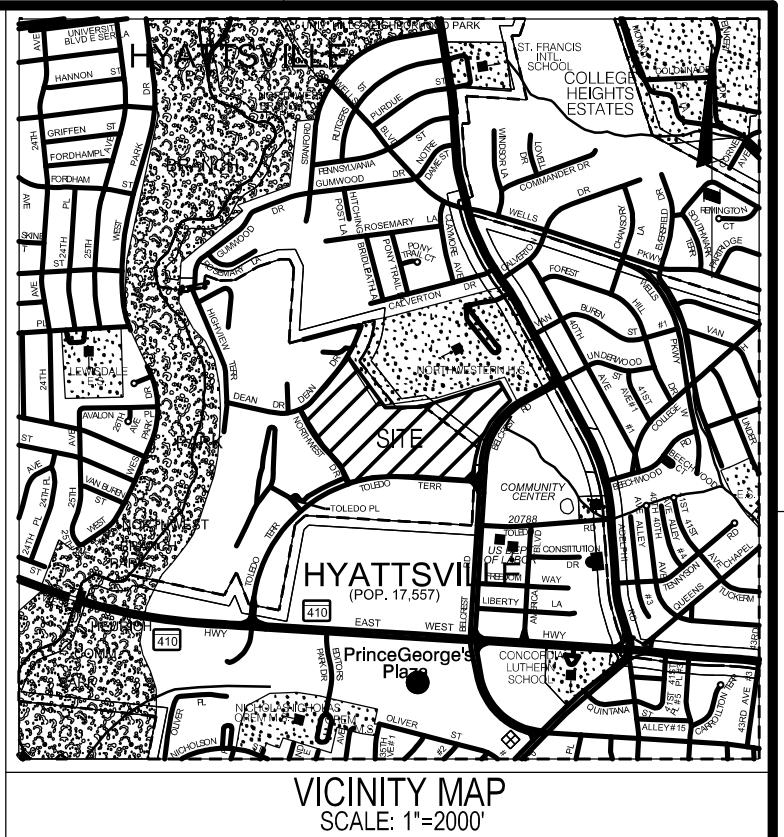
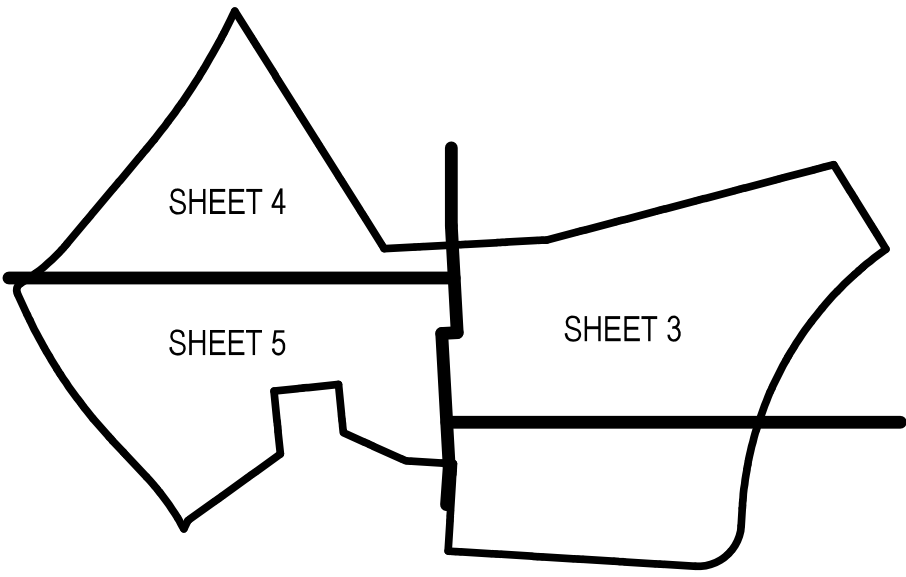
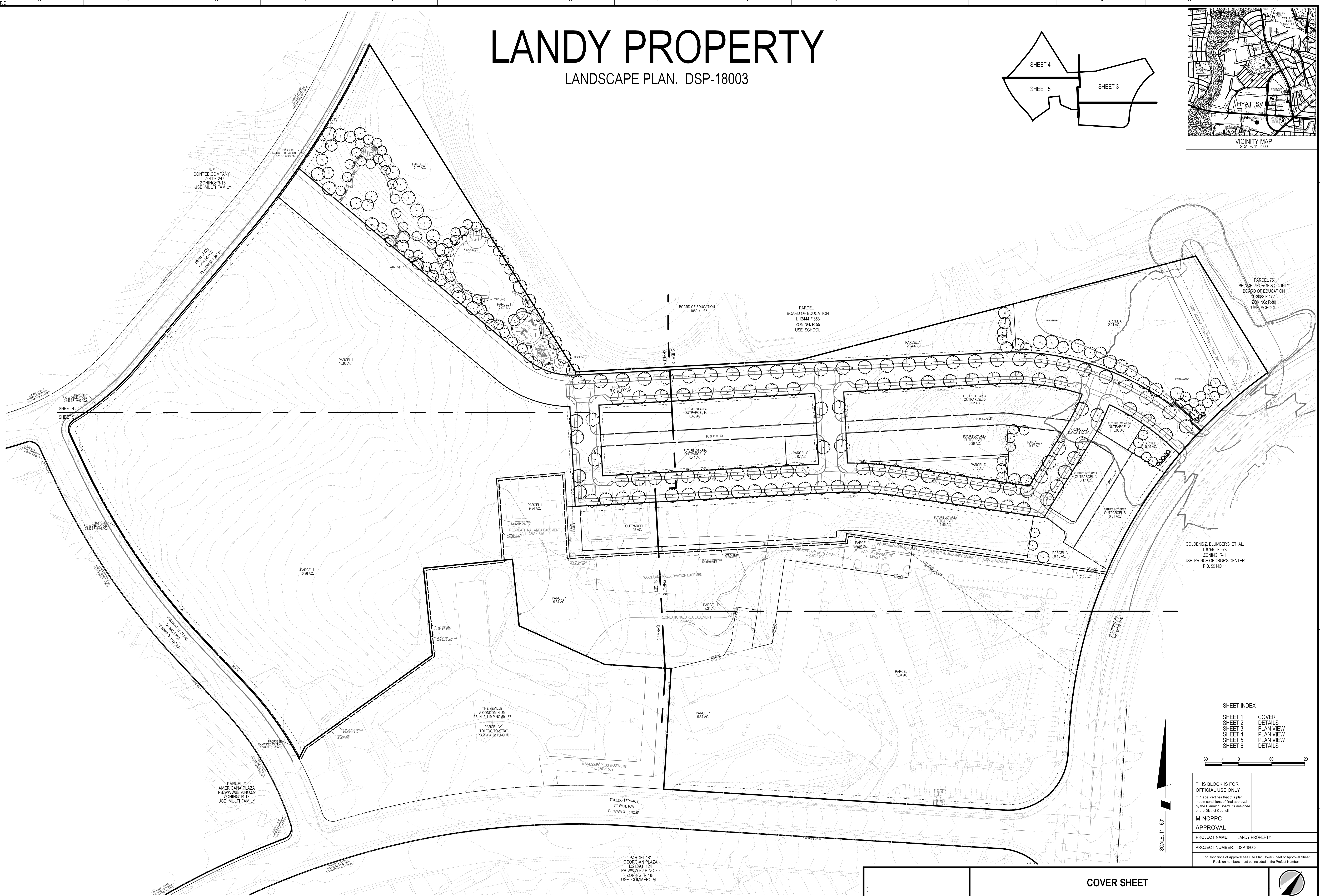
1" = 30'

SHEET 5 OF 5

PROJECT NO. 1865-00-00

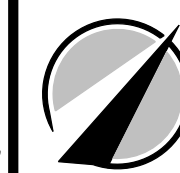


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| SHEET INDEX |           |
|-------------|-----------|
| SHEET 1     | COVER     |
| SHEET 2     | DETAILS   |
| SHEET 3     | PLAN VIEW |
| SHEET 4     | PLAN VIEW |
| SHEET 5     | PLAN VIEW |
| SHEET 6     | DETAILS   |

|                                                                                                                                   |  |
|-----------------------------------------------------------------------------------------------------------------------------------|--|
| THIS BLOCK IS FOR OFFICIAL USE ONLY                                                                                               |  |
| QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council. |  |
| M-NCPPC APPROVAL                                                                                                                  |  |
| PROJECT NAME: LANDY PROPERTY                                                                                                      |  |
| PROJECT NUMBER: DSP-18003                                                                                                         |  |
| For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet. Revision numbers must be included in the Project Number.  |  |



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Engineering  
Surveying  
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P. 301.794.7555 F. 301.794.7656  
www.solteszco.com

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LANDSCAPE SPECIFICATIONS

A. MATERIALS

1. PLANTS SHALL BE NURSERY GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICE, AND GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT. THEY SHALL HAVE BEEN ROOT PRUNED, PREFERABLY WITHIN THE LAST YEAR.

THEY SHALL BE SOUND, HEALTHY AND VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED WHEN IN LEAF. THEY SHALL BE FREE OF DISEASE, PEST, EGGS OR LARVAE, AND SHALL HAVE A HEALTHY DEVELOPED ROOT SYSTEM.

PLANTS SHALL NOT BE PRUNED BEFORE DELIVERY. TREES WITH A DAMAGED OR CROOKED LEADER OR MULTIPLE LEADERS, ABRASIONS ON THE BARK, SUNSCALED, DISFIGURING KNOTS OR FRESH CUTS OVER 1 1/2" WILL BE REJECTED.

NO CHANGE IN QUANTITY, SIZE, KIND OR QUALITY OF PLANT SPECIFIED WILL BE PERMITTED WITHOUT APPROVAL OF THE LANDSCAPE ARCHITECT.

2. TOPSOIL SHALL BE FERTILE, FRIABLE AND TYPICAL OF THE LOCALITY; IT SHALL BE FREE OF STONES, LUMPS, PLANTS, ROOTS, STICKS AND SHALL NOT BE DELIVERED IN A FROZEN OR MUDDY CONDITION.

3. PLANTING SOIL (BACKFILL MIX) SHALL BE FIVE-PARTS TOPSOIL AND ONE-PART WET LOOSE PEAT MOSS.

4. STAKING MATERIALS: GUYS WIRE SHALL BE PLIABLE #12 GAUGE GALVANIZED TWISTED TWO-STRAND WIRE. HOSE SHALL BE A SUITABLE LENGTH OF TWO-PLY RUBBER HOSE 3/4 INCH DIAMETER, STAKES SHALL CONFORM TO THE DETAIL ON THIS SHEET.

5. WRAPPING MATERIAL SHALL BE A STANDARD MANUFACTURED TREE WRAPPING PAPER WITH CRINKLED SURFACE AND FASTENED BY AN APPROVED METHOD.

B. APPLICABLE SPECIFICATIONS AND STANDARDS

1. "STANDARD PLANT NAMES," LATEST EDITION AMERICAN JOINT COMMITTEE ON HORTICULTURE NOMENCLATURE.

2. "AMERICAN STANDARD OF NURSERY STOCK," LATEST EDITION, AMERICAN ASSOCIATION OF NURSERYMEN.

C. DIGGING AND HANDLING OF PLANT MATERIALS

1. IMMEDIATELY BEFORE DIGGING, SPRAY ALL EVERGREEN OR DECIDUOUS PLANT MATERIAL IN FULL LEAF WITH ANTI-DESICCANT, APPLYING AN ADEQUATE FILM OVER TRUNKS, BRANCHES, TWIGS AND/OR FOLIAGE.

2. DIG BALLED AND BURLAPPED (B&B) PLANTS WITH FIRM NATURAL BALLS OF EARTH, OF A DIAMETER NOT LESS THAN THAT RECOMMENDED BY AMERICAN STANDARD FOR NURSERY STOCK, AND OF SUFFICIENT DEPTH TO INCLUDE THE FIBROUS AND FEEDING ROOTS. PLANTS MOVED WITH A BALL WILL NOT BE EXCEPTED IF THE BALL IS CRACKED OR BROKEN BEFORE OR DURING PLANTING OPERATIONS.

D. EXCAVATING OF PLANTING AREA

1. STAKE OUT ON THE GROUND LOCATIONS FOR PLANTS AND OUTLINES OF AREA TO BE PLANTED, AND OBTAIN APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE EXCAVATION IS BEGUN. LANDSCAPED AREAS TO BE THOROUGHLY WEEDED PRIOR TO PLANTING OPERATIONS.

E. PLANTING OPERATIONS

1. SET PLANTS AT SAME RELATIONSHIP TO FINISHED GRADE AS THEY BORE TO THE GROUND FROM WHICH THEY WERE DUG. USE PLANTING SOIL TO BACKFILL APPROXIMATELY 2/3 FULL. WATER THOROUGHLY BEFORE INSTALLING REMAINDER OF THE PLANTING SOIL TO TOP OF PITS, ELIMINATING ALL AIR POCKETS.

2. SET PLANTING PLUMB AND BRACE RIGIDLY IN POSITION UNTIL THE PLANTING SOIL HAS BEEN STAMPED SOLIDLY AROUND THE BALL AND ROOTS. CUT LEAVES OR STRINGS FROM THE TOP OF BALL AFTER PLANT HAS BEEN SET. LEAVE BURLAP OR CLOTH WRAPPING INTACT AROUND BALLS. TURN UNDER AND BURY PORTIONS OF BURLAP AT TOP OF BALL.

3. PROTECT PLANTS AT ALL TIMES FROM SUN OR DRYING WINDS. PLANTS THAT CAN NOT BE PLANTED IMMEDIATELY ON DELIVERY SHALL BE KEPT IN THE SHADE, WELL PROTECTED WITH SOIL, PEAT MOSS OR OTHER ACCEPTABLE MATERIAL AND SHALL BE KEPT WELL WATERED. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN THREE DAYS AFTER DELIVERY.

4. PLANTS SHALL NOT BE BOUND WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK OR BREAK BRANCHES. PLANTS SHALL BE LIFTED AND HANDLED FROM THE BOTTOM OF THE BALL ONLY.

5. MULCH ALL PITS AND BEDS WITH A TWO INCH LAYER OF BARK, MULCH IMMEDIATELY AFTER PLANTING AND WORK INTO THE TOP THREE INCHES OF THE PLANTING SOIL. FORM A 3" EARTH SAUCER AROUND EACH PLANT. WATER ALL PLANTS IMMEDIATELY AFTER PLANTING. ADD ADDITIONAL MULCH.

F. STAKING, WRAPPING AND PRUNING

1. STAKING SHALL BE COMPLETED IMMEDIATELY AFTER PLANTING. PLANTS SHALL STAND PLUMB AFTER STAKING. STAKES AND GUY WIRE SHALL BE REMOVED AT THE END OF THE GUARANTEE PERIOD AND DISPOSED OF OFF-SITE BY THE CONTRACTOR.

2. WRAP DECIDUOUS TREE TRUNKS STARTING AT THE BASE OF THE TREE UP TO THE SECOND BRANCH. REMOVE WRAPPING AT THE END OF THE GUARANTEE PERIOD.

3. PRUNE PLANTS AT THE TIME OF PLANTING AS DIRECTED BY THE LANDSCAPE ARCHITECT TO REMOVE 1/5 OR 1/3 OF THE FOLIAGE. REMOVE ALL DEAD WOOD, SUCKERS OR BROKEN BRANCHES AND PRESERVE THE NATURAL CHARACTER OF THE PLANT.

G. GUARANTEE

1. ALL PLANT MATERIAL SHALL BE GUARANTEED BY THE CONTRACTOR TO BE IN A HEALTHY AND VIGOROUS CONDITION AT THE BEGINNING OF THE SECOND GROWING SEASON FOLLOWING ACCEPTANCE BY THE LANDSCAPE ARCHITECT.

H. TREE PRESERVATION

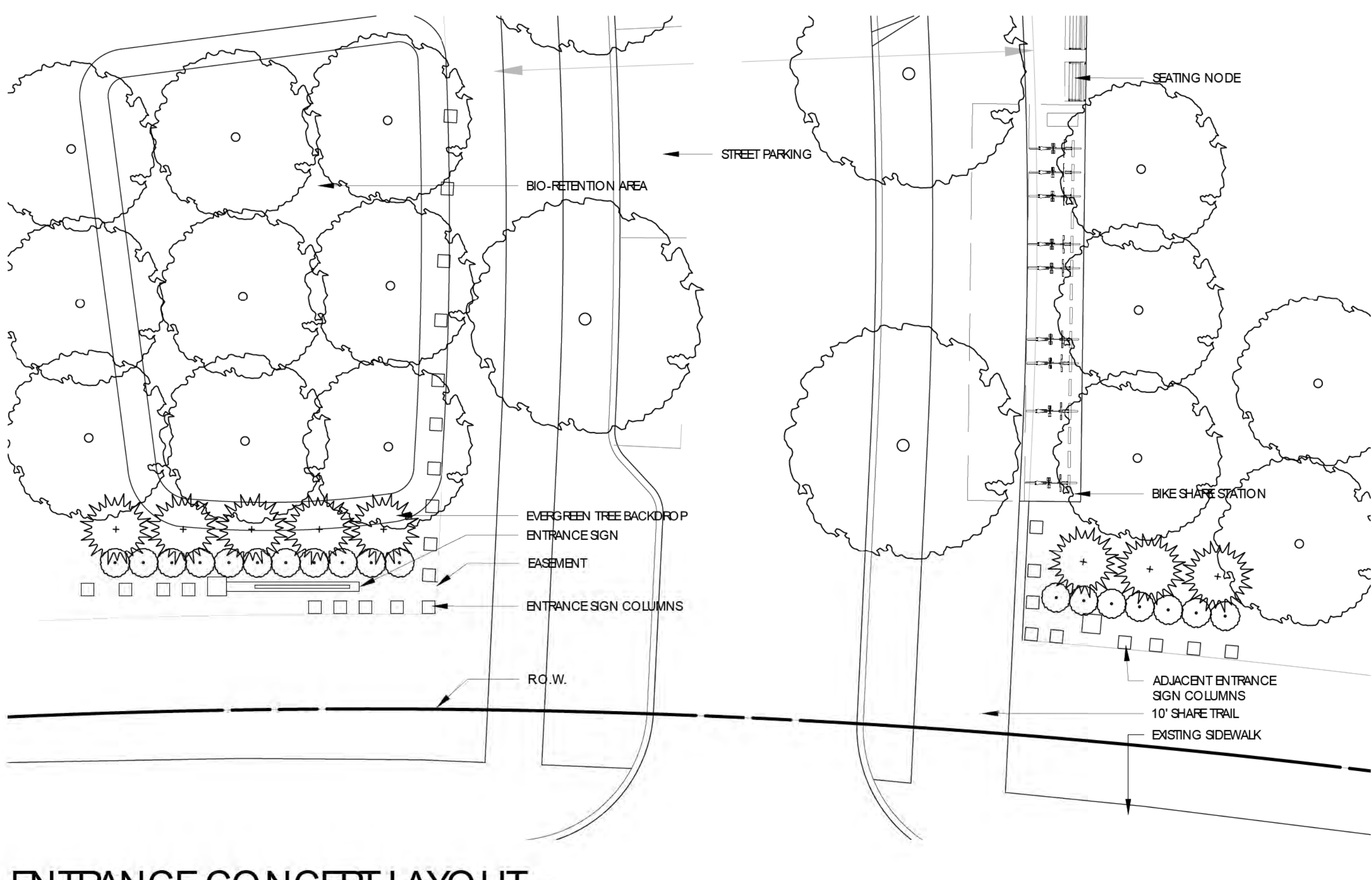
1. SNOW FENCING SHALL BE ERECTED AROUND ALL AREAS WHERE EXISTING VEGETATION IS TO BE PRESERVED.

2. INDIVIDUAL TREES AND GROUPS OF TREES SHALL BE PROTECTED BY FENCING AROUND A PERIMETER OF THEIR BRANCHES USING STANDARD, 48" HIGH SNOW FENCE SECURELY MOUNTED TO STANDARD STEEL POSTS SET NOT MORE THAN 6' APART.

3. FENCING SHALL BE INSTALLED PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITY.

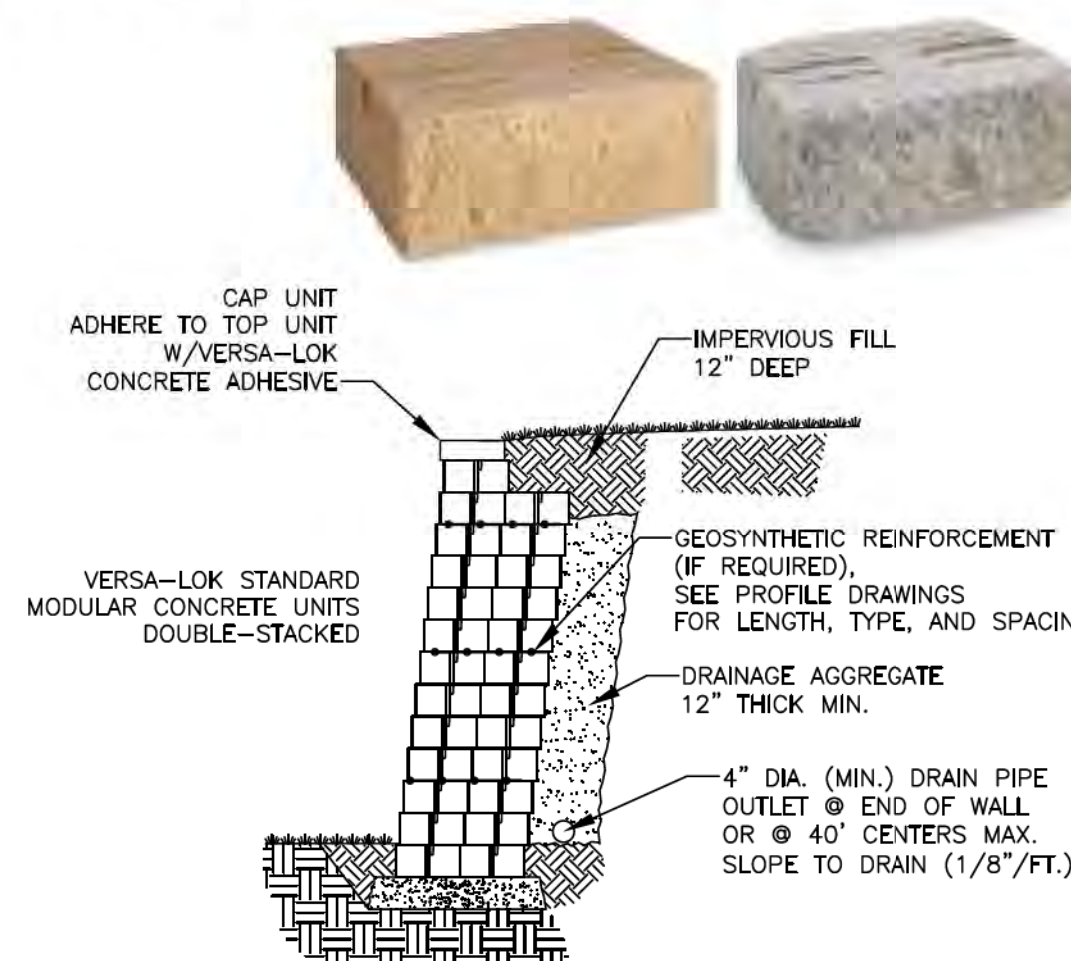


ENTRANCE CONCEPT



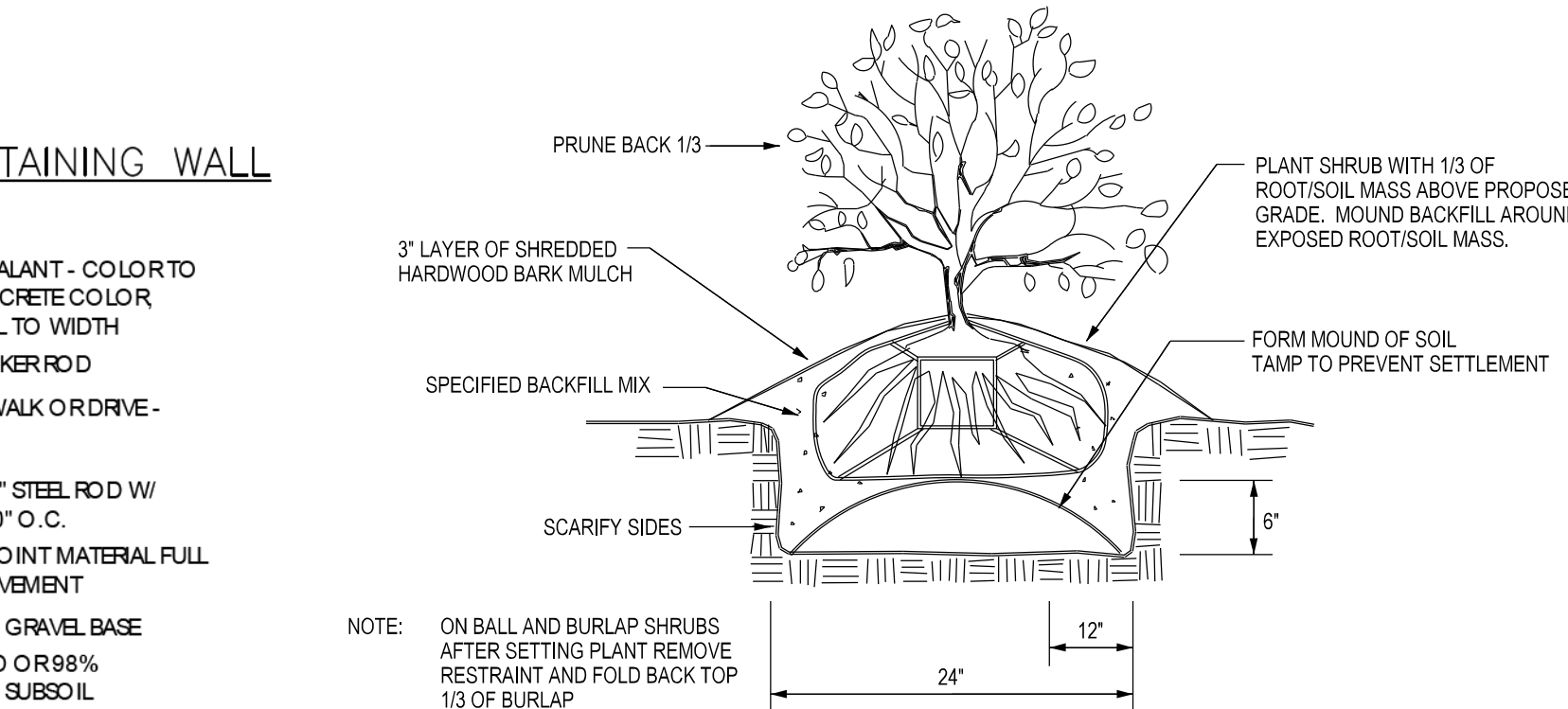
ENTRANCE CONCEPT LAYOUT

SCALE: 1" = 10'-0"



CONCRETE PAVING

SCALE: 1-1/2" = 1'-0"



CONCRETE PAVING

SCALE: 1-1/2" = 1'-0"

EXPANSION JOINT

SCALE: 1-1/2" = 1'-0"



4300 Forbes Boulevard, Suite 230  
Lanham, MD 20706  
P. 301.794.7555 F. 301.794.7656

DESIGNED: GAM

TECHNICIAN: GAM

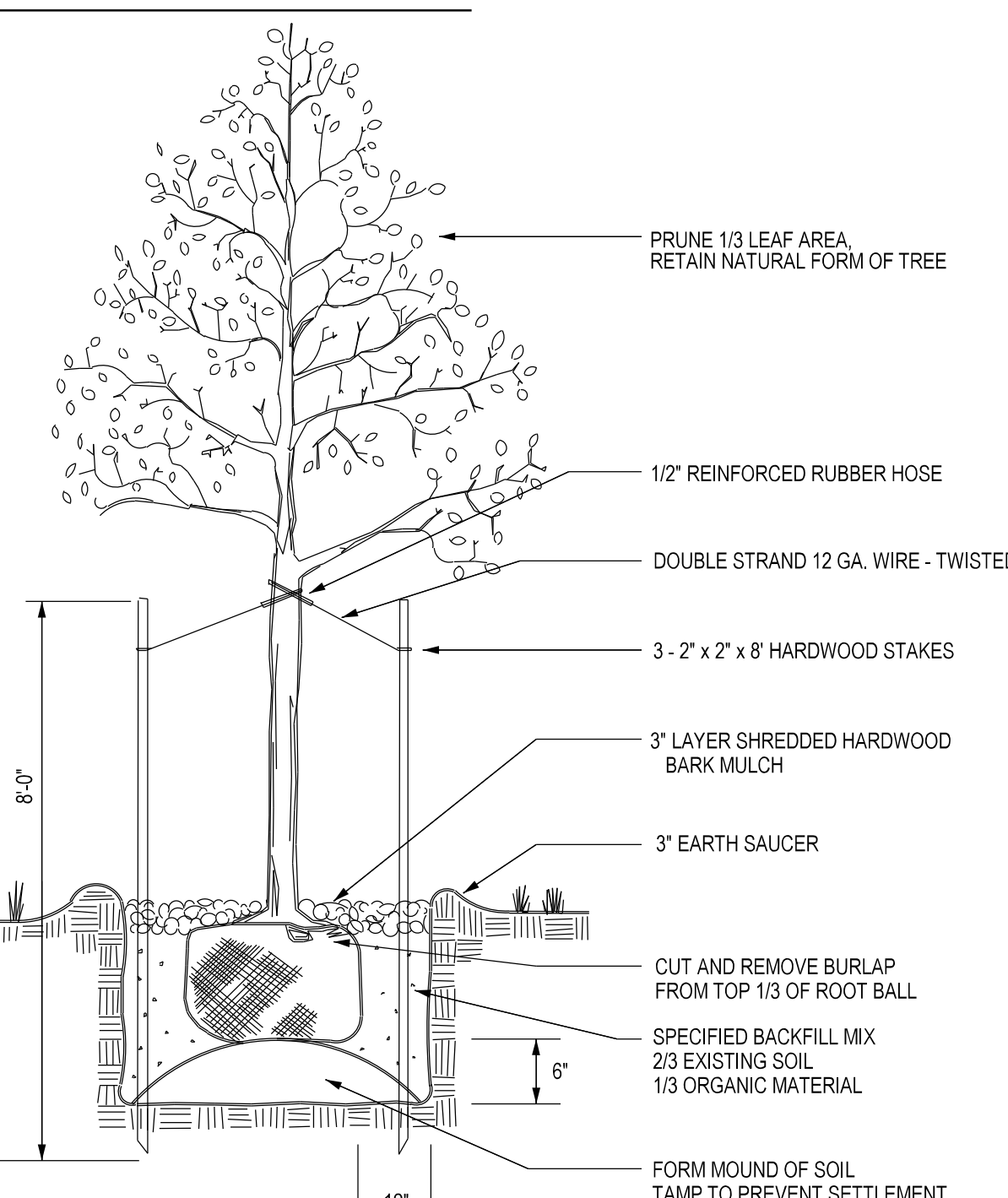
CHECKED: DJB

MISS UTILITY NOTE

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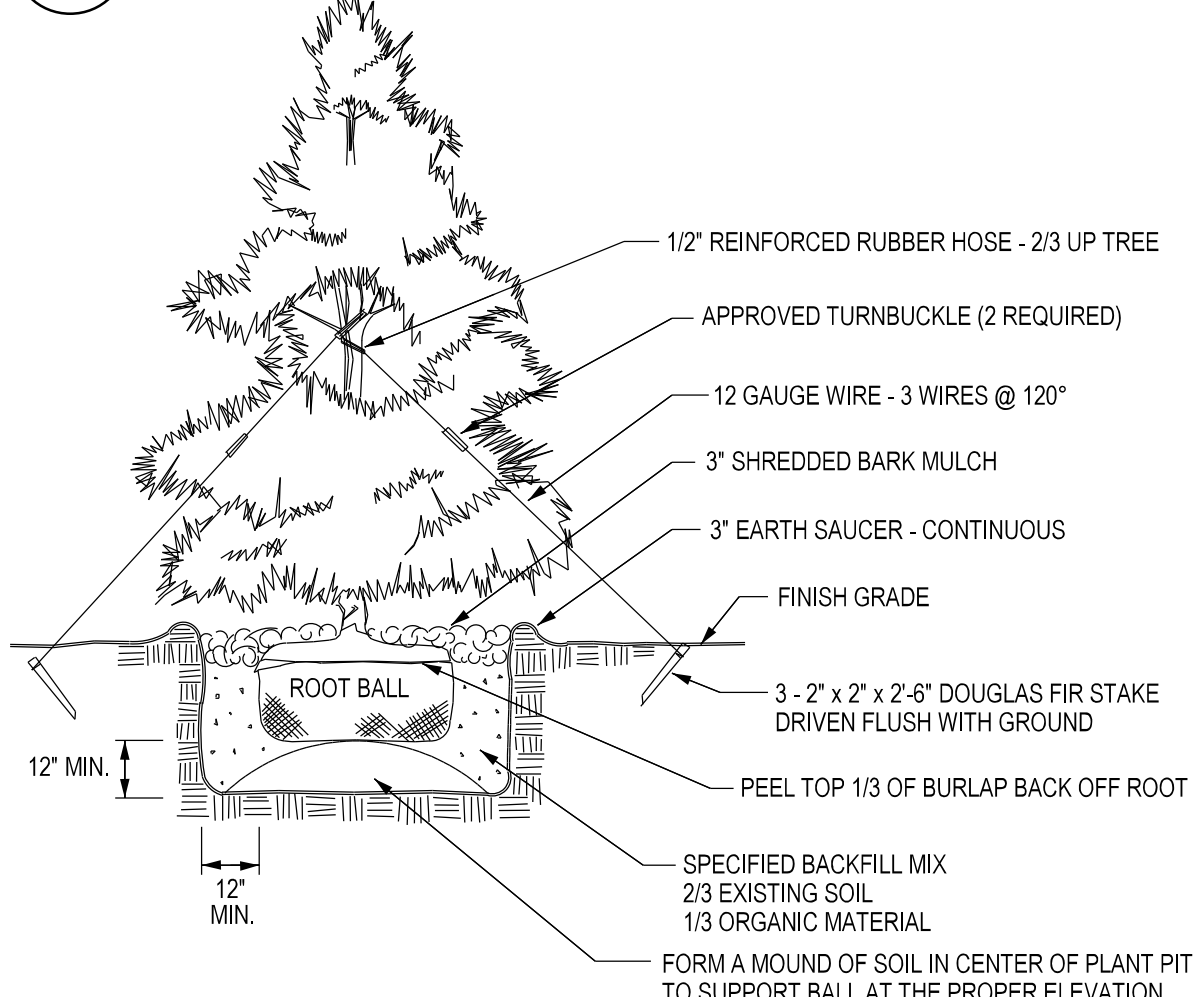
OWNER/DEVELOPER/APPLICANT

MARVIN R. BLUMBERG COMPANY  
402 KING FARM BLVD  
SUITE 125-211  
ROCKVILLE, MD 20850  
301.531.5877  
CONTACT: SETH BLUMBERG



TREE PLANTING DETAIL

NOT TO SCALE



TREE PLANTING DETAIL - EVERGREEN TREE

NOT TO SCALE

Plant List: Landy Property Phase 1.

| Key                                                    | Quantity | Botanical Name                                   | Common Name                       | Height/Spread | Caliper     | Root  | Spacing  | Remarks |
|--------------------------------------------------------|----------|--------------------------------------------------|-----------------------------------|---------------|-------------|-------|----------|---------|
| <b>Shade Trees</b>                                     |          |                                                  |                                   |               |             |       |          |         |
| AR                                                     | 8        | Acer rubrum 'Red Sunset'                         | Red Sunset Red Maple              | 12' - 14'     | 2 1/2" - 3" | B&B   | as shown | Native  |
| BN                                                     | 10       | Betula nigra                                     | River Birch                       | 12' - 14'     | 2 1/2" - 3" | B&B   | as shown | Native  |
| GT                                                     | 10       | Gleditsia triacanthos var. inermis 'Shademaster' | Thornless Shademaster Honeylocust | 12' - 14'     | 2 1/2" - 3" | B&B   | as shown | Native  |
| LS                                                     | 5        | Liquidambar styraciflua 'Variegata'              | Variegated Seedless Sweetgum      | 12' - 14'     | 2 1/2" - 3" | B&B   | as shown | Native  |
| PA                                                     | 15       | Platanus occidentalis                            | Sycamore                          | 12' - 14'     | 2 1/2" - 3" | B&B   | as shown | Native  |
| QP                                                     | 120      | Quercus phellos                                  | Willow Oak                        | 12' - 14'     | 2 1/2" - 3" | B&B   | as shown | Native  |
| TC                                                     | 15       | Tilia americana 'Redmond'                        | Redmond American Linden           | 12' - 14'     | 2 1/2" - 3" | B&B   | as shown | Native  |
| <b>Ornamental Trees</b>                                |          |                                                  |                                   |               |             |       |          |         |
| AA                                                     | 14       | Amelanchier arborea                              | Downy Serviceberry                | 8' - 10'      | 2" - 2 1/2" | B&B   | as shown | Native  |
| AC                                                     | 13       | Amelanchier canadensis                           | Serviceberry                      | 8' - 10'      | 2" - 2 1/2" | B&B   | as shown | Native  |
| CC                                                     | 13       | Cercis canadensis 'Forest Pansy'                 | Forest Pansy Eastern Redbud       | 8' - 10'      | 2" - 2 1/2" | B&B   | as shown | Native  |
| LI                                                     | 33       | Lagerstroemia indica 'Natchez'                   | Natchez Crape Myrtle              | 8' - 10'      | 2" - 2 1/2" | B&B   | as shown | Native  |
| <b>Evergreen Trees</b>                                 |          |                                                  |                                   |               |             |       |          |         |
| JV                                                     | 8        | Juniperus virginiana                             | Eastern Red Cedar                 | 8' - 10'      |             | B&B   | as shown | Native  |
| <b>Evergreen and Deciduous Shrubs</b>                  |          |                                                  |                                   |               |             |       |          |         |
| FAH                                                    | 88       | Fernandea alpestris 'Hameln'                     | Dwarf Fountain Grass              | 1 gal.        |             | Cont. | as shown | Native  |
| RA                                                     | 18       | Rhododendron atlanticum                          | Coast Azalea                      | 36" - 42"     |             | Cont. | as shown | Native  |
| SNM                                                    | 154      | Salvia nemerosa 'May Night'                      | May Night Salvia                  | 1 gal.        |             | Cont. | as shown | Native  |
| <b>Ornamental Grasses, Perennials and Groundcovers</b> |          |                                                  |                                   |               |             |       |          |         |
| LMB                                                    | 645      | Liriodendron 'Big Blue'                          | Big Blue Liriodendron             | 1 gal.        |             | Cont. | 15' o.c. |         |



BENCH

SCALE: NTS



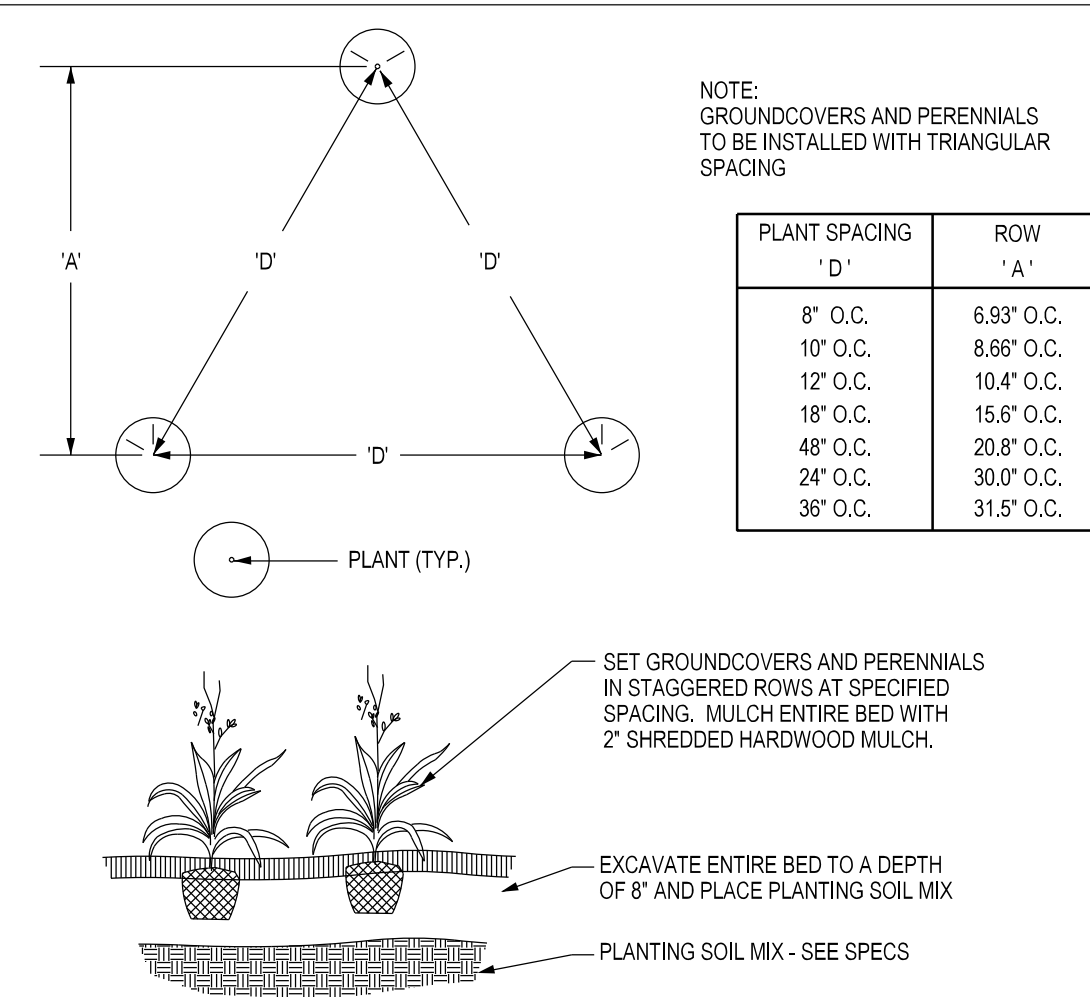
TRASH RECEPTACLE

SCALE: NTS



BIKE RACK

SCALE: NTS



GROUND COVER PLANTING DETAIL

NOT TO SCALE

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M-NCPPC

APPROVAL

PROJECT NAME: LANDY PROPERTY

PROJECT NUMBER: DSP-18003

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet. Revision numbers must be included in the Project Number.

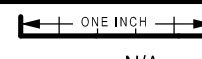
DETAILS SHEET

LANDSCAPE PLAN. DSP-18003

LANDY PROPERTY

PARCEL A

CHILLUM (17th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND



1" = N/A

SHEET 2

OF 6

PROJECT NO. 1805-00-00

P:\18050000\ENGINEER\LANDSCAPE\PLAN\_02.dwg Scale= 60.0000 11 in. User= G:\Mort PLT.dwg PDF\_Grey\_150.pdtd Penth= TEXT\_SUB.RW 5/25/2018 11:33:45 AM





Revision numbers must be included in the Project Number

1866-00-00





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www.soltesz.com

| NO. |  | REVISIONS |  | BY   |  | DATE         |  |
|-----|--|-----------|--|------|--|--------------|--|
| 1   |  | DESIGNED  |  | GAM  |  | JANUARY 2018 |  |
| 2   |  | CHECKED   |  | DJB  |  | JANUARY 2018 |  |
| 3   |  | TECHNICAL |  | GAM  |  | JANUARY 2018 |  |
| 4   |  | DATE      |  | DATE |  | DATE         |  |

**MISS UTILITY NOTE**

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ROCKVILLE, MD 20850  
301.531.5477  
CONTACT: SETH BLUMBERG

|                    |      |                 |      |
|--------------------|------|-----------------|------|
| MAP                | 5409 | GRID            | 5G   |
| TAX MAP            | 41/1 | ZONING CATEGORY | R-20 |
| 42/1               |      |                 |      |
| WBC 200 SHEET      | XXXX |                 |      |
| 208NE03            | XXXX |                 |      |
| SITE DATUM         | XXXX |                 |      |
| HORIZONTAL: XXXXXX | XXXX |                 |      |
| VERTICAL: XXXXXX   | XXXX |                 |      |



**PLAN VIEW**

**LANDSCAPE PLAN. DSP-18003**

**LANDY PROPERTY**

**PARCEL A**

CHILLUM (17th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

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**M-NCPPC APPROVAL**

PROJECT NAME: LANDY PROPERTY

PROJECT NUMBER: DSP-18003

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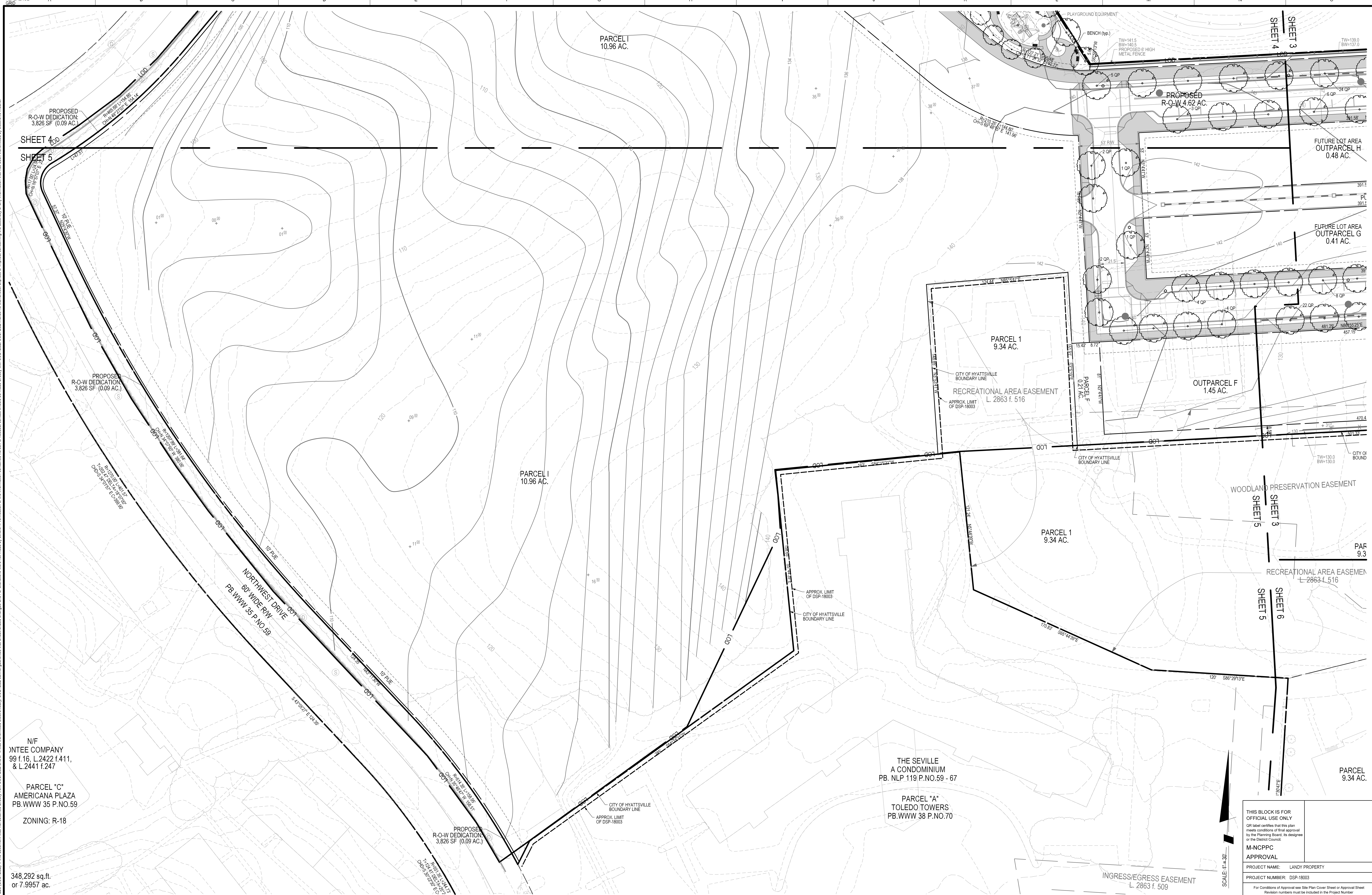
1" = 30'

SHEET 4 OF 6

PROJECT NO. 1806-00-00



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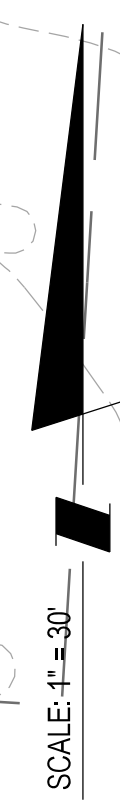


N/F  
NTEEC COMPANY  
99 f.16, L.2422 f.411,  
& L.2441 f.247

PARCEL "C"  
AMERICANA PLAZA  
PB. WWW 35 P.NO.59

ZONING: R-18

348,292 sq.ft.  
or 7.9957 ac.



|                                                                                                                                   |                |
|-----------------------------------------------------------------------------------------------------------------------------------|----------------|
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| M-NCPPC APPROVAL                                                                                                                  |                |
| PROJECT NAME:                                                                                                                     | LANDY PROPERTY |
| PROJECT NUMBER:                                                                                                                   | DSP-18003      |
| For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet. Revision numbers must be included in the Project Number.  |                |



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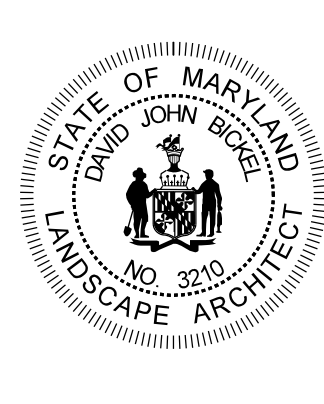
**MISS UTILITY NOTE**

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-251-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER/DEVELOPER/APPLICANT**

MARVIN R. BLUMBERG COMPANY  
402 KING FARM BLVD  
SUITE 125-211  
ROCKVILLE, MD 20850  
301.631.5477  
CONTACT: SETH BLUMBERG

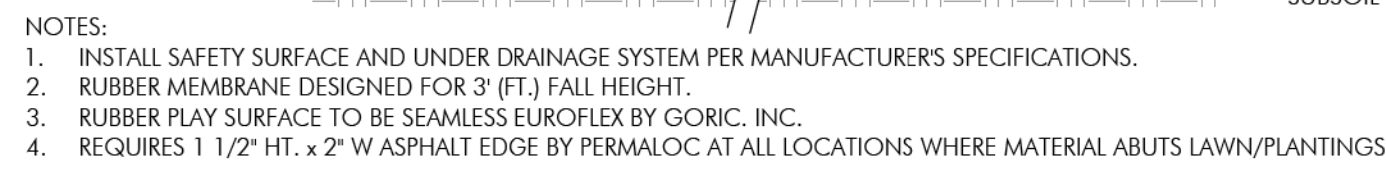
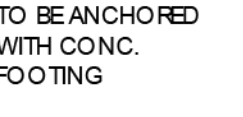
|                    |       |                  |      |
|--------------------|-------|------------------|------|
| MAP                | 5409  | GRID             | 5G   |
| TAX MAP            | 43/F1 | ZONING CATEGORY: | R-20 |
| 42/A1              |       |                  |      |
| WBC 200 SHEET      |       | XXXX             |      |
| 208NE03            |       | XXXX             |      |
| SITE DATUM:        |       | XXXX             |      |
| HORIZONTAL: XXXXXX |       | XXXX             |      |
| VERTICAL: XXXXXX   |       | XXXX             |      |



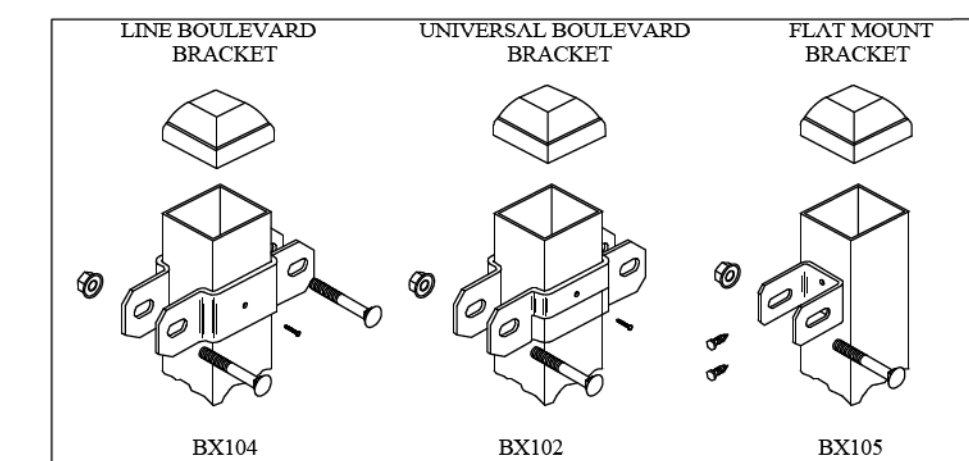
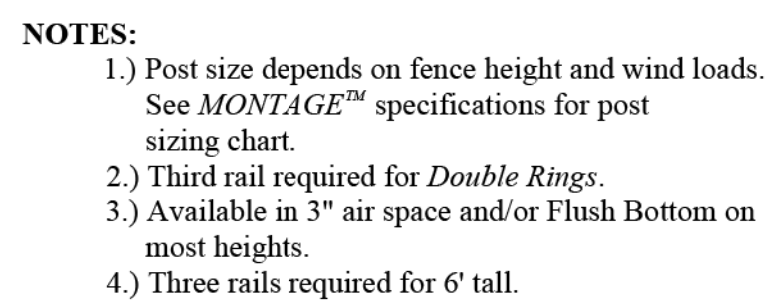
|                                                                                                                           |  |
|---------------------------------------------------------------------------------------------------------------------------|--|
| <b>PLAN VIEW</b>                                                                                                          |  |
| <b>LANDSCAPE PLAN. DSP-18003</b>                                                                                          |  |
| <b>LANDY PROPERTY</b>                                                                                                     |  |
| <b>PARCEL A</b>                                                                                                           |  |
| CHILLUM (17th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND                                                        |  |
| P:\18656000\ENGINEER\LANDSCAPE\PLAN_05.sht Scale= 30,000.0 1/in. User= G:\Mtl PLT.dwg PDF_Grey_150.pctd Pen=0 11:35:58 AM |  |

|             |            |
|-------------|------------|
| SHEET       | 5          |
| OF          | 6          |
| PROJECT NO. | 1865-00-00 |





SCALE: 1-1/2" = 1'-0"



## SCALE: NTS



MODEL: C12931 LUMINAIRE, CP12931 POLE  
COLOR: BLACK  
QUANTITY: 21 TOTAL  
DIMENSIONS: 16' 5 1/8" H, 14' POST H X 4" DIAMETER

MANUFACTURER:  
PHILLIPS HADCO  
100 CRAFTWAY DRIVE  
LITTLETON, PA 17340  
(800)-331-4185

AVAILABLE FROM:  
DEPORTER DOMINICK & ASSOCIATES, LLC  
10110 BATTLEVIEW PARKWAY  
SUITE 100-C  
MANASSAS, VIRGINIA 20109  
703-530-9255

NOTES:

1. OR APPROVED EQUAL.
2. LIGHT SPECIFICATIONS AND LOCATIONS TO BE REVIEWED AND FINALIZED BY A QUALIFIED LIGHTING ENGINEER.
3. ALL STRUCTURAL CROSS SECTIONS, INCLUDING FOOTINGS, SHALL BE REVIEWED BY A QUALIFIED STRUCTURAL ENGINEER AND MODIFIED AS NECESSARY BASED ON THE SITE SPECIFIC GEOTECHNICAL REPORT.
4. HOUSE SHIELDS TO BE INSTALLED AS NECESSARY.
5. COLOR TO BE SELECTED BY OWNER.
6. MEP TO CONNECT ELECTRIC



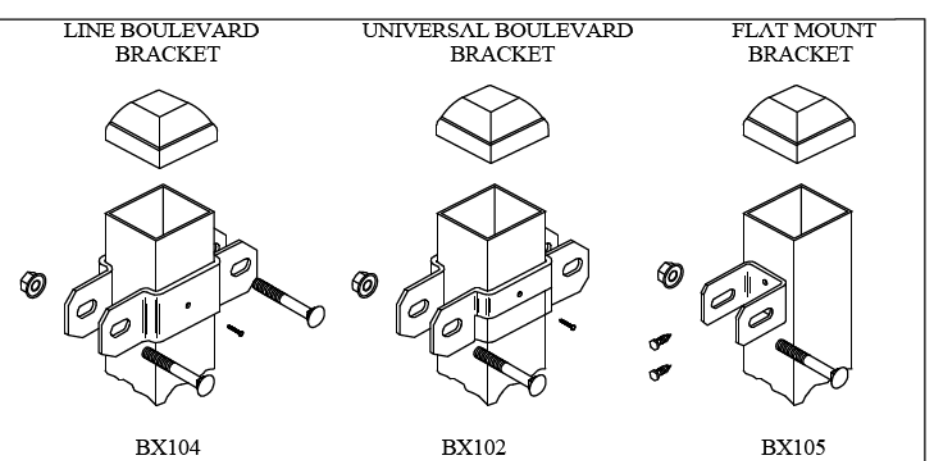
SCALE: NTS



Manufacturer: GAME TIME  
Model: WRINKLE WALL SIDEWINDER - 6252  
Age: 5-12 Years  
Use Zone: 26x26'  
Fall Height: 10'  
Color: Standard  
Website: <http://www.gametime.com>  
Quantity: 01

Manufacturer: GAME TIME  
Model: INCHWORM - 8665  
Age: 2 - 12 Years  
Use Zone: 13'x19'  
Fall Height: 4'  
Color: Standard  
Website: <http://www.gametime.com>  
Quantity: 01

SCALE: NTS



4300 Forbes Boulevard, Suite 230  
Lanham, MD 20706  
P. 301.794.7555 F. 301.794.7656

### MISS UTILITY NOTE

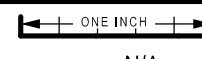
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CONTACT: SETH BLUMBERG

STATE OF MARYLAND  
DAVID JOHN BICKEL  
LANDSCAPE ARCHITECT  
NO. 3210



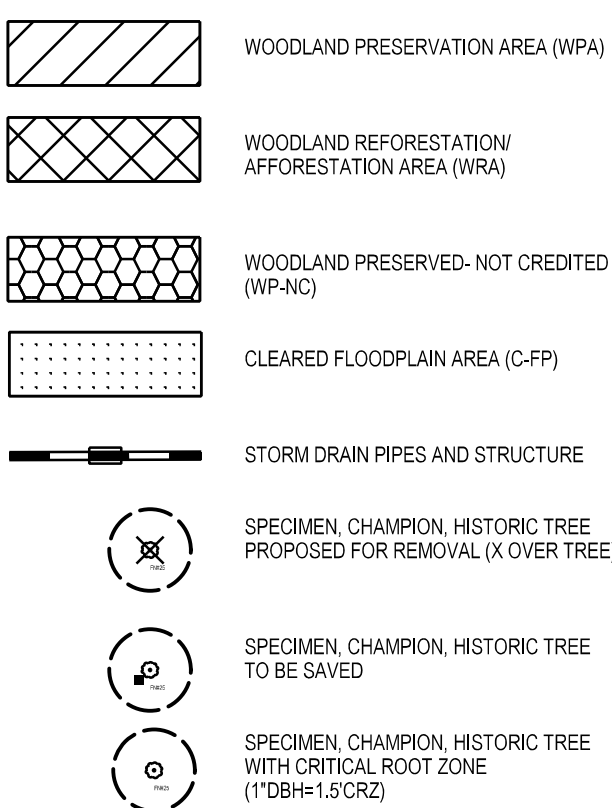
CHILLUM (17th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND



SHEET  $\frac{6}{6}$

PROJECT NO.

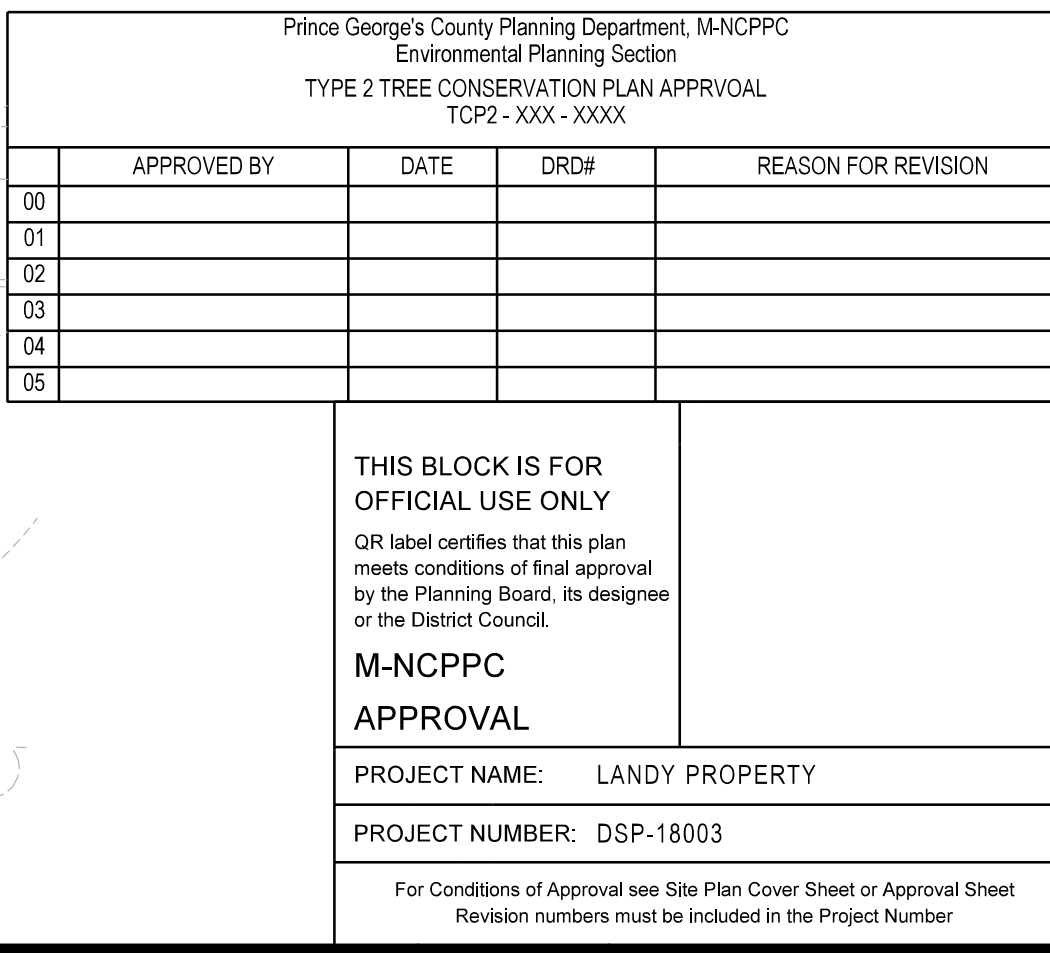
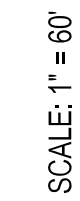




| LAINA FIRE-ORIGIN SPECIES LIST                             |                         |                  |     |                |           |                      |
|------------------------------------------------------------|-------------------------|------------------|-----|----------------|-----------|----------------------|
| NO                                                         | Species                 | Common Name      | DBH | Comments       | Condition | Disposition          |
| 1                                                          | Quercus palustris       | pin oak          | 40  |                | Good      | Save                 |
| 2                                                          | Quercus alba            | white oak        | 30  |                | Good      | Save                 |
| 3                                                          | Quercus prinus          | white oak        | 30  | large stem     | Good      | Harvested            |
| 4                                                          | Quercus laevis          | swamp            | 30  |                | Good      | Harvested            |
| 5                                                          | Quercus falcata         | southern red oak | 30  |                | Good      | Harvested            |
| 6                                                          | Quercus laevis          | swamp            | 30  | large, leaning | Good      | Harvested            |
| 7                                                          | Quercus alba            | white oak        | 30  |                | Good      | Harvested            |
| 8                                                          | Quercus phellos         | willow oak       | 41  |                | Good      | Save                 |
| 9                                                          | Quercus alba            | white oak        | 30  |                | Good      | Harvested            |
| 10                                                         | Liquidambar styraciflua | sweet gum        | 30  |                | Good      | Harvested            |
| 11                                                         | Fagus grandifolia       | beech            | 30  |                | Good      | Harvested            |
| 12                                                         | Quercus alba            | white oak        | 30  |                | Good      | Harvested            |
| 13                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 14                                                         | Fagus grandifolia       | beech            | 34  |                | Good      | Harvested            |
| 15                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 16                                                         | Quercus alba            | white oak        | 35  | large stem     | Good      | Harvested            |
| 17                                                         | Quercus alba            | white oak        | 35  |                | Fair      | Harvested            |
| 18                                                         | Quercus alba            | white oak        | 35  |                | Fair      | Harvested            |
| 19                                                         | Liquidambar styraciflua | sweet gum        | 30  |                | Good      | Harvested            |
| 20                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 21                                                         | Quercus alba            | white oak        | 35  |                | Fair      | Harvested            |
| 22                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 23                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 24                                                         | Quercus falcata         | southern red oak | 35  |                | Good      | Harvested            |
| 25                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 26                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 27                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 28                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 29                                                         | Quercus alba            | white oak        | 35  |                | Fair      | Harvested            |
| 30                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 31                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 32                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 33                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 34                                                         | Quercus falcata         | southern red oak | 35  |                | Very Poor | Remove post-DFP-2003 |
| 35                                                         | Quercus alba            | white oak        | 35  | 30% remaining  | Good      | Harvested            |
| 36                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 37                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 38                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 39                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 40                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 41                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 42                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 43                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 44                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 45                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 46                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 47                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 48                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 49                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 50                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 51                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 52                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 53                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 54                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 55                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 56                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 57                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 58                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 59                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 60                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 61                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 62                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 63                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| 64                                                         | Quercus alba            | white oak        | 35  |                | Good      | Harvested            |
| SPECIES TREE LISTED AS "HARVESTED" WERE REMOVED FOR FOREST |                         |                  |     |                |           |                      |
|                                                            |                         |                  |     |                | HARVEST   | SP5461-01A           |

**SHEET INDEX**

|                |                          |
|----------------|--------------------------|
| <b>SHEET 1</b> | <b>COVER</b>             |
| <b>SHEET 2</b> | <b>NOTES AND DETAILS</b> |
| <b>SHEET 3</b> | <b>PLAN VIEW</b>         |
| <b>SHEET 4</b> | <b>PLAN VIEW</b>         |
| <b>SHEET 5</b> | <b>PLAN VIEW</b>         |
| <b>SHEET 6</b> | <b>PLAN VIEW</b>         |





August 2010 A-4, DET-1

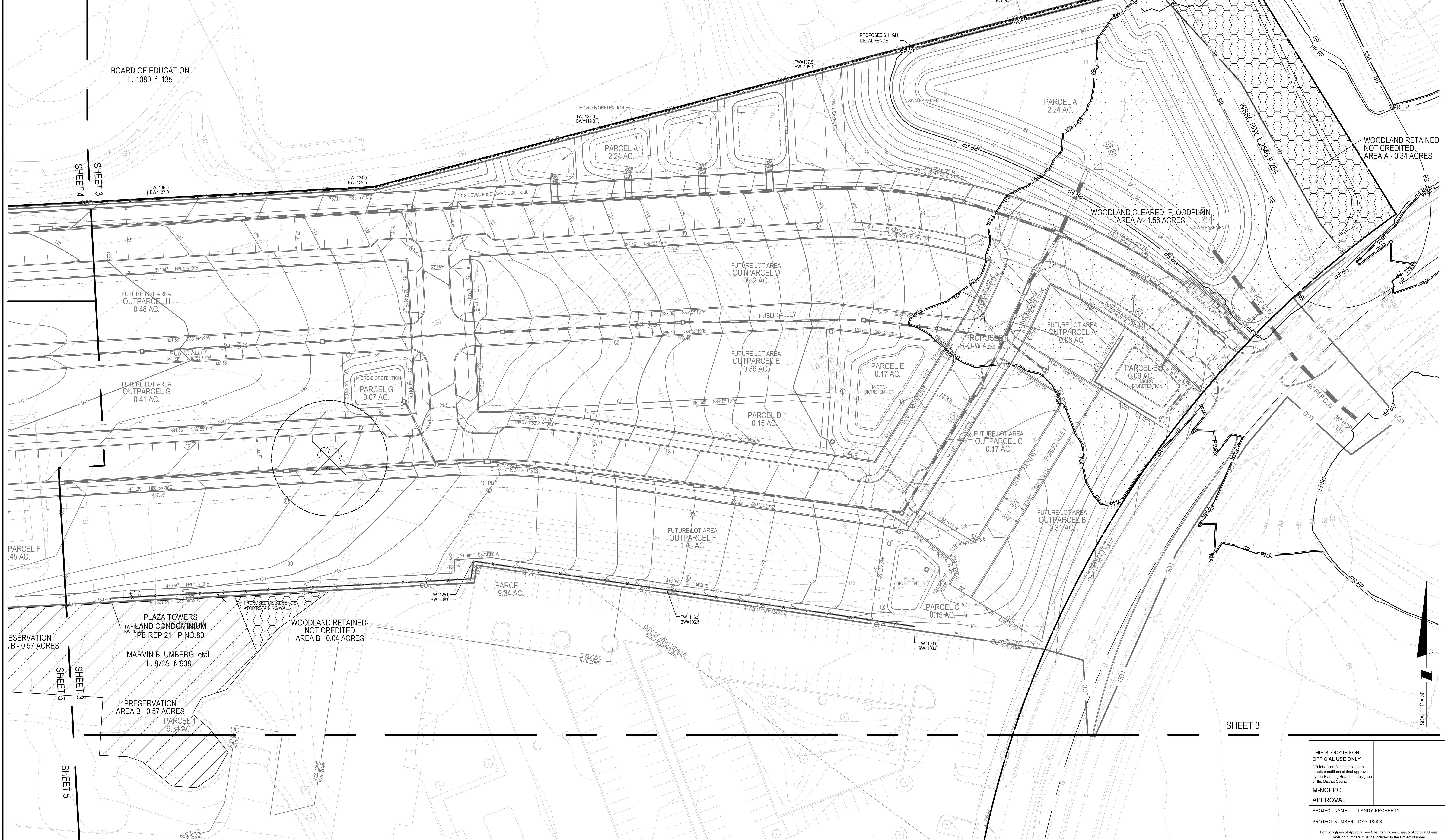
August 2010 A-4, DET-3

August 2010 A-4, DET-4

August 2010 A-4, DET-10



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| NO. |  | REVISIONS                        |  | BY              |  | DATE          |  |
|-----|--|----------------------------------|--|-----------------|--|---------------|--|
| 1   |  | APRIL 2017                       |  | XXX             |  | DESIGNED: XXX |  |
| 2   |  | CAD STANDARDS VERSION: V5 - 2005 |  | TECHNICIAN: GAM |  | CHECKED: DJB  |  |

**MISS UTILITY NOTE**  
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER/DEVELOPER/APPLICANT**  
MARVIN R. BLUMBERG COMPANY  
402 KING FARM BLVD  
SUITE 125-211  
ROCKVILLE, MD 20850  
301.531.5477  
CONTACT: SETH BLUMBERG

|                    |       |                  |             |
|--------------------|-------|------------------|-------------|
| MAP                | 5409  | GRID             | 5G          |
| TAX MAP            | 41/F1 | ZONING CATEGORY: | R-10 & R-20 |
| 42/A1              |       |                  |             |
| WISC 200 SHEET     | XXXX  |                  |             |
| 208NE03            | XXXX  |                  |             |
| SITE DATUM         | XXXX  |                  |             |
| HORIZONTAL: XXXXXX | XXXX  |                  |             |
| VERTICAL: XXXXXX   | XXXX  |                  |             |



**PLAN SHEET**

**TREE CONSERVATION PLAN TYPE 2**

**LANDY PROPERTY**

**PARCEL A**

CHILLUM (17th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

THIS BLOCK IS FOR OFFICIAL USE ONLY  
QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.

**M-NCPPC APPROVAL**

PROJECT NAME: LANDY PROPERTY  
PROJECT NUMBER: DSP-18003

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet  
Revision numbers must be included in the Project Number

Scale: 1" = 30'

SHEET 3 OF 6

PROJECT NO. 1865-00-00



364



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N/F  
NTEEC COMPANY  
99 f.16, L.2422 f.411,  
& L.2441 f.247

PARCEL "C"  
AMERICANA PLAZA  
PB.WWW 35 P.NO.59

ZONING: R-18

348,292 sq.ft.  
or 7.9957 ac.

**SOLTESZ, LLC**

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4300 Forbes Boulevard, Suite 230  
Lanham, MD 20706  
P. 301.794.7555 F. 301.794.7656  
www.solteszco.com

| NO. |  | REVISIONS       |  | BY           |  | DATE                             |  |
|-----|--|-----------------|--|--------------|--|----------------------------------|--|
| 1.  |  | DESIGNED: XXX   |  | CHECKED: DJB |  | DATE: APRIL 2017                 |  |
| 2.  |  | TECHNICIAN: GAM |  |              |  | CAD STANDARDS VERSION: V5 - 2009 |  |

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SUITE 125-211  
ROCKVILLE, MD 20850  
301.531.5477  
CONTACT: SETH BLUMBERG

| MAP                                                   | GRID | 5G                              |
|-------------------------------------------------------|------|---------------------------------|
| TAX MAP<br>43/F1<br>42/A1                             |      | ZONING CATEGORY:<br>R-10 & R-20 |
| WBC 200 SHEET<br>20BNE03                              |      | XXXX                            |
| SITE DATUM:<br>HORIZONTAL: XXXXXX<br>VERTICAL: XXXXXX |      | XXXX                            |



**PLAN SHEET**

**TREE CONSERVATION PLAN TYPE 2**

**LANDY PROPERTY**

**PARCEL A**

CHILLUM (17th) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

THIS BLOCK IS FOR OFFICIAL USE ONLY

QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.

**M-NCPPC APPROVAL**

PROJECT NAME: LANDY PROPERTY

PROJECT NUMBER: DSP-18003

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet. Revision numbers must be included in the Project Number.

SCALE: 1" = 30'

1" = 30'

SHEET 5 OF 6

PROJECT NO. 1866-00-00



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CITY OF HYATTSVILLE  
PLANNING COMMITTEE MINUTES  
MAY 15, 2018

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1. Introduction of Committee & Guests Members (7:30 PM)

- David Marshall
- Jonathan Mueller
- Maureen Foster
- Wil Maxwell
- Todd Dengel
- Thomas Sheffer
- Andrew Bishop
- Nkosi Yearwood
- Thomas Wright
- Yohannes Bennehoff
- Stefano Terricola, Gilbane Development
- Phil Hughes, Rodgers Consulting
- Mike Sponseller, Gilbane Development
- Tom Haller, Gibbs & Haller
- Mark Ferguson, RDA Engineers
- Chris Hatcher, Learch, Early & Brewer
- Alan Rahimi, RBC, LLC
- Jim Chandler
- Katie Gerbes

2. Committee Business (8:30 PM)

- Adoption of Minutes from April 2018
  - 6 in favor, 1 abstention

3. Riverfront at West Hyattsville Architecture Detailed Site Plan (7:32 PM)

- Already received approvals for preliminary plan of subdivision and infrastructure DSP; this application is for approval of the architecture DSP
- Grading work is ongoing and will end in December 2018
- 183 townhouses – 131 16' units(interior), 52 20' or 24' units (ends)
- Architecture is more contemporary in design – 4 story homes, flat roof and front and rear facing decks
  - o Materials will be brick veneer, hardy plank, and vinyl siding
- Community park along the Northwest Branch Trail will have an amphitheater, expanded path along existing trail and new path leading from the trail to the community
- Improvements will be made to the Northwest Branch Trail, including trail makers, LED lighting and emergency call stations

- o Lighting will extend through the subject property all the way to the Metro
- Committee Questions:
  - o DM: When do the park improvements go in? Simultaneous to the townhomes or after?
    - They will be going in at the same time. We do need permission from M-NCPPC to do the work on the park, so we have been coordinating with them about that.
  - o JM: You have to relocate the Northwest Trail to do construction? Is the trail going to be closed at some point?
    - The goal is to have the new trail constructed before the old will be removed. If for some reason there needs to be a closure before the new one is ready, there will be detours available.
  - o JM: Will the call boxes go to the Hyattsville police?
    - Yes.
  - o TS: When you talk about the safety concerns, are you talking about the line of sight and areas where people can pop out?
    - Yes, exactly. From Kirkwood to Queen's Chapel Road there will be lights.
  - o TS: Will there be a lot of tree clearing happening?
    - The park area is our compensatory storage area, so those trees will need to be removed for grading, then we will build it back up with green infrastructure.
  - o TS: Was there any discussion about programmed spaces such as playgrounds?
    - No, not in that area because it is compensatory storage but within the community there is a playground present.
    - MF: This plan has already been approved, so that can't change at this point.
  - o WM: Is the yellow line showing the trail location now or where it will be?
    - It will move slightly from its current location at the development site, but the rest of the trail will not move.
  - o TD: I'm looking at the picture of the community park entrance and the architecture plan and they look different. What will the finished houses look like?
    - The community park entrance rendering is old, so that does not reflect how the architecture will actually look. It will look like the elevations.
  - o TD: You said you are hoping to have this architecture follow that throughout the rest of Hyattsville?
    - Yes, hoping to keep it urban and contemporary.
  - o TD: Are they all beige? Are there going to be different colors?
    - It has not been finalized at this point, so it could change.
  - o TD: For the rear of the townhouses, is that brick or vinyl?
    - Vinyl product.
- Committee Comments:



- o TD: Personally, not a fan of this type of architecture. Understand the process that is going in to this development and the level of detail, but would like to see the architecture look more like the community park entrance rendering.
- o TS: Initial reaction is that I like it, but it is not in the same urban corridor as EYA. I don't know what market research goes into it, but I imagine that is important.
- o TS: In looking at the promenade and greenway, I would consider a less linear placement of the large trees.
  - That is a requirement by the county to have street trees at certain placements along the roads.
  - TS: Maybe add some additional trees to transition into the forested natural area that is below.
    - We talked to the Parks Department about that, and they wanted there to be less trees on that side because they wanted it to be open and visible. Originally there was more significant landscaping there, but they asked for it to be removed.
- o WM: I think the architecture trends a bit beige- would like to see some more color.
- o WM: For parkscape, would like to see some cool, designer lighting that goes across the park or in the amphitheater.
  - Love the idea, but we will have to talk to Parks Department about it.
- o JM: The idea with the architecture is to tie it to the other recent developments in the area?
  - A lot of it is market based – we are looking at regional and national home builders as well as market pricing and affordability at different areas.
- o JM: Is this similar to EYA?
  - TD: It is more West EYA and Ryan Homes at Editor's Park.
- o JM: I am good with the style and like that it will tie in to the rest of the City.
- o JM: At the front will there still be an apartment building?
  - Yes, but it is a separate project.
- o AB: Have you submitted your DSP application?
  - Trying, it was resubmitted today and should be accepted in the next week to 10 days.
- o AB: For the rear of the units, instead of all vinyl, have you considered a first-floor brick or something else to mix it up a bit?
  - Right now, it is all vinyl, but any builder that comes in could change that slightly. The way it is laid out, the only people who will be in the alleys and see the rear loaded are those who live in the stick and are turning into their homes.
- o AB: I noticed there were no decks on the rear loaded product.

- We are showing them on the end units, and all units have the option of a rooftop deck as well.
- o DM: How many trees are you taking out?
  - The warehouse was unforested. Most of the tree removal was on the parks property. I don't know a number right now.
- o DM: How many trees are you putting in?
  - We will have to get back to you with this number. Considering the site was devoid of trees originally, there should be a net increase in trees.
  - DM: I am looking at an aerial where there are trees.
  - That is on the parks parcel.
  - DM: I am asking about the park parcel and those trees. If you don't have those numbers right now, that is fine.
- o DM: I do not like the bland color. It looks like a rubber-stamped project and that is not the City we are. This project should be iconic and not tan, brown and beige. This is my opinion, but for what it is worth, I wouldn't want a home that looks like this. I would want options of different colors. The rendering in the park entranceway is much nicer than the architecture you have proposed. My concern is less with the materials and more with the color.
  - A lot of it comes down to the cost of materials, when we push the materials, it pushes the price point. It is a balance we need to be mindful of.
- o DM: With the street names, they don't seem to be consistent with the City's street grid and types of street names. You might want to reconsider what you name those streets and maybe talk to City staff about the names.
- o YB: Are you going to be conforming to the dark sky standards for LED lighting?
  - It's the same standard Parks uses. They wanted it to be identical to others in their network.
- o YB: Echo the comments about the architecture being bland.
- o YB: Will it connect to Kirkwood or will the street just end?
  - We are dedicating and building to our property line, but on the other side it is the County right of way, so we need to get the County to commit to connecting the road.
- o YB: Will there be connections to Metro's property beside the trail?
  - Yes, there will be connections to the existing walking trail that goes under the trail tracks. There is an easement there, so no matter what that will be maintained. There will be a temporary connection until the multifamily comes online, when the connection will be formalized.
- o YB: I get that the rear of the units won't be seen by most, but there are windows and there are ways to break it up with color or other cost-effective materials.
- o NY: Is this in for site plan approval?

- Infrastructure is approved, but the architecture plan is in now.
- o NY: Architecture could raise the bar a bit.
- o NY: Could you walk us through the decision on the width of the units?
  - A few different things. We wanted a variation of widths for a range of pricing. Under the TDOZ, there is also limits on the amount of parking we can have there, so by having 16' units, we are limited parking.
  - NY: Not influenced by market study?
    - Yes, there was that as well. A combination of a lot of things. Market study saw the 16' units being a starter home.
- o NY: Will parking be tandem? Are you building this yourself?
  - Turning it over to someone else to build.
  - We're not proposing a lot of tandem spaces, so increased on-street parking to make up for that. Almost every street has on street parking and some have additional parking spaces in the back.
- o DM: Did I hear you correct that there is 1 space for unit?
  - For the 16', yes. Larger units will have larger garage.
- o RECOMMENDATION: We recommend to the City Council that the architecture be made more original, less uniform and there be more colors or building materials provided, especially along the rear elevations.
  - 6 in favor, 1 opposed, 1 abstain
- o Regarding names, I'm seeing some opposition.
  - We submitted names to the County and these are ones that they approved.
  - MF: Does that mean it is a done deal?
    - We will have to check.
- o RECOMMENDATION: We believe that they have turned the houses to face the park and makes the riverfront more a feature is a positive change.
  - 7 in favor, 1 abstain
  - TD: What about the other units that are facing outward to the roadways. Are all of the front facades facing the major arteries?
    - All of the townhouse face out to the main road.
- o TS: With the trees, even a double layer of trees would be more attractive than the single row of unilateral trees.
  - We can talk to parks about that.
- o RECOMMENDATION: Developer should go back and work with M-NCPPC to see what other options there are to augment the plan with the street trees to better replace those trees lost.
  - 7 in favor, 1 abstain.
- o RECOMMENDATION: Safety and lighting features are key to the success of the development and will encourage trail use throughout the community.
  - 7 in favor, 1 abstain.

- o DM: Is this project wholly within the City?
  - JC: Yes.
- o DM: Can you send staff the numbers on those trees?
  - Yes.

#### 4. Landy Infrastructure Detailed Site Plan (8:31 PM)

- We are one step behind the Riverfront folks. When we were last here, it was for preliminary plan of subdivision, which has since been approved by the Planning Board.
- We've made a few changes as a result of your feedback, including removing some units to add green space and on-street parking. Most of those changes were on the west side of the property which is Phase II. We are here for Phase I, which is the east side of the property and the rec area.
  - o Phase II will be either one or two future phases.
  - o Breaking up the phases based on the ridge line and where the stormwater flows.
  - o Phase I is 133 lots.
- All streets and alleys are public and will be maintained by the City.
- Principal entrance to the development is off of Belcrest Road. It will eventually continue all the way to Dean Drive with an additional connection on Northwest Drive.
  - o The entrance will feature a stormwater pond and a connection to Northwestern High School and the trail around the pond area, as well as a Capital Bikeshare station. Coordination with DPW&T about siting the location of the Bikeshare station.
- Principal recreational area is the triangle to the northwest of the site.
  - o Divided into three zones: a sculpture garden/location with two play areas (one for pre-school and one for pre-teen), an open play grassy area with shade structures and then a more natural, forested area.
  - o Park will be owned by HOA
  - o Plan to preserve the existing woods on site in the natural green area. Will be supplementing with additional tree plantings.
- TDDP asked for a trail connection that loops into the larger trail network. That is being provided on the northern edge of the site. Trail will be constructed in the first phase to ensure connections to Dean from the opening of the site.
- Dean Drive will also have an entrance that echoes that on Belcrest Road.
- Looking at new names for the project aside from Landy. If anyone has an idea, let us know.
- Every intersection will have crosswalks, with two of them in the center of the development having speed tables as well.
- Committee Questions:
  - o TD: When you're talking about certain items, you're referencing them in a detail that isn't here? Will there be a more detailed application coming before us? When you are talking about the canopy of trees and the knoll

area, I want to clarify that there is a lot of discussion about certain items that I don't see.

- The renderings are what you will see but are not construction documents. They will be present in the DSP application.
- TD: It is hard to review and comment on details that we do not see.
- o NY: Is this where the regional park is supposed to be in the TDDP?
  - There was a floating symbol there, but that does not mean the park will be on this property, just in the general vicinity. Parks will be developing a larger park elsewhere in the area, along the water.
- o NY: The open space on the top right, that's primarily stormwater management?
  - Stormwater management and trails. Very passive and limited recreation.
- o NY: What is the right of way of the street?
  - Varies depending on if there is parking on one side or two. One side parking is 53', two sides of parking is 62'. The spine road has a wider right of way because the trail is 10 feet wide instead of the standard 6 feet for a sidewalk.
- o TS: With the retention ponds, I am assuming it is an engineered structure. Can you make them a more organic shape and less of a triangle?
  - We are bound a bit by the stormwater management constraints. We do need to maintain the volume. A big concern locally is the flooding is Wells Run. We are doing a higher level of management than necessary by improving the culverts under Belcrest Road.
- o TS: Can you remind me about the fencing of the perimeter?
  - Right now, there is a 6-foot chain link fence along the school building. We will be replacing it with a 6-foot wrought iron fence along the northern perimeter
- o TS: Is access to the playgrounds limited to residents only?
  - Officially, yes. They are private recreation facilities.
- o WM: Why not run the main spine road all the way through on the first phase?
  - Sewer and stormwater issues. We would need to build the entire stormwater system on that side of the development to build the road. It doesn't make sense to take all of that on right at the beginning.
- o WM: What will the secondary trails be made of?
  - Primarily of concrete. Wood decking was also proposed, but when it gets wet is it slippery, so we will be moving away from wood to brick and stone.
- o JM: What is the timeline for next steps for phase I?
  - Optimal sequence is for this to go to the Planning Board as soon as possible, then to pull a rough grading permit. Grading will be happening on the west side of the site at the same time as the

east site. Would like to start rough grading in the fall. If not, will delay grading until Spring 2019. Hoping for early lot sales in late 2019. We think Phase I will be two years' worth of construction. The second phase would come through after one year for approval.

- Next approval phase would be to come back with architecture. We are talking to builders, don't know yet if it will be one or multiple builders.
- o JM: So, Phase II would probably be 2021?
  - Yes, with the construction of the houses starting in 2022.
- o AB: In the DSP, I noticed there are a lot of parks on the north part of the property. Has there been thought about bringing parks into the rest of the property?
  - We have little parks and some mews through the west side of the property, so there are some sprinkled through but much smaller in scale.
- o AB: In Phase II there is a lot, but in Phase I, there will just be the one small park, although I guess they will have the larger park as a part of Phase I.
  - Correct.
- o DM: You mentioned the crosswalks and raised intersections. Will there be call boxes within the project?
  - We have not considered them, but there could be.
- o DM: Is there any fencing between the property and the Seville or Plaza Towers?
  - Not currently. There may be a desire from Plaza Towers to put up a fence, but that would be them. There is also a big grade change, so a fence may not be necessary as there is a retaining wall.
  - Seville has requested enhanced landscaping along their property line, which we will probably do for them.
- Committee Comments:
  - o DM: I think it would be wise to plan and incorporate call boxes within a project of this size and the high number of people circulating.
  - o DM: If you are going to have raised intersections that is fine, but if all the intersections are raised that gets to be a bit crazy.
  - o DM: How long before you select builders?
    - Discussions are still ongoing. Hope to narrow it down in the next month or two.
  - o DM: There is going to be a HOA that will service the entire project or two separate HOAs?
    - One for the entire. Because the City is maintaining the streets, their charge is landscaping and recreation space.
  - o DM: Regardless of ownership, think it is important that everyone can use the park space, even if they aren't a resident.
  - o JM: I like the revision and what has been brought to us tonight.



- o MF: I agree with Marshall on the call boxes, and with the plantings I would encourage native species.
- o MF: The one thing I found offense is the entrance sign. I hate it and I rarely say I hate things. I think it is non-inclusive and the idea of Hyattsville as one community. I think it should be removed from the plans.
- o MF: I'm curious how the stepped microbiorentions will look and if they look like Meridian Hill Park, that would be lovely.
  - A nicely maintained and planned microbioretenion is what you see at the entrance to Riverdale Park Station because it looks great. When you don't maintain, it can look a bit weedy.
- o MF: Is any of this in a floodplain.
  - The entrance is, but we are lowering that because we want it to be a retention area. The extent of the floodplain will be less, but there will be more volume as it is dug out.
- o WM: When you have the green space leading to the rec center, I would consider a raised sidewalk there as people could be crossing that area frequently.
  - Great idea, we will consider.
- o TS: Echo Maureen's sentiments. I love the organic design of the western greenway. I know there is more utility on the east greenway, but it is a different vibe. I would ask that the shapes be more organic to look more natural.
- o TS: For the entrance, I second Maureen's comments on it. It looks like gravestones in a retirement village. Maybe consider making the entrance have benches and more of a welcome area.
  - DM: What about boulders instead of stone columns?
  - Is it because of the design of the sign or is it the idea that there is an entrance sign at all?
    - TS: To me it is the fact that it separates it out and it looks too suburban. It is a bit like an office park.
    - DM: What about a piece of iconic artwork there that could function as the sign.
      - o We have been thinking of this anyways.
- o NY: I wish the west side was the first phase because I believe that is the stronger portion from a design perspective. Still struggling with the variety of units and there being 300+ townhouses and not looking at different product types but that is something you can maybe do in Phase II.
- o NY: With Phase I, struggling with the amount of usable space or destination areas on the east side of the development.
- o NY: I agree with other committee members with the entrance sign and there being some sort of art there.
- o NY: I am looking at the row of units adjacent to Plaza Towers and Seville and you should consider some modification there to provide some

breathing room and provide a destination on that side. For example, extend that north/south street in Phase I to end in an open space.

- o TD: Appreciate that this plan is more cohesive than the last time and seems to flow well. Regarding the entrance, I agree with the comments already made. One thing that seems to work is some sort of Hyattsville element like incorporated into Safeway or what Cafritz did with some of the lit sculptures on site.
- o TD: I think that it is smart for the streets to be owned by the City and know the costs when an HOA has to maintain roads. If it is City use for the parks, maybe some sort of easement or agreement where the City could help maintain in exchange for public use.
- o TD: You have seen this to fruition, so I hope you don't blow it by using a builder that doesn't bring that vision to life.
- o YB: What is your designed speed on the streets?
  - 20 MPH.
  - YB: Will all streets be that?
  - That is a question for Lesley since the City will oversee that.
- RECOMMENDATION: We appreciate the green spaces that have been incorporated into this plan and encourage the developer to find additional green spaces, possibly at the second cross street in Phase I. We support the use of native plants and encourage that the architecture reflects the environmental emphasis of what has been done to date.
  - o 8 In favor
- RECOMMENDATION: In order to address safety issues, we recommend that the developer add call boxes and support the replacement of the existing chain link fence with a more attractive and permeable fencing option that allows access to Northwestern High School
  - o 6 in favor, 2 abstentions
- RECOMMENDATION: The applicant should replace the current entrance space with some sort of welcoming, iconic community space, possibly with art.
  - o 8 in favor
- RECOMMENDATION: The City should work with the developer to ensure public access to the park space provided within the community.
  - o JC: we only maintain our property and those owned by Park & Planning. We do not maintain private property.
  - o MF: So, is it a liability issue for this community to allow the public to use it?
    - JC: It could be allowed through a public use easement
    - NY: You could consider dedicating that portion of the property to the City if both parties agree.
  - o 7 in favor, 1 abstention

#### 5. Hyatt View Preliminary Plan of Subdivision (9:00 PM)

- Small building company that builds custom homes in Prince George's and Montgomery counties at a variety of price points and sizes

- Proposing construction of 8 townhouses at the intersection of Oglethorpe Street and 44<sup>th</sup> Avenue near Dematha High School
  - o Current lot is  $\frac{1}{4}$  acre and currently has a single house on site.
  - o There are a lot of options available by right on the property, but townhouses seem to be the best use of the land
- Carefully went through all the design standards in Gateway Arts District Sector Plan to make sure they apply to this property
- On Oglethorpe, there will be three stories, as it is built into the existing grade. From the rear, it will be four stories visible.
  - o 2 parking spaces provided with each unit.
  - o Large rear deck provided off the kitchen.
  - o Houses are a bit deeper than those in EYA.
  - o Materials will be stone, stucco and siding combination.
  - o Garages will be access by shared rear alley.
  - o 1,940 square feet of living space.
- Price range will be in the upper \$400s-low \$500s
- MF: To clarify, this is just a preliminary plan, not a detailed site plan?
  - o KG: yes, this does not trigger a detailed site plan, so we are commenting on the subdivision package only. We will not see this application again.
- MF: Katie and Jim, is this keeping with the goals for the area?
  - o JC: Primarily yes. There is a variance requested, which is a setback of the build to line. The GAD plan requests a 15-foot setback, plus or minus 5 feet. The applicant is hoping to keep a 5-foot setback, so asking from a variance.
  - o DM: So, is that 5 feet closer to, or further from the road?
    - Closer to the road.
- Committee Questions:
  - o DM: Where does the HVAC system go for the homes?
    - Outside the garage
  - o DM: Where do the trash cans go?
    - Working with the City, we have talked about a couple of options. We are thinking there will be a pad on 44<sup>th</sup> Avenue for everyone to bring their trash cans.
  - o AB: How long is the driveway?
    - 16 feet.
    - AB: That is not a standard parking space. A standard parking space is 19' x 9.5'. A compact space is 16' x 9', so you are having a compact space. A standard space is required for it to count to your parking requirements.
  - o JM: Each garage holds 2 cars?
    - 1 car.
    - JM: Then the driveway up to it is being considered the other space?
      - Correct.
- Committee Comments:
  - o WM: Do we have to have more town homes? I am not a fan of this.

- o NY: Given the location, this is interesting. It is an infill site right across the street from a high-rise building. It is introducing another residential element while not disturbing existing single family. I won't lose sleep on this.
- o TD: Having lived on 44<sup>th</sup> Avenue during Dematha drop off, pick up and games, you should not consider there to be any available on street parking.
- o TD: There is not much we can say in resistance to it. I think there is better use, but we are limited in our opposition to it.
- o DM: My concern is that if you live in the middle of the block, it is not likely you will walk your trash back and forth to put it up.
- o DM: There is no on street parking available.
- o DM: There was discussion from others to cut the number of units from 8 to 6, making them larger and having a true connecting alley
  - TD: That would also allow for a larger parking area.
- o DM: When I first saw this, I thought it was a little tight. I think a more practical use of this space would be to cut the number of units.
  - We discussed a road connecting to Oglethorpe and there were several obstacles that could not be overcome, including that the GAD plan requires a minimum of 80% frontage of the lot covered. There is also some grade change from the front to the back of the lot of 7 feet.
- o Mark Ferguson: Do you have an approved stormwater concept plan? What is your stormwater management?
  - Impervious concrete alley.
- o Mark Ferguson: what is the right-of-way width on Oglethorpe Street?
  - 30 feet
  - MF: Has M-NCPPC asked for a widening to improve that to 50 feet ROW?
- RECOMMENDATION: The first question before us is do we recommend that the City Council approve other subdivision of this lot into 8 is the question before us.
  - o 1 in favor, 3 against, 2 abstentions
- DM: I recommend that the City asks the developer to revise the site plan to 6 units and create a full alley so that sanitation services
  - o TD: Generally, agree, but do not think there should be a number associated with it.
- RECOMMENDATION: The City should ask the developer to revise the site plan to decrease the number of units and create a full, connecting alley.
  - o 4 in favor, 1 against, 1 abstention
- NY: This is a lot like bluebird.
- MF: Are there other things we want to recommend to the City Council about this development?
  - o NY: The only other thing to mention is the street. This submission says Oglethorpe has a 30 foot right of way, but if it is 50, there will need to be a new plan.

- RECOMMENDATION: The City Council should confirm that a 30-foot right-of-way is feasible, as a 50-foot right-of-way would change the design of this plan significantly.
  - 7 in favor

#### 6. Magruder Pointe Project – Committee Opinions on Process (10:15 PM)

- \*\*This item was added to the agenda by committee members. 7 voted in favor of modifying the agenda. There were zero against and zero abstentions.
- MF: What is the latest with Magruder Pointe and the Planning Committee's recommendation to the City Council?
  - TW: I am one of the few Councilmembers who has made a statement about it and my primary objection is about whether or not it meets the standards of the traditional residential neighborhood
  - TW: Did express that the committee was split and thanked you for that work.
  - TD: My understanding is there was also a closed session regarding Magruder Pointe. What are the regulations to close a session? Did it meet it?
    1. KG: Yes, it met the criteria to close a meeting and our legal counsel was present.
  - TD: Can you clarify your table of uses objection?
    1. TW: I don't believe any part of this project is supporting the spirit of the Gateway Arts District Traditional Neighborhood Character Area definition. Also have a concern about building on top of the underlying opened space and using the table of uses amendment as a loophole to build there.
- MF: Is it a good use of the Planning Committee's time to go over all of this? Does the City Council see a benefit of what we are doing or are we wasting everyone's time?
  - TW: I think it is.
  - KG: I will say from the staff side, staff can only speak to the regulations, but you can speak from an opinion standpoint, so I believe that it balances it out.
  - MF: I ask this, because we have talked about a lot of those issues before and we don't see anyone here. It seems very NIMBY to me, in my opinion and so I am concern that this is a worthwhile use of our time.
  - TD: There was a comment at one meeting that there should be a group that sits down and goes over all of these types of things and I was floored.
    1. KG: Staff are working to make sure the general public is better informed that these meetings happen and the timeline for this to occur. We're starting Speak Up pages for all developments and are trying to figure out if there is a more targeted approach staff need to take to notify people.

- DM: Sometimes you can't tell if the Council members have reviewed our work because they don't reference it or have taken it into consideration.
- NY: What if a member of the committee comes to the Council when items are being discussed to give a two-minute summary?
  1. General consensus that it was a good idea.
- MF: City Council and Mayor have never asked us to come and give our opinion. I feel like we are a check off box and nothing more.
- JM: We are all volunteers and one of the benefits of this is to institutionalize it as an involvement. It is still part of the record and adds value to having a permanent group of citizens to meet on all issues, not just when people are engaged.
- TD: Would argue that I am so impassioned about the projects tonight and that they need to be right.
- MF: For the Landy project, for example, that is a huge project and no one was here but they will be at the 11<sup>th</sup> hour.
- JC: A positive note is that in the County Zoning Rewrite, there is a requirement for a pre-application meeting which will encourage a lot of the neighborhood involvement.
- TD: Even up until now, there is a lot of conjecture that is out there. At this meeting we pour over the facts, but it loses ground in the public space.
- JM: There is still an opportunity for us to ask a lot of these questions to address the issues that are out there and get them on the record.
- MF: Is the City being an honest broker for us? If the leadership of the City has already decided what they want to do and aren't going to change their mind, why waste everyone's time. I am not saying they have, but I want to make sure we are not just spinning out wheels.
- DM: I want to say something about Speak Up HVL – I have had someone say to me that they don't like that they need an account to view it.
  1. KG: You do not need an account to view, just to comment.
- DM: Also, the Hope listserv is not an official city avenue or forum and that line needs to be drawn.
- TW: Let me just say that I always consider the opinion of the Planning Committee and if I ever misrepresent this committee, please let me know. I would welcome this committee to make presentations.
- JC: In general, this is a loaded project and is highly controversial, so know that I don't think for this project it is ignoring you per say, just that there is a of opposing viewpoints to consider.
- TD: One thing that staff bring to the table is understanding the economics and how that plays into the project and what is economically realistic given the price of the property and how that functions and what concessions can or cannot be made.
  1. NY: a lot of times the economics are not really broadcasted.
  2. JC: The only time we do that is if they are asking us for money, in which case we ask for a pro forma. There is no reason for them to share that with us.



- JM: Is the letter from Werrlein this morning accurate? The letter said that they would be willing to give a portion of the lower lot to the City at no cost, and would sell to the School Board if they make a decision by the close of FY19.
  - Factually accurate, but we have not gone over it with much detail.

7. Development Updates (10:45 PM)

- AB: I have to step down from the committee because I am working on a lot of these projects at work. Sacred Heart was my review, and it is happening more and more, so I need to step down.
  - MF: As chair, I accept his resignation.

8. Adjourn (10:50 PM)



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Katie Gerbes

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section: Discussion Items (9:50 p.m. - 10:35 p.m.)

### SUBJECT

DSP-17044: Riverfront at West Hyattsville Architecture Plan (15 minutes)

### HCC-360-FY18

### Recommendation:

### Sponsor(s):

At the Request of the City Administrator

### Co-Sponsor(s):

N/A

### ATTACHMENTS

[DSP-17044 Discussion Memo FINAL.docx](#)

[Architecture Plan DSP-17044](#)

[DSP-17044 Landscape Plan](#)

[DSP-17044 Statement of Justification](#)

[Planning Committee Minutes - 05.15.18.docx](#)

### Summary Background:

The Riverfront at West Hyattsville project is a residential development at 5600 Ager Road, adjacent to the West Hyattsville Metro station. The project is proposed to include the construction of 183 fee-simple townhomes, along with a public “amphitheater” area along the Northwest Branch Trail.

This project was reviewed and supported by the City Council in 2016, as the applicant sought, and was ultimately granted, approval for their preliminary plan of subdivision and infrastructure only detailed site plan on the site. The architecture Detailed Site Plan application before the City Council will include details such as the townhouse façade and architectural style. See attached memo for additional details.

### Next Steps:

The application is currently scheduled to come before the City Council on the “Action” agenda on July 16, 2018.

### Fiscal Impact:

N/A

### City Administrator Comments:

Recommend Support

**Community Engagement:**

The application was first presented to the public at the May 7, 2018 City Council meeting. The application was reviewed by the Planning Committee on May 15, 2018. Additionally, a page on the Speak Up HVL website has been created for residents to give feedback on the plan, which will stay open until July 15, 2018.

**Strategic Goals:**

Goal 2 – Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**

N/A



## Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development  
Katie Gerbes, Community Planner

Date: May 30, 2018

Re: DSP-17044: Riverfront at West Hyattsville Architecture Plan

Attachments: Architecture Plans  
Landscape and Lighting Plan  
Statement of Justification  
May 2018 Planning Committee Minutes

---

The purpose of this memorandum is to provide the Mayor and members of the City Council with information regarding the presentation from Gilbane Development Company on Detailed Site Plan (DSP)-17044, the architecture detailed site plan for the Riverfront at West Hyattsville project.

### Project Summary

- The applicant is seeking approval of the architecture component of the Riverfront at West Hyattsville development plan for 183 fee-simple townhouses;
- The preliminary plan of subdivision and infrastructure detailed site plan for the property have already been approved by M-NCPPC;
- The applicant is proposing a mix of 16-foot, 20-foot and 24-foot wide townhouse units. All units will be four stories and have rear-loaded garages on the lower floor;
- Primary building materials for the homes will be brick veneer, fiber cement paneling and siding;
- Staff are recommending that the City Council support DSP-17044, subject to the following conditions:
  - o The applicant shall revise the side elevations of townhouse units facing prominent locations and areas scheduled to be dedicated as public rights-of-way with building materials and textures consistent with the front facing exterior townhouse facades;

- o The applicant should consider revising the rear exterior façade elevations to provide a variety of materials, textures and colors.

### Project Details

The Riverfront at West Hyattsville project is a townhouse development occurring at 5600 Ager Road, adjacent to the West Hyattsville Metro station. The project calls for the construction of 183 fee-simple townhomes, along with a public “amphitheater” area along the Northwest Branch Trail on the 18.5-acre site. The property is zoned M-X-T (mixed-use transit oriented) and is within the West Hyattsville Transit District Overlay Zone.

With this application, the applicant is seeking to get approval of the architecture component of their development plans. The applicant is proposing three (3) different models throughout the development, one for units of 16 feet in width, another for units 20 feet in width, and finally for units measuring 24 feet wide. Square footage of the finished area of the homes will range from 1,500 square feet to 2,340 square feet. All units will feature at least a one-car garage. The 20- and 24-foot units will feature a two-car garage.

The townhouses proposed will be four stories in height with a fourth-floor outdoor patio area. The applicant is proposing a mixture of building materials and colors on the front façade of the houses, including brick veneer, fiber cement paneling and siding. Many of the townhouses will also feature accent elements such as bay windows, metal canopies, painted trim and accent railings on the roof deck. The side elevation of the homes will feature a similar design and the same materials as on the front façade. The rear of the units will be primarily siding with optional accent panels and rear decks.

The application documents show the landscape and lighting plan for the community, however these elements were previously approved under DSP-16029, the infrastructure DSP for the subject property.

### Previous Associated Development Review

This project has come before the City Council before. In the fall of 2016, the applicant sought, and was ultimately granted, approval for their preliminary plan of subdivision and infrastructure-only detailed site plan on the site. Typically, detailed site plans are handled as one application, however due to the large amount of grading and infrastructure work necessary on the site, the applicant decided to complete the detailed site plan in two stages: infrastructure and architecture.

### Variance Requests

The applicant is not seeking any variances at this time.

### Planning Committee Review

The Planning Committee was presented and discussed this application at their May 15, 2018 meeting. Committee members had a serious conversation about the merits and shortfalls of the plan. The primary conversation revolved around the architecture selected for the townhouse design. In general, the committee felt that the architecture could be improved upon, as the proposed schematic was perceived to be dull and monochromatic. The committee also expressed concern that there should be more trees incorporated into the compensatory storage area. The applicant acknowledged and agreed with this desire, though stated that the original plans called for additional trees that the Parks Department asked to be removed to improve the line of sight from the promenade down onto the trail system.

The committee voted to relay the following recommendations/comments to the City Council:

- The architecture of the townhouses should be made more original, less uniform and there should be more colors or building materials provides, especially along the rear elevations;
- The developer should go back and work with M-NCPPC to see what other options there are to augment the landscaping plan and the street trees along the promenade to better replace those trees lost on the compensatory storage parcel;
- The reorientation of the houses to face the park and make the riverfront more of a feature of the community is a positive change;
- Safety and lighting features are key to the success of the development and will encourage trail use throughout the community.

Minutes from the Planning Committee meeting are attached to this memo.

#### Staff Recommendations

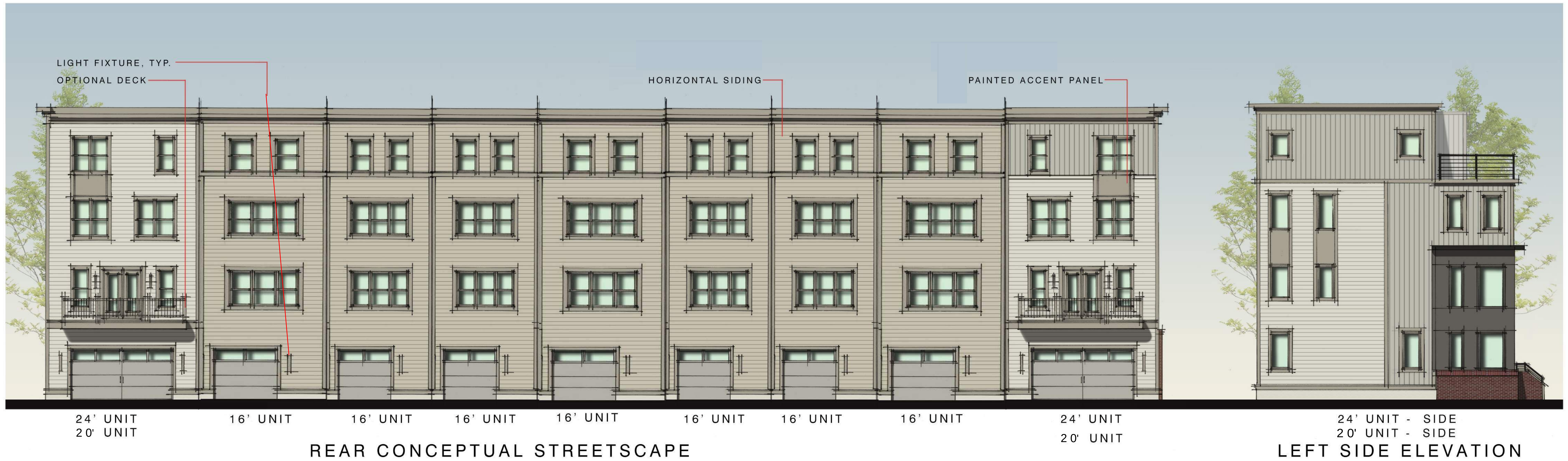
Staff are recommending that the City Council support the Architectural Detailed Site Plan application, subject to the following conditions:

- The applicant shall revise the side elevations of townhouse units facing prominent locations and areas scheduled to be dedicated as public rights-of-way with building materials and textures consistent with the front facing exterior townhouse facades;
- The applicant should consider revising the rear exterior façade elevations to provide a variety of materials, textures and colors.

#### Next Steps

This application is currently scheduled to come before the City Council on the “Discussion” agenda on June 4<sup>th</sup>. Staff are awaiting the referral from M-NCPPC, but have tentatively scheduled this application on the “Action” agenda for July 16, 2018.





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M-NCPPC  
APPROVAL

PROJECT NAME: RIVERFRONT AT WEST HYATTSVILLE

PROJECT NUMBER: DSP-17044

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet  
Revision numbers must be included in the Project Number

4/10/18





24' TOWNHOME  
(REAR - TYPICAL)

24' TOWNHOME  
(ELEVATION B)

24' TOWNHOME  
(ELEVATION A)

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4/10/18





24' TOWNHOME  
(SIDE ELEVATION - HIGH VISIBILITY)

24' TOWNHOME  
(SIDE ELEVATION - STANDARD)

Note: Side elevation of 20' Townhome is similar to 24' Townhome.

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APPROVAL

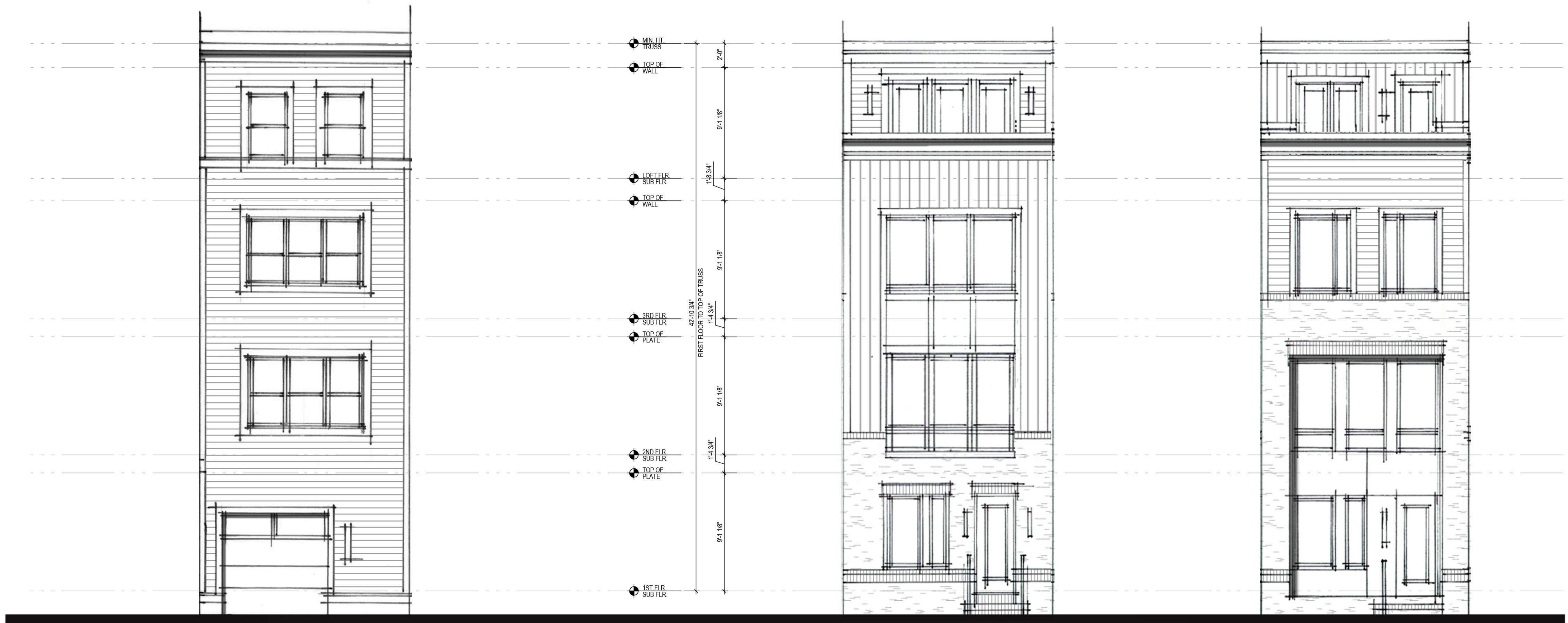
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4/10/18





16' TOWNHOME  
(REAR - TYPICAL)

16' TOWNHOME  
(ELEVATION A)

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(ELEVATION B)

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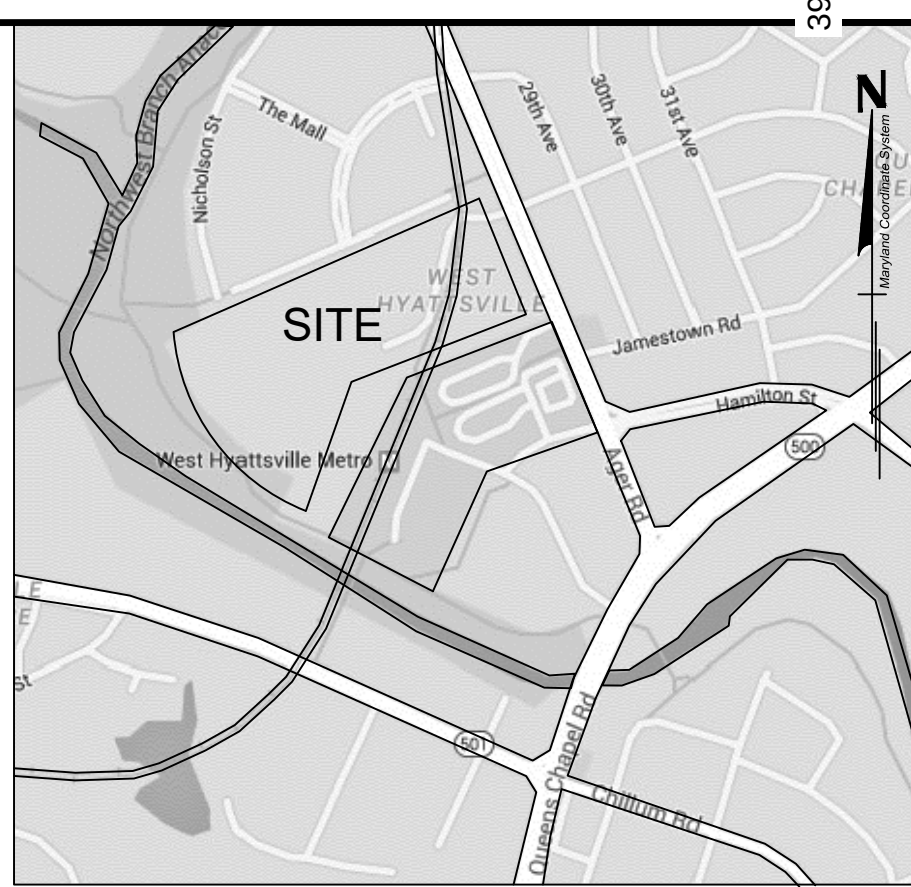


LANDSCAPE AND LIGHTING PLAN - DSP17044

RIVERFRONT AT WEST HYATTSVILLE METRO

17th ELECTION DISTRICT

PRINCE GEORGE'S COUNTY, MARYLAND



VICINITY MAP  
1" = 2000'

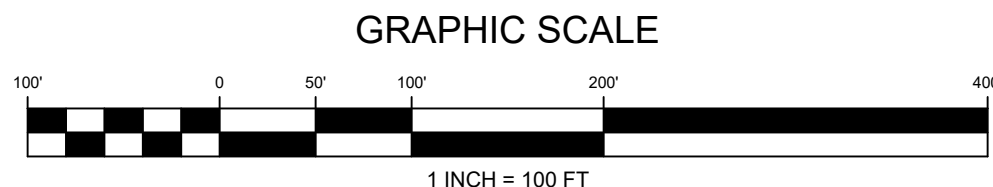
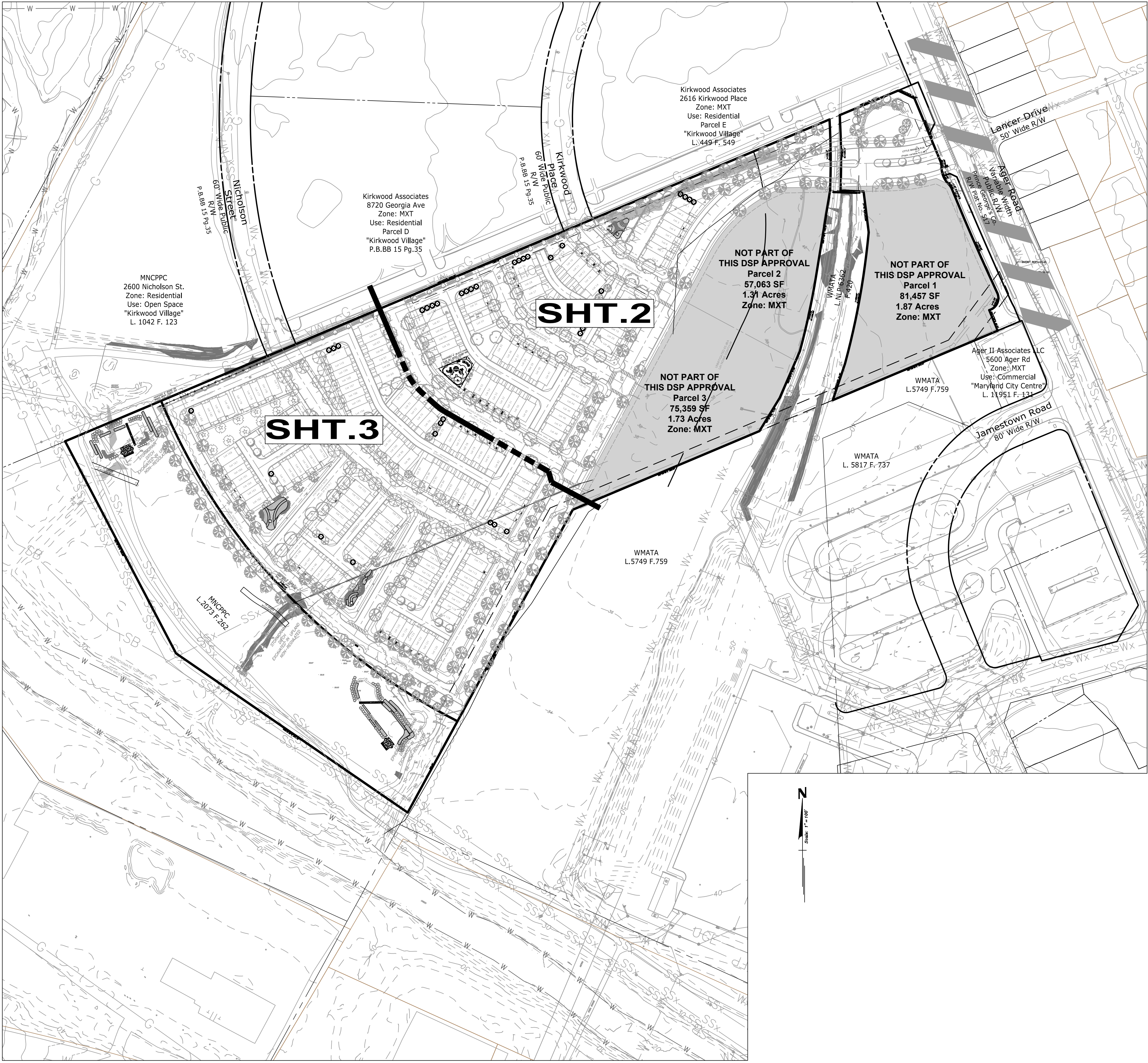
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  - EX. LOT LINE
  - EX. BLDG
  - EX. SIDEWALK
  - EX. PARKING STRIPING
  - EX. 10' CONTOUR LINE
  - EX. 2' CONTOUR LINE
  - EX. TREES
  - EX. GAS LINE
  - EX. FIRE LINE
  - EX. FENCE
  - EX. WETLAND
  - EX. SANITARY SEWER
  - EX. STREAM BUFFER
  - EX. STREAM
  - EX. FLOODPLAIN
  - EX. PRIMARY MGMT AREA
  - PR. R.O.W.
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  - PR. BLDG
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  - PR. PARKING STRIPING
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  - STEEP SLOPES (15-25%)
  - STEEP SLOPES (OVER 25%)
  - PR. SEWER
  - PR. WATER
  - PR. STORM DRAIN
  - PR. TREES
  - PR. 6 FT BOARD ON BOARD FENCE
  - PR. 4 FT BLACK CHAIN LINK FENCE

CERTIFICATION TREE LEGEND

- THUJA OCCIDENTALIS 'EMERALD GREEN'  
Emerald Green Arborvitae

TREE LEGEND: PREVIOUSLY APPROVED UNDER DSP #16029

- ACER RUBRUM 'October Glory'  
October Glory Maple
- ACER RUBRUM 'Red Sunset'  
Red Sunset Maple
- AMELANCHIER X GRANDIFLORA  
Hybrid serviceberry
- BETULA NIGRA 'HERITAGE'  
Heritage River Birch
- THUJA OCCIDENTALIS 'EMERALD GREEN'  
Emerald Green Arborvitae
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Thornless Honeylocust
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Crape Myrtle
- QUERCUS RUBRA  
Red Oak
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Willow Oak
- PRUNUS SARGENTII  
Sargent Cherry
- TILIA CORDATA 'GREENSPIRE'  
Greenspire Littleleaf Linden
- PROPOSED STREET LIGHT
- PROPOSED BENCH
- PROPOSED SHRUB PLANTINGS



| SHEET INDEX  |                                |
|--------------|--------------------------------|
| Sheet Number | Sheet Title                    |
| 1            | Cover Sheet                    |
| 2            | Landscape and Lighting Plan    |
| 3            | Landscape and Lighting Plan    |
| 4            | Photometric Plan               |
| 5            | Photometric Plan               |
| 6            | Landscape and Lighting Details |
| 7            | Landscape and Lighting Details |

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M-NCPPC  
APPROVAL

PROJECT NAME: Riverfront at West Hyattsville

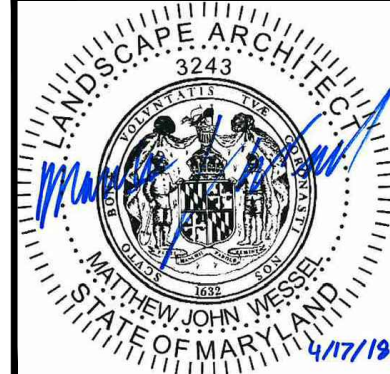
PROJECT NUMBER: DSP17044

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet  
Revision numbers must be included in the Project Number

New Approval Block

PROFESSIONAL CERTIFICATION

"I hereby certify that these documents were prepared  
or approved by me, and that I am a duly licensed  
professional landscape architect under the laws of the  
State of Maryland, License No. 3243, Expiration Date:  
2/28/16."



| REVISION | DATE | REVISION | DATE | REVISION | DATE |
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Owner/Developer:

Matt Michetti  
Development Manager  
Gilbane Development Company  
1100 North Glebe Road #1000 | Arlington, VA 22201  
M: (571) 344-8355 | T: (703) 312-7241 | F: (401) 588-5348

RIVERFRONT AT WEST HYATTSVILLE METRO

PARCEL 1, WWW 29@71  
L.37453 F.103  
ELECTION DISTRICT No. 17  
HYATTSVILLE, PRINCE GEORGE'S COUNTY, MARYLAND

RODGERS  
CONSULTING

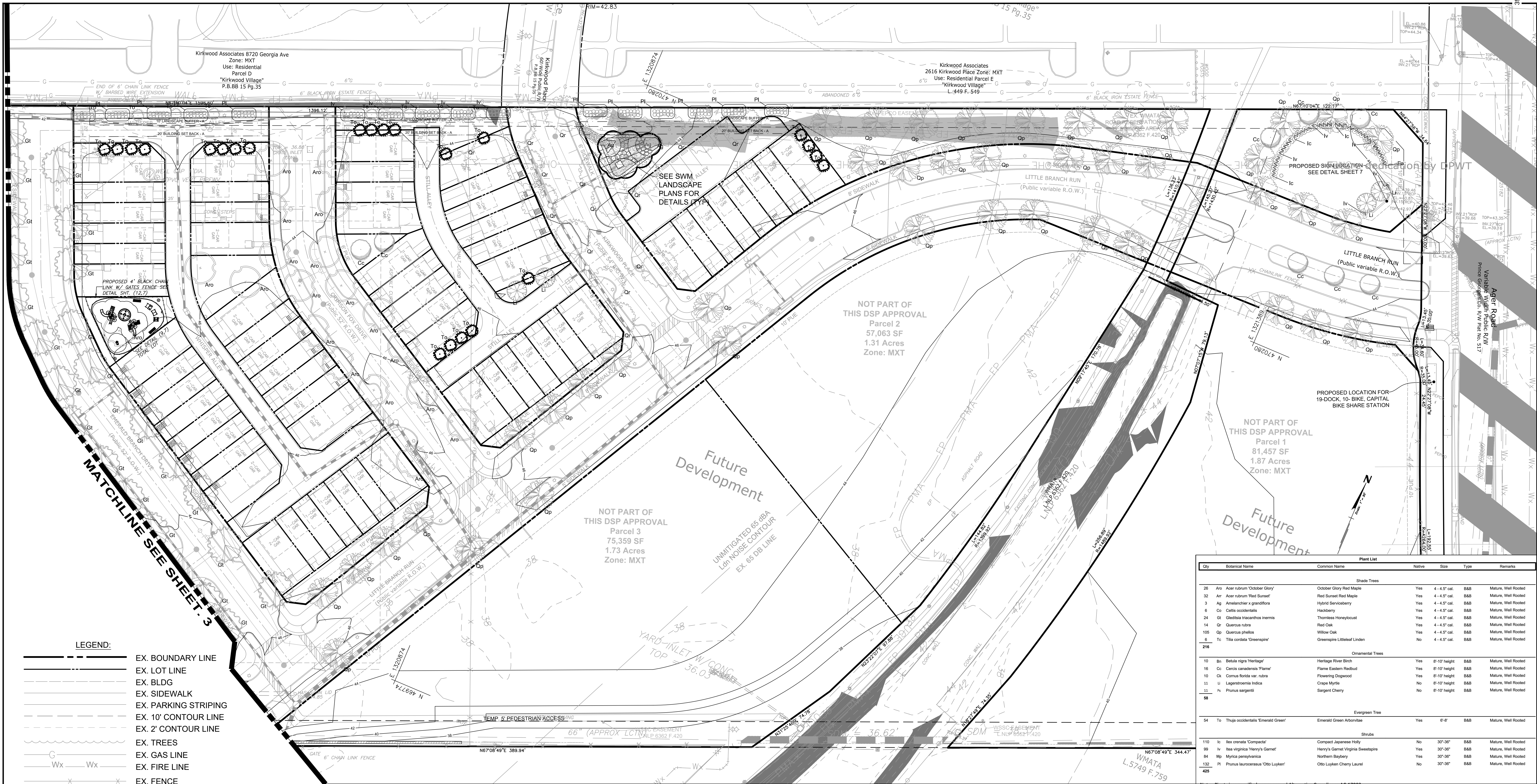
1101 Mercantile Lane, Suite 280, Largo, Maryland 20774  
Ph: 301.948.4700 Fx: 301.948.6256 www.rodgers.com

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| BASE DATA                            |      |
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COVER SHEET

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| DATE<br>FEB 2018    |
| SHEET No.<br>1 OF 7 |





LEGEND:

- EX. BOUNDARY LINE
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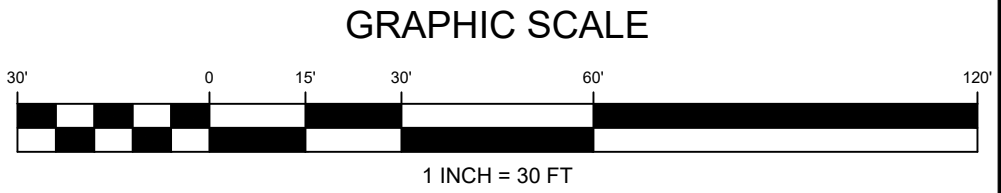
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- Emerald Green Arborvitae

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- Hybrid serviceberry
- BETULA NIGRA 'HERITAGE'
- Heritage River Birch

LANDSCAPING PREVIOUSLY APPROVED UNDER DSP-16029



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**M-NCPPC APPROVAL**

PROJECT NAME: Riverfront at West Hyattsville

PROJECT NUMBER: DSP17044

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet. Revision numbers must be included in the Project Number.

New Approval Block

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RIVERFRONT AT WEST HYATTSVILLE METRO

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L 37453 F. 103  
ELECTION DISTRICT No. 17  
HYATTSVILLE, PRINCE GEORGE'S COUNTY, MARYLAND

**RODGERS CONSULTING**

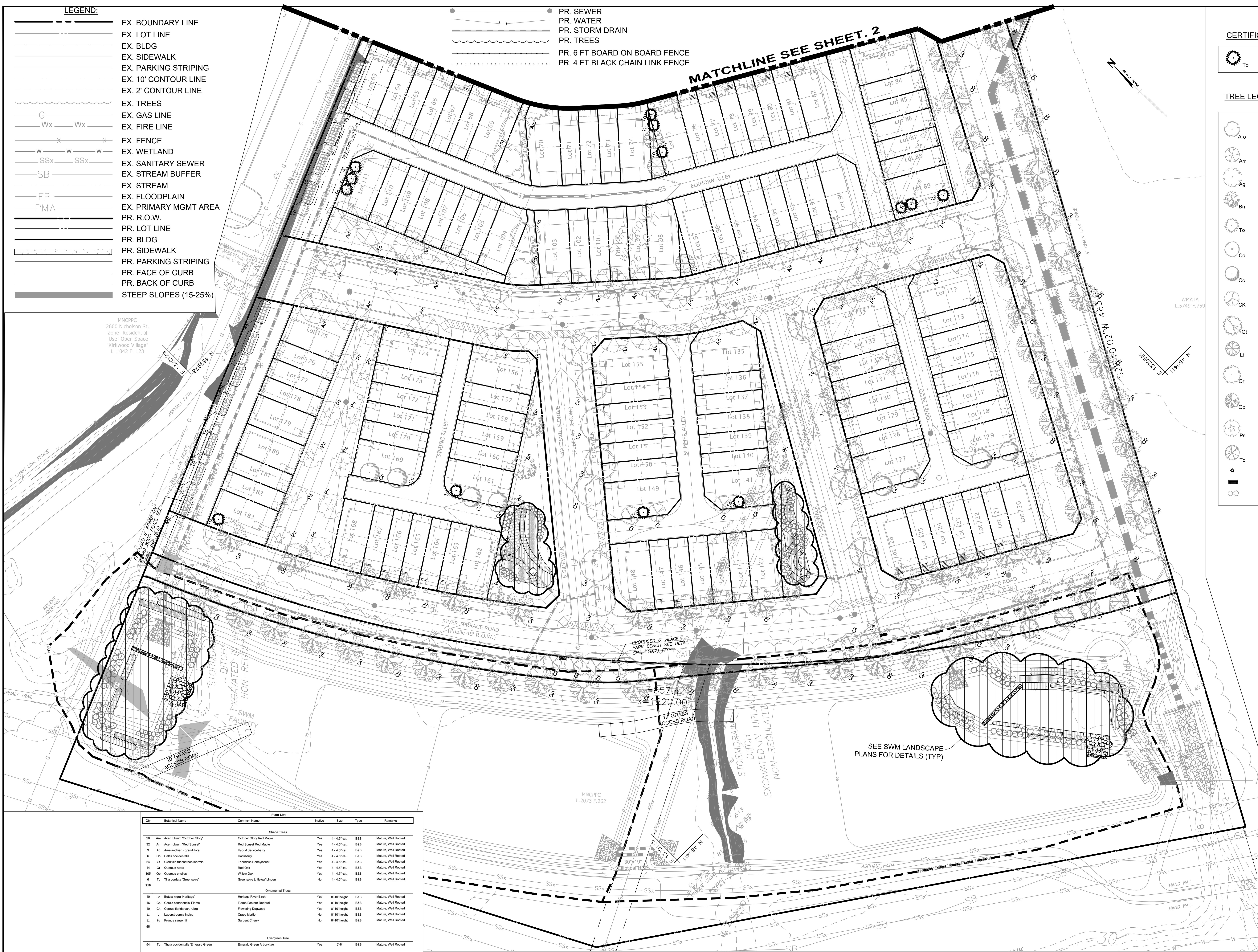
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| DRAWN            |                          |
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LANDSCAPE AND LIGHTING PLAN

|                  |
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| SCALE: 1" = 30'  |
| JOB No. 1208A6   |
| DATE: FEB 2018   |
| LP-2             |
| SHEET No. 2 OF 7 |





- LEGEND:**
- EX. BOUNDARY LINE
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  - PROPOSED BENCH
  - PROPOSED SHRUB PLANTINGS

| Plant List       |                                    |                                    |        |               |      |                     |
|------------------|------------------------------------|------------------------------------|--------|---------------|------|---------------------|
| Qty              | Botanical Name                     | Common Name                        | Native | Size          | Type | Remarks             |
| Shade Trees      |                                    |                                    |        |               |      |                     |
| 26               | Acer rubrum 'October Glory'        | October Glory Red Maple            | Yes    | 4 - 4.5' cal. | B&B  | Mature, Well Rooted |
| 32               | Acer rubrum 'Red Sunset'           | Red Sunset Red Maple               | Yes    | 4 - 4.5' cal. | B&B  | Mature, Well Rooted |
| 3                | Amelanchier x grandiflora          | Hybrid Serviceberry                | Yes    | 4 - 4.5' cal. | B&B  | Mature, Well Rooted |
| 6                | Celtis occidentalis                | Hackberry                          | Yes    | 4 - 4.5' cal. | B&B  | Mature, Well Rooted |
| 24               | Gleditsia triacanthos inermis      | Thornless Honeylocust              | Yes    | 4 - 4.5' cal. | B&B  | Mature, Well Rooted |
| 14               | Quercus rubra                      | Red Oak                            | Yes    | 4 - 4.5' cal. | B&B  | Mature, Well Rooted |
| 105              | Quercus phellos                    | Willow Oak                         | Yes    | 4 - 4.5' cal. | B&B  | Mature, Well Rooted |
| 6                | Tilia cordata 'Greenspire'         | Greenspire Littleleaf Linden       | No     | 4 - 4.5' cal. | B&B  | Mature, Well Rooted |
| Ornamental Trees |                                    |                                    |        |               |      |                     |
| 16               | Betula nigra 'Flame'               | Heritage River Birch               | Yes    | 8-10' height  | B&B  | Mature, Well Rooted |
| 16               | Cercis canadensis 'Flame'          | Flame Eastern Redbud               | Yes    | 8-10' height  | B&B  | Mature, Well Rooted |
| 10               | Cornus florida var. rubra          | Flowering Dogwood                  | Yes    | 8-10' height  | B&B  | Mature, Well Rooted |
| 11               | Lagerstroemia indica               | Crape Myrtle                       | No     | 8-10' height  | B&B  | Mature, Well Rooted |
| 11               | Prunus sargentii                   | Sargent Cherry                     | No     | 8-10' height  | B&B  | Mature, Well Rooted |
| Evergreen Trees  |                                    |                                    |        |               |      |                     |
| 54               | Thuja occidentalis 'Emerald Green' | Emerald Green Arborvitae           | Yes    | 6-8'          | B&B  | Mature, Well Rooted |
| Shrubs           |                                    |                                    |        |               |      |                     |
| 110              | Ilex crenata 'Compact'             | Compact Japanese Holly             | No     | 30"-36"       | B&B  | Mature, Well Rooted |
| 99               | Ilex virginica 'Henry's Garnet'    | Henry's Garnet Virginia Sweetspire | Yes    | 30"-36"       | B&B  | Mature, Well Rooted |
| 84               | Myrica pensylvanica                | Northern Bayberry                  | Yes    | 30"-36"       | B&B  | Mature, Well Rooted |
| 102              | Prunus laurocerasus 'Otto Luyken'  | Otto Luyken Cherry Laurel          | No     | 30"-36"       | B&B  | Mature, Well Rooted |

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**M-NCPPC APPROVAL**

PROJECT NAME: Riverfront at West Hyattsville

PROJECT NUMBER: DSP17044

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**RIVERFRONT AT WEST HYATTSVILLE METRO**

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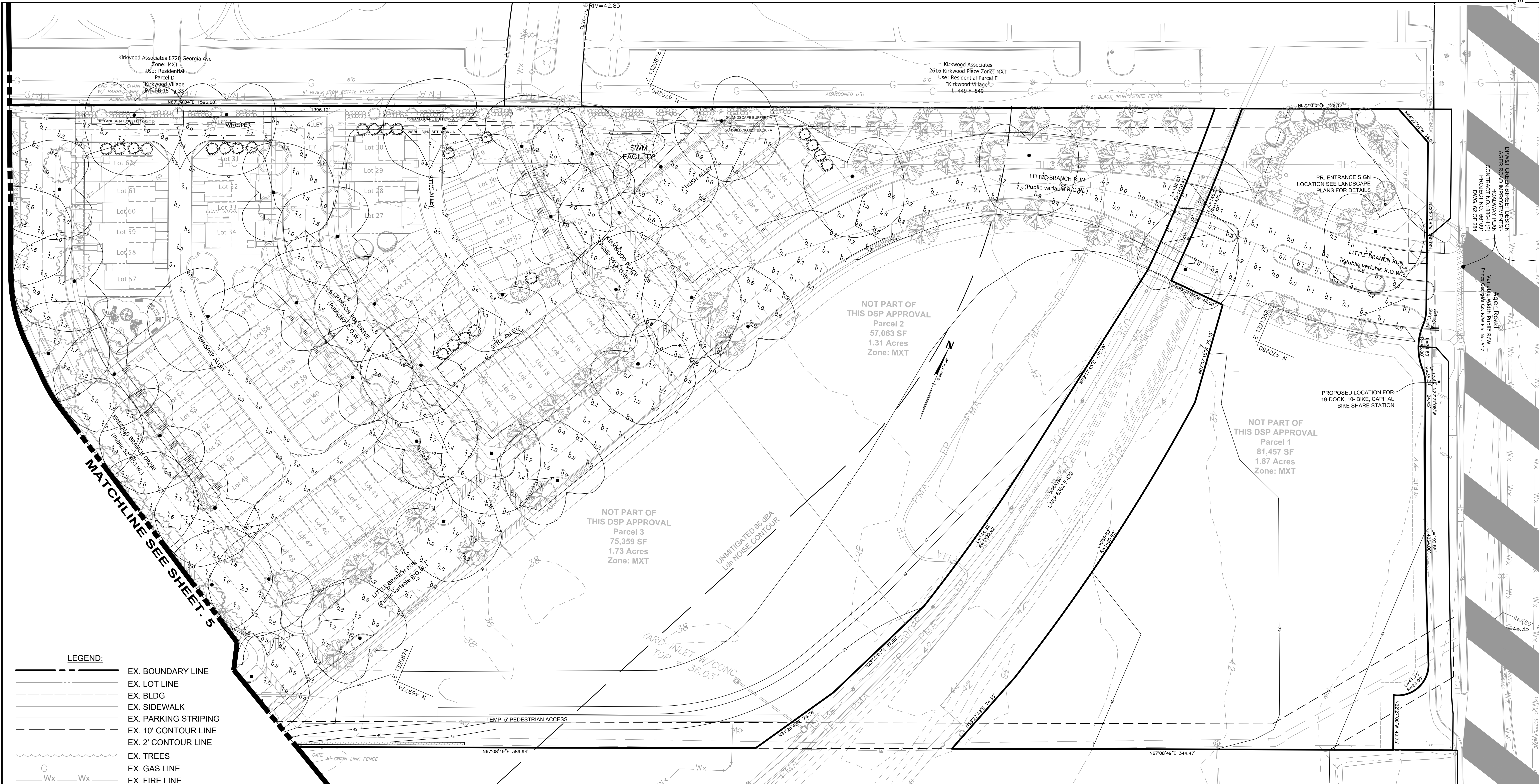
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| RELEASE FOR      |    |      |
| BY               |    | DATE |

**LANDSCAPE AND LIGHTING PLAN**

|                  |
|------------------|
| SCALE: 1" = 30'  |
| JOB No. 1208A6   |
| DATE: FEB 2018   |
| LP-3             |
| SHEET No. 3 OF 7 |





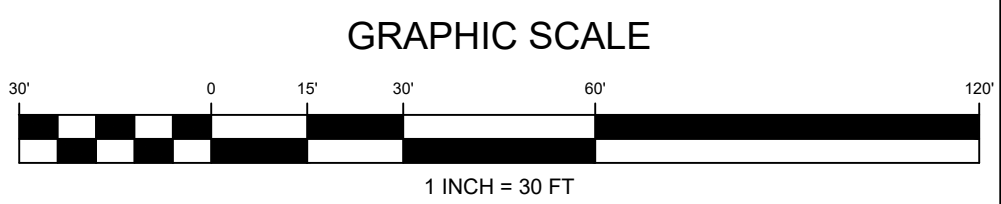
- LEGEND:**
- EX. BOUNDARY LINE
  - EX. LOT LINE
  - EX. BLDG
  - EX. SIDEWALK
  - EX. PARKING STRIPING
  - EX. 10' CONTOUR LINE
  - EX. 2' CONTOUR LINE
  - EX. TREES
  - EX. GAS LINE
  - EX. FIRE LINE
  - EX. FENCE
  - EX. WETLAND
  - EX. SANITARY SEWER
  - EX. STREAM BUFFER
  - EX. STREAM
  - EX. FLOODPLAIN
  - EX. PRIMARY MGMT AREA
  - PR. R.O.W.
  - PR. LOT LINE
  - PR. BLDG
  - PR. PARKING STRIPING
  - PR. FACE OF CURB
  - PR. BACK OF CURB
  - PR. TREES
  - PROPOSED STREET LIGHTS
  - PROPOSED BENCH
  - PROPOSED LIGHT CANDLES
  - PROPOSED LIGHT ISOTOPES

## PHOTOMETRICS PLAN PREVIOUSLY APPROVED UNDER DSP #16029

NOTE: 1. PROPOSED LIGHTING CAN BE REPLACED WITH APPROVED EQUAL ALTERNATE.

2. PHOTOMETRIC PLANS WERE PREPARED BY OTHERS.

| Luminaire Schedule  |             |                  |             |        |       |         | Description                                        |            |
|---------------------|-------------|------------------|-------------|--------|-------|---------|----------------------------------------------------|------------|
| Symbol              | Qty         | Label            | Arrangement | Lumens | Watts | LLF     |                                                    |            |
| ★                   | 66          | S6203G-MOD-III   | Single      | 5120   | 70    | 0.85    | Wide Globe, 64 LED's, 350mA, BGE, Type 3, 14' Pole |            |
| ☆                   | 13          | S6203G-MOD-V-530 | Single      | 7113   | 100.8 | 0.85    | Wide Globe, 64 LED's, 530mA, BGE, Type 5, 14' Pole |            |
| Calculation Summary |             |                  |             |        |       |         | Description                                        |            |
| Label               | CalcType    | Units            | Avg.        | Max.   | Min.  | Avg/Min | Max/Min                                            |            |
| Alleys              | Illuminance | Fc               | 0.25        | 1.3    | 0     | N.A.    | N.A.                                               | 15ft. Grid |
| Trail               | Illuminance | Fc               | 1.25        | 1.6    | 0.7   | 1.79    | 2.29                                               | 10ft. Grid |
| Other Streets       | Illuminance | Fc               | 1.33        | 2.4    | 0.1   | 13.3    | 24                                                 | 15ft. Grid |
| Parking Lot         | Illuminance | Fc               | 0.92        | 1.3    | 0.5   | 1.84    | 2.6                                                | 15ft. Grid |
| Street 'A'          | Illuminance | Fc               | 0.49        | 1.7    | 0.0   | N.A.    | N.A.                                               | 15ft. Grid |



THIS BLOCK IS FOR OFFICIAL USE ONLY  
QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.

M-NCPPC  
APPROVAL

PROJECT NAME: Riverfront at West Hyattsville

PROJECT NUMBER: DSP17044

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet  
Revision numbers must be included in the Project Number

New Approval Block

### PROFESSIONAL CERTIFICATION

"I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional landscape architect under the laws of the State of Maryland, License No. 3243, Expiration Date: 2/28/16."



| REVISION | DATE | REVISION | DATE | REVISION | DATE |
|----------|------|----------|------|----------|------|
|          |      |          |      |          |      |
|          |      |          |      |          |      |
|          |      |          |      |          |      |
|          |      |          |      |          |      |
|          |      |          |      |          |      |

Owner/Developer:  
  
Matt Michetti  
Development Manager  
Gilbane Development Company  
1100 North Glebe Road #1000 | Arlington, VA 22201  
M: (571) 344-8355 | T: (703) 312 7241 | F: (401) 588 5348

## RIVERFRONT AT WEST HYATTSVILLE METRO

PARCEL 1, WWW 29@71  
L.37453 F.103  
ELECTION DISTRICT No. 17  
HYATTSVILLE, PRINCE GEORGE'S COUNTY, MARYLAND

**RODGERS**  
CONSULTING

1101 Mercantile Lane, Suite 280, Largo, Maryland 20774  
Ph: 301.948.4700 Fx: 301.948.6256 www.rodgers.com

| BASE DATA        | BY          | DATE |
|------------------|-------------|------|
| DESIGNED         |             |      |
| DRAWN            |             |      |
| REVIEWED         |             |      |
| RODGERS CONTACT: |             |      |
| RELEASE FOR      |             |      |
| BY: _____        | DATE: _____ |      |

## PHOTOMETRIC PLAN

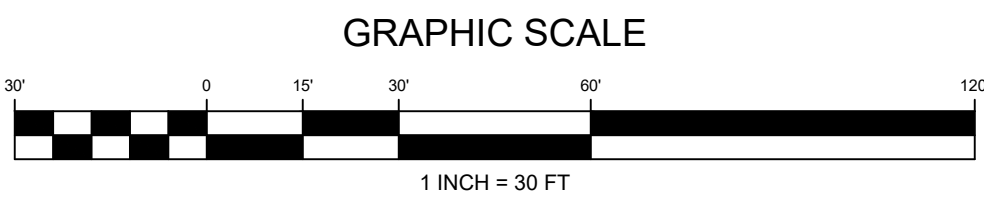
|                     |
|---------------------|
| SCALE:<br>1" = 30'  |
| JOB No:<br>1208A6   |
| DATE:<br>FEB 2018   |
| SHEET No:<br>4 of 7 |





**LEGEND:**

- EX. BOUNDARY LINE
- EX. LOT LINE
- EX. BLDG
- EX. SIDEWALK
- EX. PARKING STRIPING
- EX. 10' CONTOUR LINE
- EX. 2' CONTOUR LINE
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- PROPOSED STREET LIGHTS
- PROPOSED BENCH
- PROPOSED LIGHT CANDLES
- PROPOSED LIGHT ISOTOPES



| Luminaire Schedule |     |                  |             |        |       |      | Description                                        |
|--------------------|-----|------------------|-------------|--------|-------|------|----------------------------------------------------|
| Symbol             | Qty | Label            | Arrangement | Lumens | Watts | LLF  |                                                    |
| 86                 | 86  | SE203G-MOD-III   | Single      | 5120   | 70    | 0.85 | Wide Globe, 64 LED's, 350mA, BGE, Type 3, 14" Pole |
| 13                 | 13  | SE203G-MOD-V-530 | Single      | 7113   | 100.8 | 0.85 | Wide Globe, 64 LED's, 530mA, BGE, Type 5, 14" Pole |

| Calculation Summary |             |       |      |      |      |         |         | Description |
|---------------------|-------------|-------|------|------|------|---------|---------|-------------|
| Label               | CalcType    | Units | Avg. | Max. | Min. | Avg/Min | Max/Min |             |
| Alleys              | Illuminance | Fc    | 0.25 | 1.3  | 0    | N.A.    | N.A.    | 15ft. Grid  |
| Trail               | Illuminance | Fc    | 1.25 | 1.6  | 0.7  | 1.79    | 2.29    | 10ft. Grid  |
| Other Streets       | Illuminance | Fc    | 1.33 | 2.4  | 0.1  | 13.3    | 24      | 15ft. Grid  |
| Parking Lot         | Illuminance | Fc    | 0.92 | 1.3  | 0.5  | 1.84    | 2.6     | 15ft. Grid  |
| Street 'A'          | Illuminance | Fc    | 0.49 | 1.7  | 0.0  | N.A.    | N.A.    | 15ft. Grid  |

NOTE: 1. PROPOSED LIGHTING CAN BE REPLACED WITH APPROVED EQUAL ALTERNATE.  
2. PHOTOMETRIC PLANS PREPARED BY OTHERS.

PHOTOMETRICS PLAN PREVIOUSLY APPROVED UNDER DSP #16029

| REVISION | DATE | REVISION | DATE | REVISION | DATE |
|----------|------|----------|------|----------|------|
|          |      |          |      |          |      |
|          |      |          |      |          |      |
|          |      |          |      |          |      |
|          |      |          |      |          |      |

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|                  |      |
|------------------|------|
| BY               | DATE |
| BASE DATA        |      |
| DESIGNED         |      |
| DRAWN            |      |
| REVIEWED         |      |
| RODGERS CONTACT: |      |
| RELEASE FOR      |      |
| BY               | DATE |

**PHOTOMETRIC PLAN**

SCALE: 1" = 30'

JOB No. 1208A6

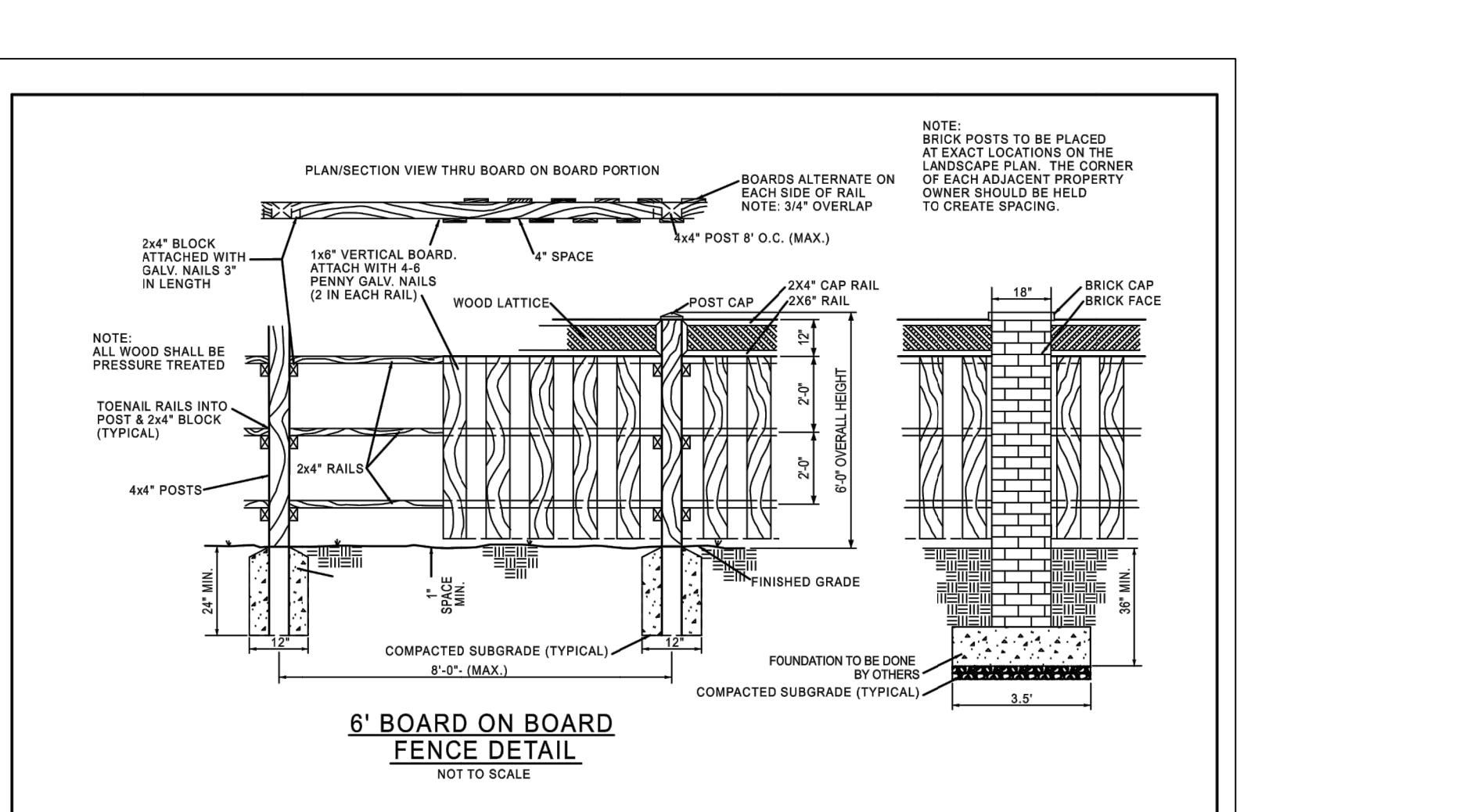
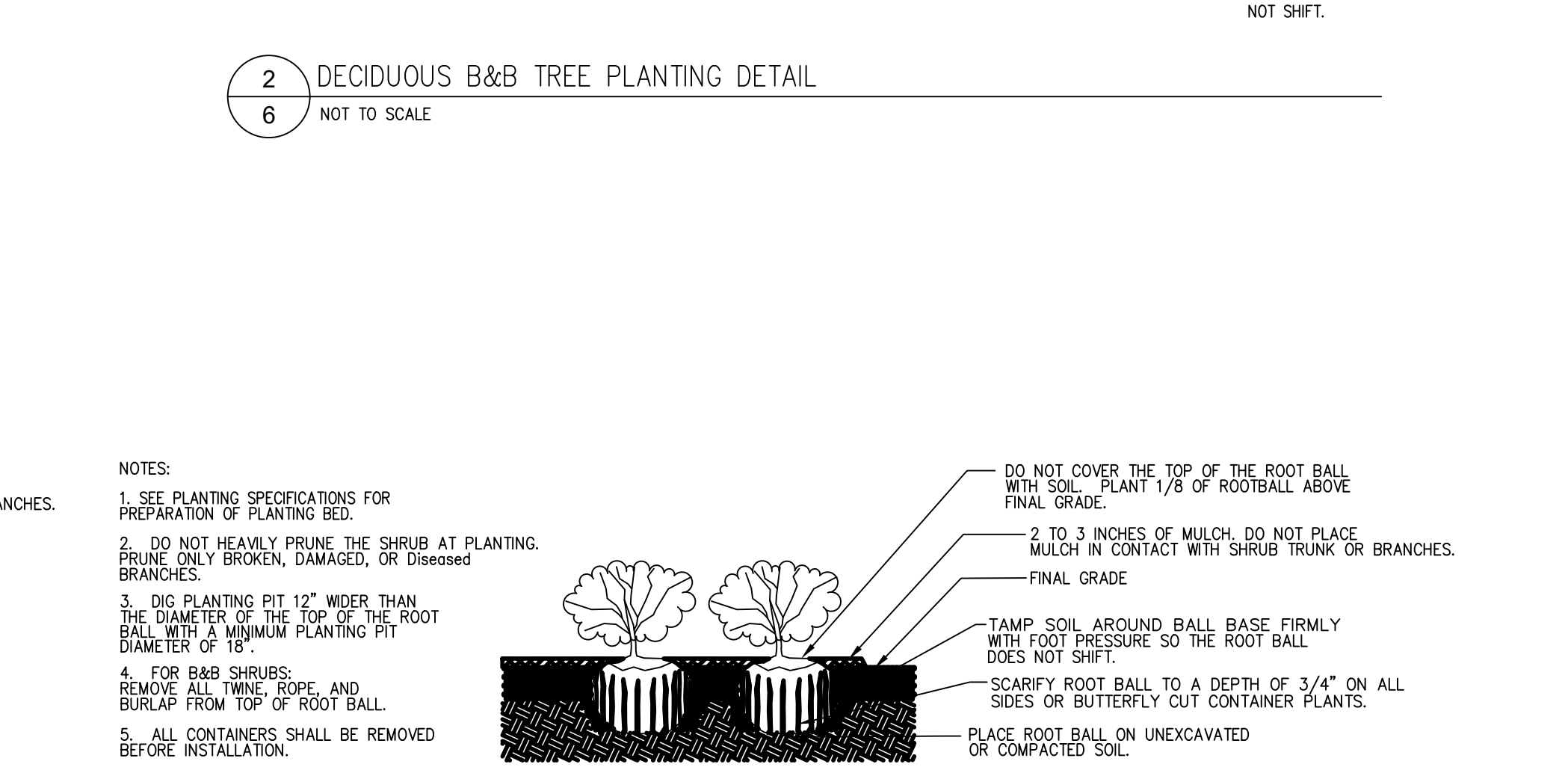
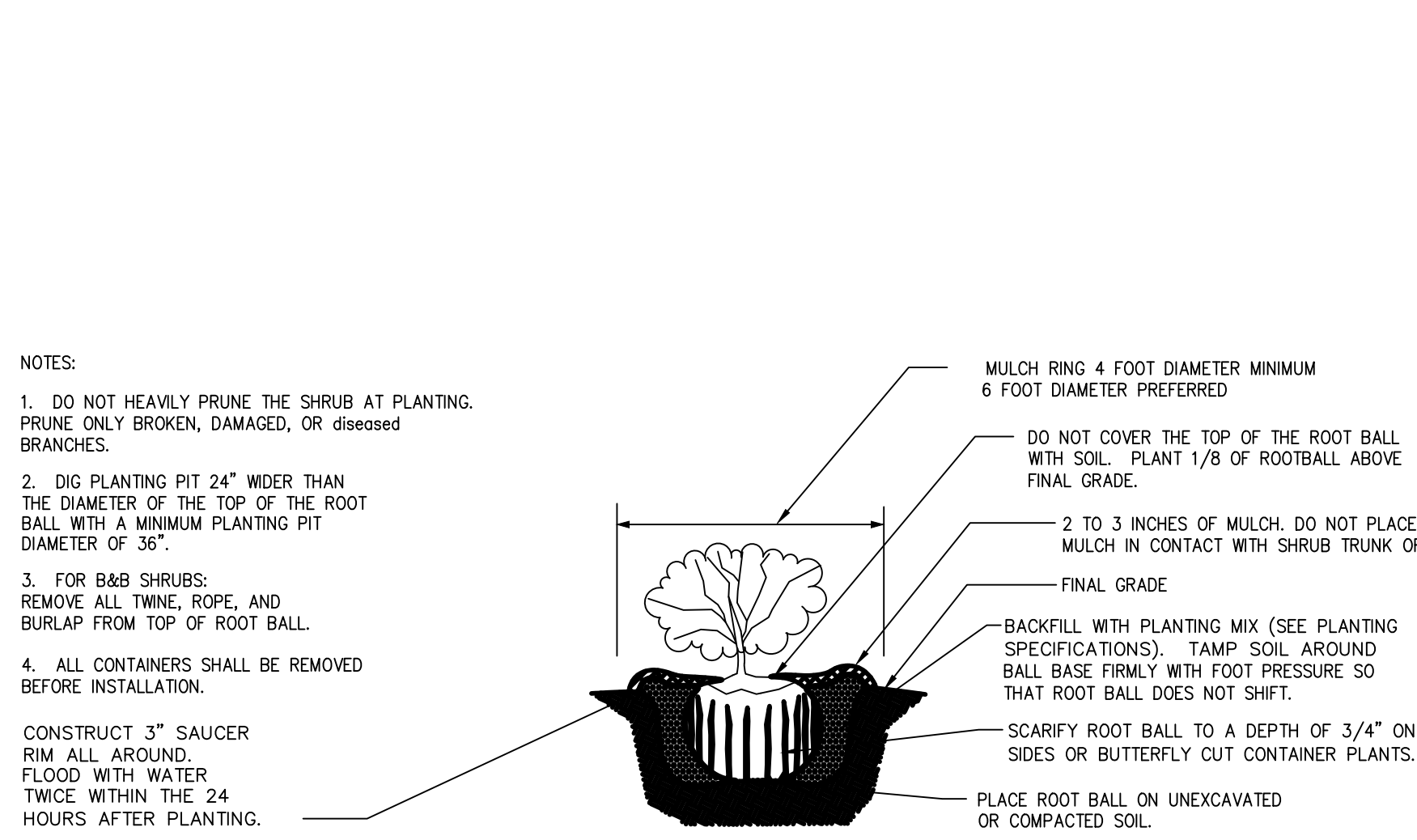
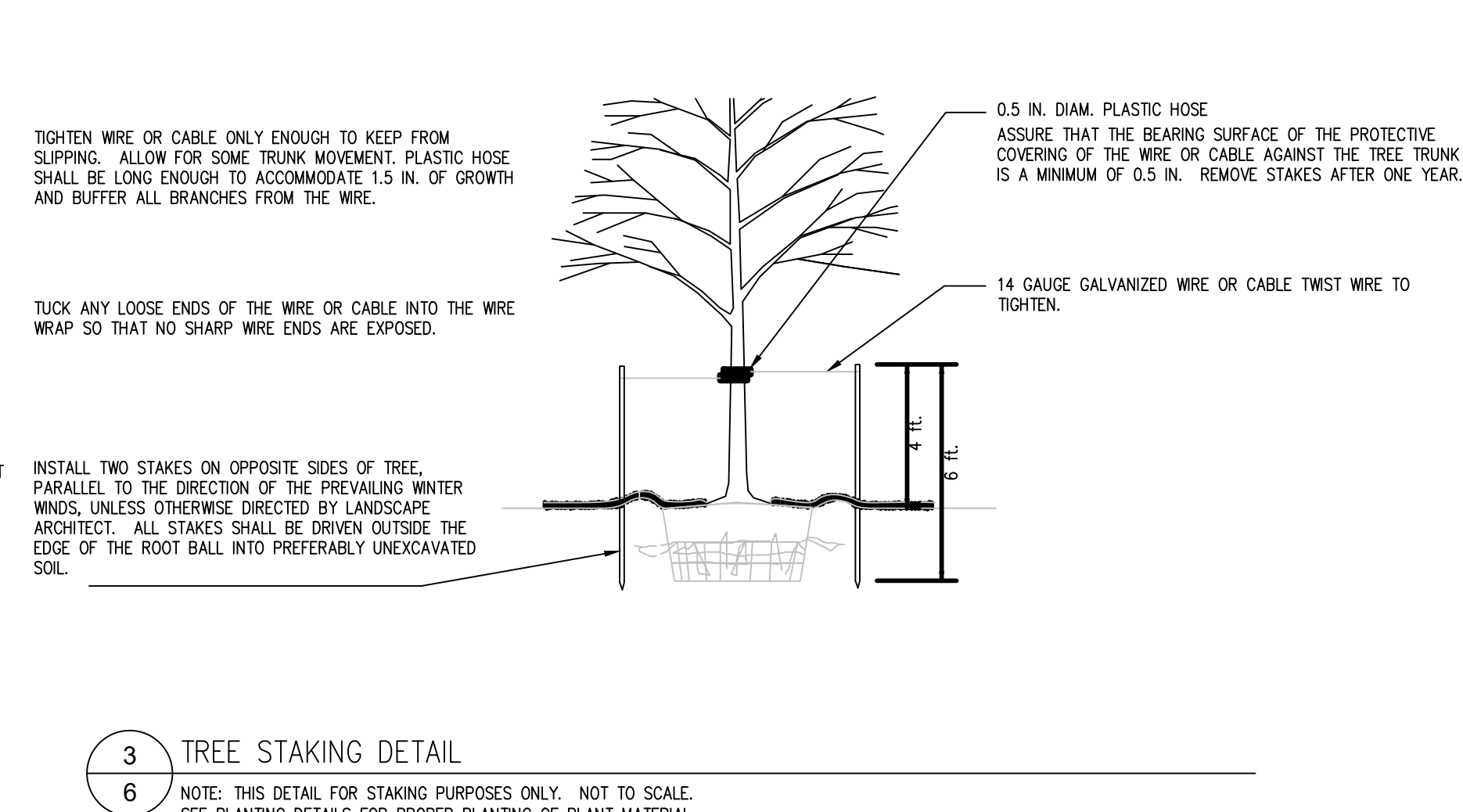
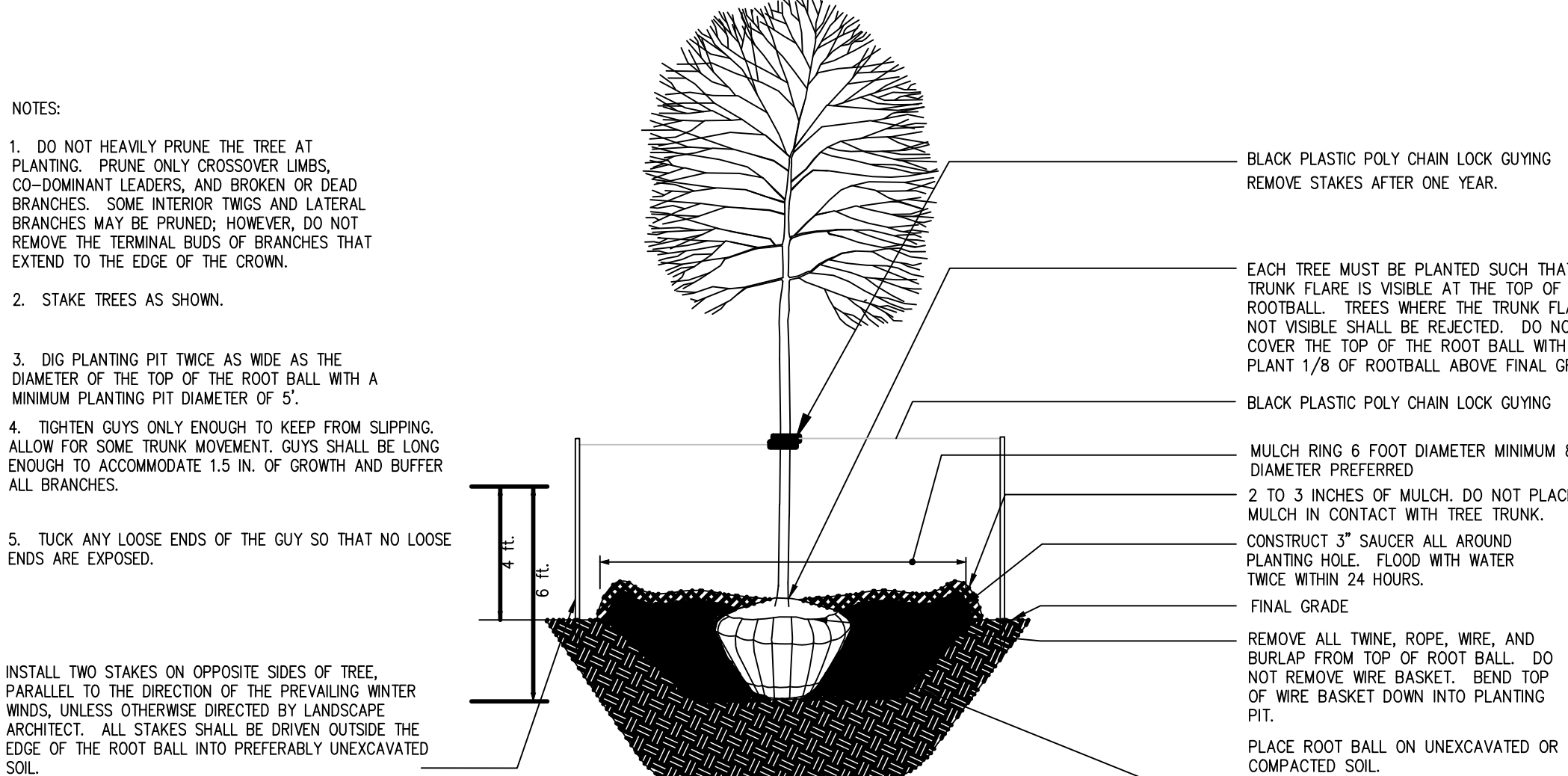
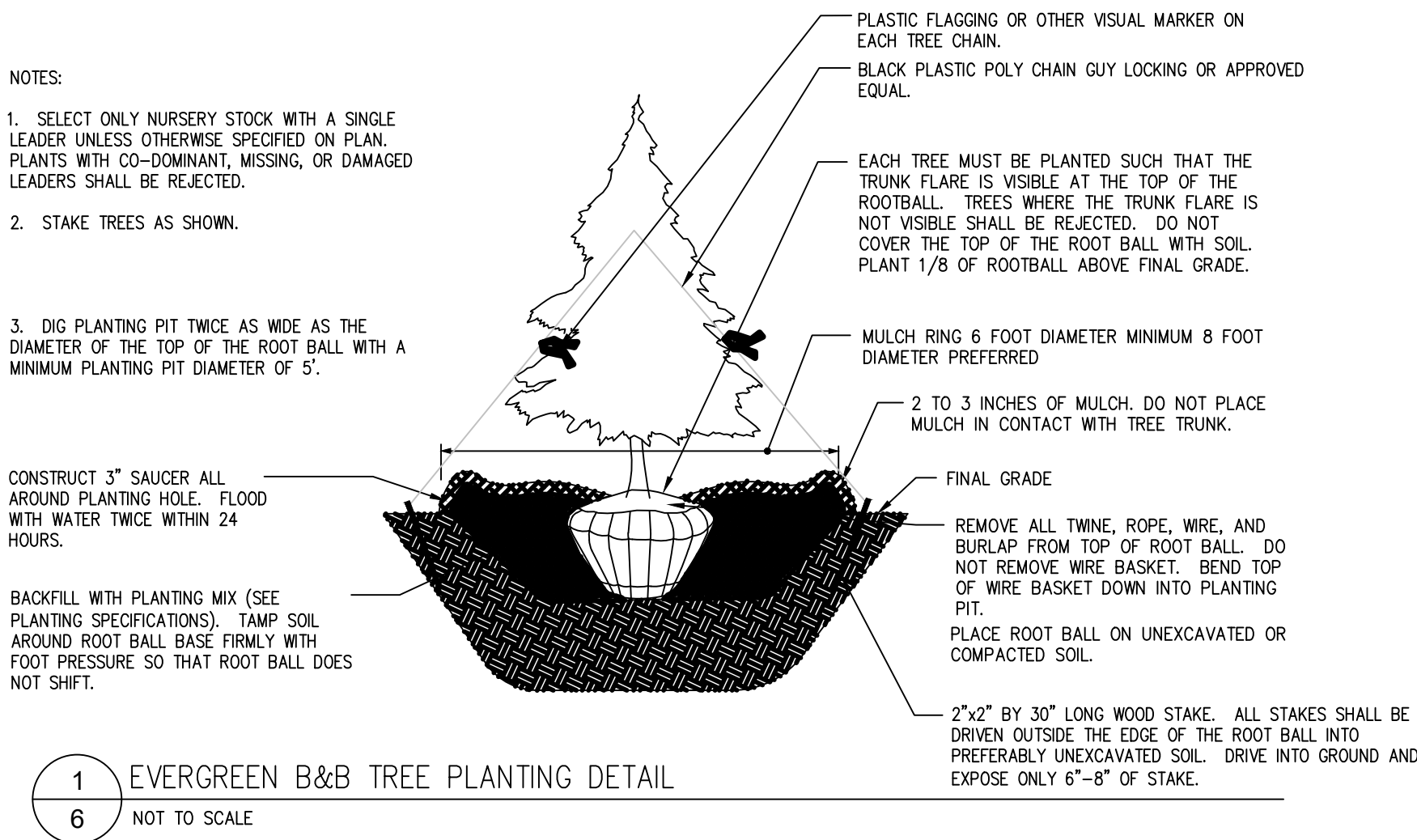
DATE: FEB 2018

SHEET No. 5 OF 7



PLANTING SPECIFICATIONS

1. Plants, related material, and operations shall meet the detailed description, as given on the plans and as described herein. Where discrepancies exist between Standards & Guidelines referenced within these specifications and the Prince George's County Landscape Manual, the latter takes precedence.
2. All plant material, unless otherwise specified, that is not nursery grown, uniformly branched, does not have a vigorous root system, and does not conform to the most recent edition of the American Association of Nurserymen (AAN) Standards will be rejected. Plant material that is not healthy, vigorous, free from defects, decay, disfiguring roots, sunscald injuries, abrasions of the bark, plant disease, insect pest eggs, borers and all forms of insect infestations or objectionable disfigurements will be rejected. Plant material that is weak or which has been cut back from larger grades to meet specified requirements will be rejected. Trees with forked leaders will be rejected. All B & B plants shall be freshly dug; no heeled-in plants or plants from cold storage will be accepted.
3. Unless otherwise specified, all general conditions, planting operations, details and planting specifications shall conform to the most recent edition of the "Landscape Specification Guidelines by the Landscape Contractors Association of MD, DC, & VA", (hereinafter "Landscape Guidelines") approved by the Landscape Contractors Association of Metropolitan Washington and the Potomac Chapter of the American Society of Landscape Architects.
4. Contractor shall guarantee all plant material for a period of one year after date of acceptance in accordance with the appropriate section on the Landscape Guidelines. Contractor's attention is directed to the maintenance requirements found within the one year specifications including watering and replacement of specified plant material.
5. Contractor shall be responsible for notifying all relevant and appropriate utility companies, utility contractors, and "Miss Utility" a minimum of 48 hours prior to the beginning of any work. Contractor may make minor adjustments in spacing and location of plant material to avoid conflicts with utilities. Major changes will require the approval of the landscape architect. Damage to existing structure and utilities shall be repaired at the expense of the Contractor.
6. Protection of existing vegetation to remain shall be accomplished as specified on the approved forest conservation plans.
7. Contractor is responsible for installing all material in the proper planting season for each plant type. Landscape plants are not to be installed before site is graded to final grade.
8. Contractor to regrade, fine grade, hydroseed or sod, and straw mulch all areas disturbed by their work.
9. Bid shall be based on actual site conditions. No extra payment shall be made for work arising from actual site conditions differing from those indicated on drawings and specifications.
10. Plant quantities are provided for the convenience of the contractor only. If discrepancies exist between quantities shown on plan and those shown on the plant list, the quantities on the plant take precedence. Where discrepancies on the plan exist between the symbols and the callout, the number of symbols take precedence.
11. Positive drainage shall be maintained on planting beds (minimum 2 percent surface slope).
12. Planting mix: For trees not in a prepared bed, mix 50% Compro or Leafgro with 50% soil from tree hole to use as backfill, see tree planting detail.
13. Weed & insect control: Maintain the mulch weed-free for the extent of the warranty period. Under no circumstances is a pesticide containing *chlorpyrifos* to be used as a means of pest control.
14. Water: All plant material planted shall be watered thoroughly the day of planting. All plant material not yet planted shall be properly protected from drying out until planted. At a minimum, water unplanted plant material daily and as necessary to avoid dessication.
15. Pruning: Do not heavily prune trees and shrubs at planting. Prune only broken, dead, or diseased branches.
16. All areas within contract limits disturbed during or prior to construction not designated to receive plants and mulch shall be fine graded, grass seed planted, and covered with straw mulch.



| Tree Canopy Coverage Schedule for Sec. 25-128 |                   |                      |                      |                       |
|-----------------------------------------------|-------------------|----------------------|----------------------|-----------------------|
| Project Name:                                 | TCP25:            | DRD Case #:          | Area (acres)         |                       |
| Riverfront at West Hyattsville Metro          | 001-2017          |                      |                      |                       |
| Site Calculations:                            | Zone 1:           | M-X-T                | 13.55                |                       |
|                                               | Zone 2:           |                      |                      |                       |
|                                               | Zone 3:           |                      |                      |                       |
|                                               | Zone 4:           |                      |                      |                       |
|                                               | Total Acres:      |                      | 13.55                |                       |
| Total Acres (gross acres)                     | % of TCC Required | TCC Required (Acres) | TCC Required In (SF) |                       |
| 13.55                                         | 10.0%             | 1.36                 |                      | 59024                 |
| A. TOTAL ON-SITE WC PROVIDED (acres) =        | 0.00              |                      |                      | 0                     |
| B. TOTAL AREA EXISTING TREES (non-WC acres) = | 0.00              | acres                |                      | 0                     |
| C. TOTAL SQUARE FOOTAGE IN LANDSCAPE TREES =  |                   |                      |                      | 71480                 |
| D. TOTAL TREE CANOPY COVERAGE PROVIDED =      |                   |                      |                      | 71480                 |
| E. TOTAL SQUARE FOOTAGE REQUIRED =            |                   |                      |                      | 59024                 |
|                                               |                   |                      |                      | Requirement Satisfied |

| Credit Categories for Landscape Trees                                                                                                | TCC Credit per Tree Based on Size at Planting (SF)                             | Number of Trees | TCC Credit (SF) |
|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-----------------|-----------------|
| Deciduous - columnar shade tree (50' or less height)                                                                                 | 2-1/2' - 3" = 65<br>3-3 1/2' = 75                                              |                 | 0               |
|                                                                                                                                      | 1-1/2' - 1-3/4" = 75                                                           |                 | 0               |
|                                                                                                                                      | 2 - 2 1/2" = 100                                                               |                 | 0               |
| Deciduous - ornamental tree (20' or less height with equal spread). Minimum planting size 7-9' in height                             | 2-1/2' - 3" = 110<br>3 - 3 1/2" = 120<br>3 1/2' - 4" = 130<br>4 - 4 1/2" = 140 | 58              | 8120            |
|                                                                                                                                      | 2-1/2' - 3" = 140                                                              |                 | 0               |
|                                                                                                                                      | 3 - 3 1/2" = 175                                                               |                 | 0               |
| Deciduous - minor shade tree (25-50' height with equal spread or greater). Minimum planting size 8-10' in height                     | 2-1/2' - 3" = 225<br>3 - 3 1/2" = 250                                          |                 | 0               |
| Deciduous - major shade tree (50' and greater ht. with spread equal to or greater than ht) Minimum planting size 12 to 14' in height | 4-4 1/2' = 300                                                                 | 204             | 61200           |
|                                                                                                                                      | 6 - 8' = 40                                                                    | 54              | 2160            |
| Evergreen - columnar tree (less than 30' height with spread less than 15')                                                           | 8 - 10' = 50<br>10 - 12' = 75                                                  |                 | 0               |
|                                                                                                                                      | 6 - 8' = 75                                                                    |                 | 0               |
|                                                                                                                                      | 8 - 10' = 100                                                                  |                 | 0               |
| Evergreen - small tree (30-40' height with spread of 15-20')                                                                         | 10 - 12' = 125<br>6 - 8' = 125                                                 |                 | 0               |
|                                                                                                                                      | 8 - 10' = 150                                                                  |                 | 0               |
| Evergreen - medium tree (40-50' height with spread of 20-30')                                                                        | 10 - 12' = 175<br>6 - 8' = 150                                                 |                 | 0               |
|                                                                                                                                      | 8 - 10' = 200                                                                  |                 | 0               |
| Evergreen - large tree (50' height or greater with spread of over 30')                                                               | 10 - 12' = 250                                                                 |                 | 0               |
| TOTAL NUMBER OF TREES/TCC CREDIT (SF)                                                                                                |                                                                                | 316             | 71480           |

Note: See approved Alternative Compliance AC-17003

| Sample Schedule 4.1-2<br>Residential Requirements for Townhouses, One-Family Semi-Detached, and Two-Family Dwellings Arranged Horizontally: |      |                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------|------|------------------------------------------------------------------------------------------|
| 1) Number of dwelling units:                                                                                                                | 183  | units                                                                                    |
| 2) Number of trees required per dwelling unit:                                                                                              | 1.5  | shade trees                                                                              |
|                                                                                                                                             | 1    | ornamental/evergreen trees                                                               |
| 3) Total number of trees required:                                                                                                          | 276  | shade trees                                                                              |
|                                                                                                                                             | 183  | ornamental/evergreen trees                                                               |
| 4) Total number of trees provided:                                                                                                          | 40   | shade trees                                                                              |
|                                                                                                                                             | 54   | ornamental trees                                                                         |
| (on individual lots and/or in common open space)                                                                                            | * 54 | evergreen trees                                                                          |
|                                                                                                                                             | N/A  | existing shade trees (min. 2.5 inches dbh and located within 75 feet of a dwelling unit) |

\* NOTE:  
36 EVERGREEN TREES ADDED TO SATISFY ALTERNATIVE COMPLIANCE.

Note: See approved Alternative Compliance AC-17003

| Sample Schedule 4.9-1<br>Sustainable Landscaping Requirements                                                                                                                                                           |                                  |                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------------------|
| 1) Percentage of native plant material required in each category:                                                                                                                                                       |                                  |                       |
| Shade Trees:                                                                                                                                                                                                            | total 216 x 50% = 108            | total number required |
|                                                                                                                                                                                                                         | total number provided 213 = 97 % | native                |
| Ornamental Trees:                                                                                                                                                                                                       | total 58 x 50% = 29              | total number required |
|                                                                                                                                                                                                                         | total number provided 38 = 62 %  | native                |
| Evergreen Trees:                                                                                                                                                                                                        | total 54 x 30% = 16              | total number required |
|                                                                                                                                                                                                                         | total number provided 54 = 100 % | native                |
| Shrubs:                                                                                                                                                                                                                 | total 425 x 30% = 128            | total number required |
|                                                                                                                                                                                                                         | total number provided 183 = 43 % | native                |
| 2) Are invasive species proposed?                                                                                                                                                                                       | yes                              | X_no                  |
| 3) Are existing invasive species on-site in areas that are to remain undisturbed?                                                                                                                                       | yes                              | X_no                  |
| 4) If "yes" is checked in numbers 2 or 3, is a note included on the plan requiring removal of invasive species prior to certification in accordance with Section 1.5, Certification of Installation of Plant Materials? | yes                              | X_no                  |
| 5) Are trees proposed to be planted on slopes greater than 3:1?                                                                                                                                                         | yes                              | X_no                  |

| Sample Schedule 4.7-1<br>Buffering Incompatible Uses Requirements                                                                                                                  |                                                                                                                                                                             |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1) General Plan designation:                                                                                                                                                       | X_Developed Tier, Corridor Node or Center                                                                                                                                   |  |
|                                                                                                                                                                                    | Developing or Rural Tier                                                                                                                                                    |  |
| 2) Use of proposed development:                                                                                                                                                    | Townhouse                                                                                                                                                                   |  |
| 3) Impact of proposed development:                                                                                                                                                 | Low                                                                                                                                                                         |  |
| 4) Use of adjoining development:                                                                                                                                                   | Multifamily                                                                                                                                                                 |  |
| 5) Impact of adjoining development:                                                                                                                                                | Low                                                                                                                                                                         |  |
| 6) Minimum required bufferyard (A, B, C, D or E):                                                                                                                                  | X_A _ B _ C _ D _ E                                                                                                                                                         |  |
| 7) Minimum required building setback:                                                                                                                                              | 20 feet                                                                                                                                                                     |  |
| 8) Building setback provided:                                                                                                                                                      | 9.7 feet                                                                                                                                                                    |  |
| 9) Minimum required width of landscape yard:                                                                                                                                       | 10 feet                                                                                                                                                                     |  |
| 10) Width of landscape yard provided:                                                                                                                                              | 5.2 feet                                                                                                                                                                    |  |
| (The required setback and landscape yard may be reduced by fifty percent (50%) in the Developed Tier, Corridor Node or Center when a six (6) foot high fence or wall is provided.) |                                                                                                                                                                             |  |
| 11) Linear feet of buffer strip required along property line and right-of-way:                                                                                                     | 630 linear feet                                                                                                                                                             |  |
| 12) Percentage of required bufferyard occupied by existing trees:                                                                                                                  | 0 %                                                                                                                                                                         |  |
| 13) Is a six (6) foot high fence or wall included in bufferyard?                                                                                                                   | yes X_no                                                                                                                                                                    |  |
| (The required plant material may be reduced by fifty percent (50%) when a six (6) foot high fence or wall is provided.)                                                            |                                                                                                                                                                             |  |
| 14) Total number of plant units required in buffer strip:                                                                                                                          | 252 p.u.                                                                                                                                                                    |  |
| 15) Total number of plant units provided:                                                                                                                                          | shade trees 2 x 10 p.u. = 20 p.u.<br>evergreen trees 13 x 5 p.u. = 65 p.u.<br>ornamental trees 252 x 5 p.u. = 1260 p.u.<br>shrubs 252 x 1 p.u. = 252 p.u.<br>Total 337 p.u. |  |

Note: See approved Alternative Compliance AC-17003

| Sample Schedule 4.7-1<br>Buffering Incompatible Uses Requirements                                                                                                                  |                                                                                                                                                                        |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1) General Plan designation:                                                                                                                                                       | X_Developed Tier, Corridor Node or Center                                                                                                                              |  |
|                                                                                                                                                                                    | Developing or Rural Tier                                                                                                                                               |  |
| 2) Use of proposed development:                                                                                                                                                    | Townhouse                                                                                                                                                              |  |
| 3) Impact of proposed development:                                                                                                                                                 | None                                                                                                                                                                   |  |
| 4) Use of adjoining development:                                                                                                                                                   | Parks                                                                                                                                                                  |  |
| 5) Impact of adjoining development:                                                                                                                                                | None                                                                                                                                                                   |  |
| 6) Minimum required bufferyard (A, B, C, D or E):                                                                                                                                  | N/A _ A _ B _ C _ D _ E                                                                                                                                                |  |
| 7) Minimum required building setback:                                                                                                                                              | N/A feet                                                                                                                                                               |  |
| 8) Building setback provided:                                                                                                                                                      | 9.7 feet                                                                                                                                                               |  |
| 9) Minimum required width of landscape yard:                                                                                                                                       | N/A feet                                                                                                                                                               |  |
| 10) Width of landscape yard provided:                                                                                                                                              | 5.2 feet                                                                                                                                                               |  |
| (The required setback and landscape yard may be reduced by fifty percent (50%) in the Developed Tier, Corridor Node or Center when a six (6) foot high fence or wall is provided.) |                                                                                                                                                                        |  |
| 11) Linear feet of buffer strip required along property line and right-of-way:                                                                                                     | 184 linear feet                                                                                                                                                        |  |
| 12) Percentage of required bufferyard occupied by existing trees:                                                                                                                  | 0 %                                                                                                                                                                    |  |
| 13) Is a six (6) foot high fence or wall included in bufferyard?                                                                                                                   | yes X_no                                                                                                                                                               |  |
| (The required plant material may be reduced by fifty percent (50%) when a six (6) foot high fence or wall is provided.)                                                            |                                                                                                                                                                        |  |
| 14) Total number of plant units required in buffer strip:                                                                                                                          | N/A p.u.                                                                                                                                                               |  |
| 15) Total number of plant units provided:                                                                                                                                          | shade trees 2 x 10 p.u. = 20 p.u.<br>evergreen trees 5 x 5 p.u. = 25 p.u.<br>ornamental trees 84 x 5 p.u. = 420 p.u.<br>shrubs 84 x 1 p.u. = 84 p.u.<br>Total 109 p.u. |  |

Note: See approved Alternative Compliance AC-17003

| REVISION | DATE | REVISION | DATE | REVISION | DATE | Owner/Developer:                                                                                                                                                                      |
|----------|------|----------|------|----------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |      |          |      |          |      | Matt Michetti<br>Development Manager<br>Gilbane Development Company<br>1100 North Glebe Road #1000   Arlington, VA 22201<br>M: (571) 344-8355   T: (703) 312 7241   F: (401) 588 5348 |

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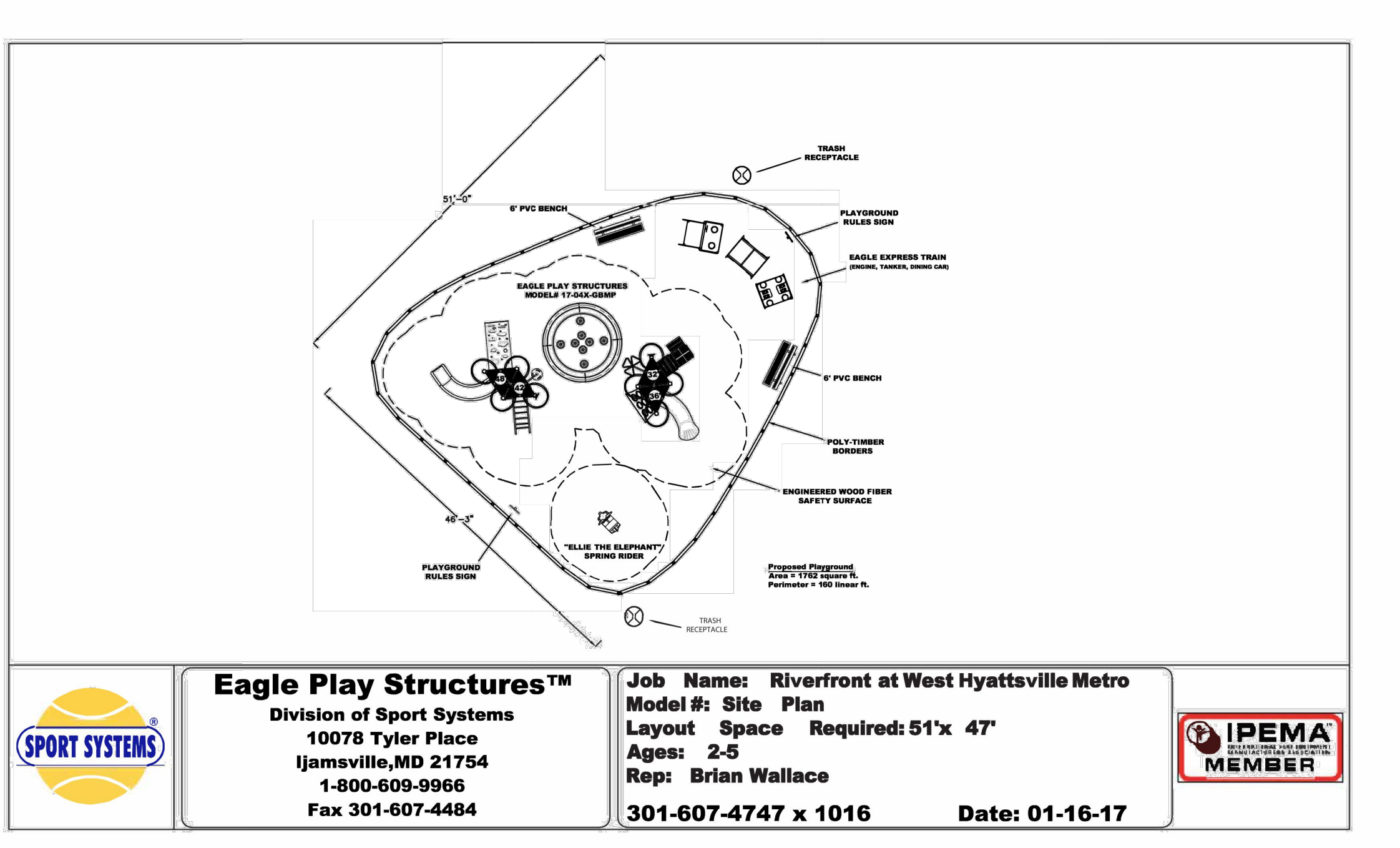
LANDSCAPE AND  
LIGHTING DETAILS

|           |          |
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| SCALE:    | N.T.S.   |
| JOB No.   | 1208A6   |
| DATE:     | FEB 2018 |
| SHEET No. | 6 OF 7   |

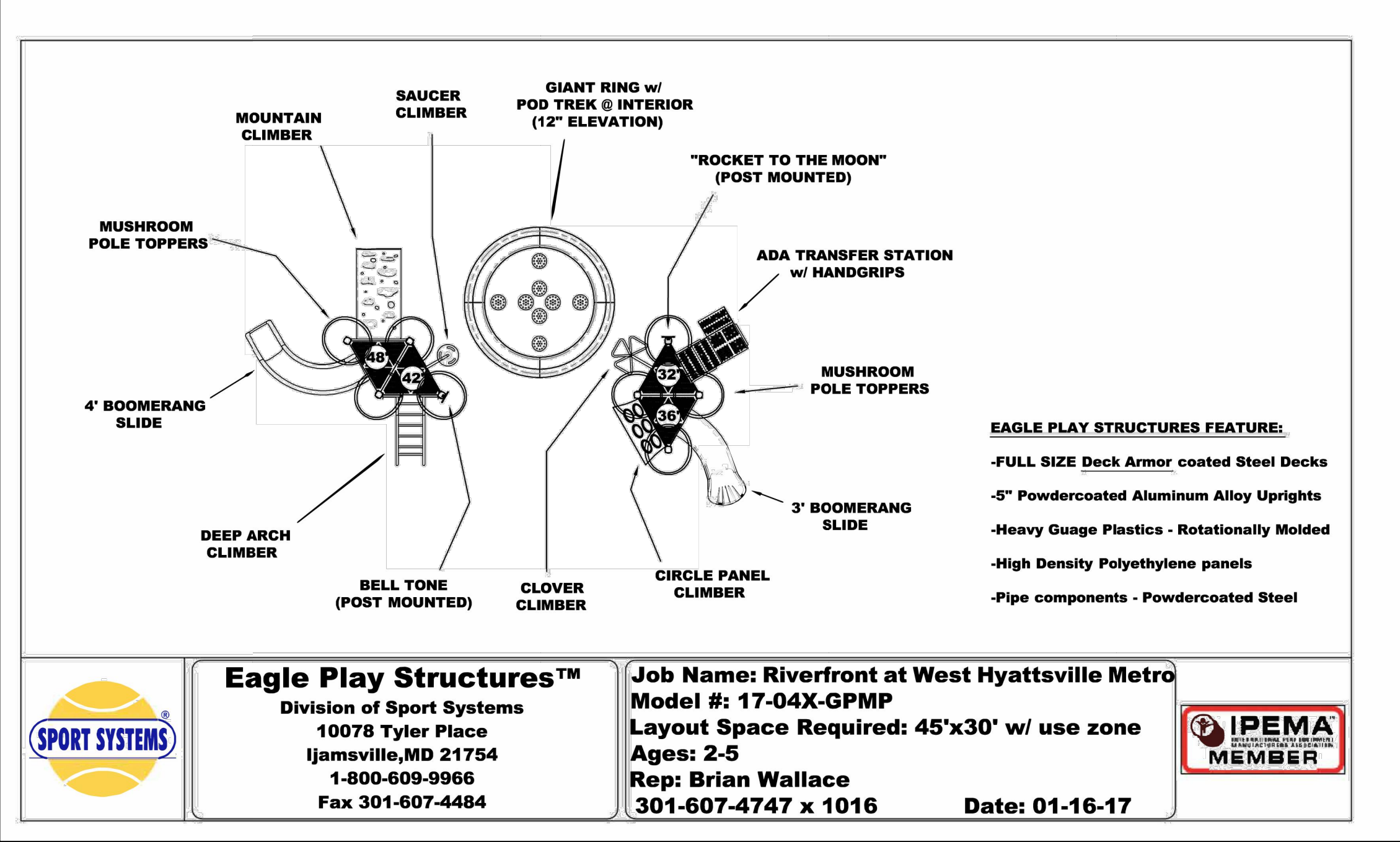




7 Playground 3D Rendering or Approved equal  
7 NOT TO SCALE



8 Playground Overall Plan (Tot-Lot/Pre-teen) or Approved equal  
7 NOT TO SCALE



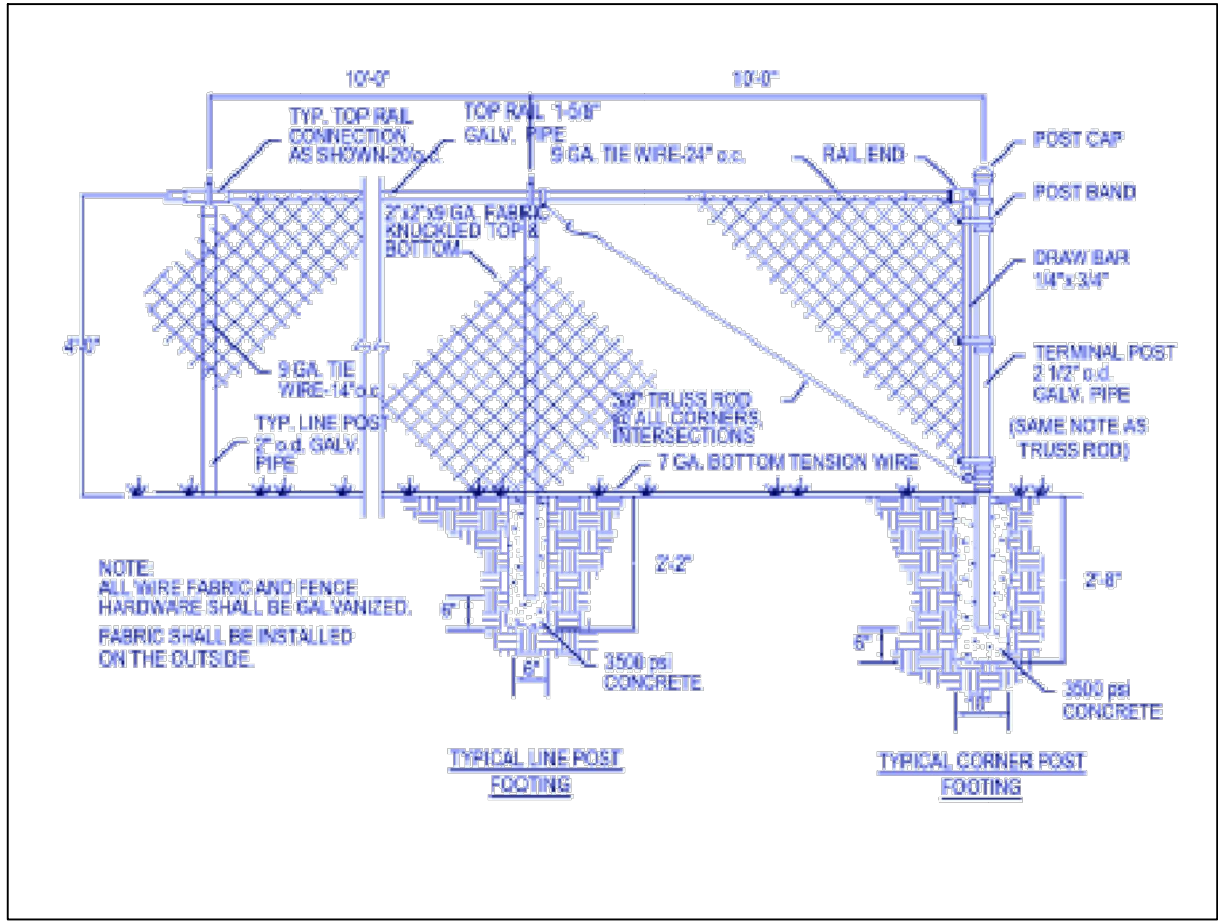
9 Playground Elements (Tot-Lot/Pre-Teen) or Approved equal  
7 NOT TO SCALE



10 6' Park Bench – Model # SF335–6PVC or Approved equal  
7 NOT TO SCALE



11 Trash Receptacle – Model # SF510–32PVC or Approved equal  
7 NOT TO SCALE



12 Black PVC coated 4' Chain Link Fence or Approved equal  
7 NOT TO SCALE



13 Playground "Rules" Sign or Approved equal  
7 NOT TO SCALE



14 Poly-timber Borders or Approved equal  
7 NOT TO SCALE



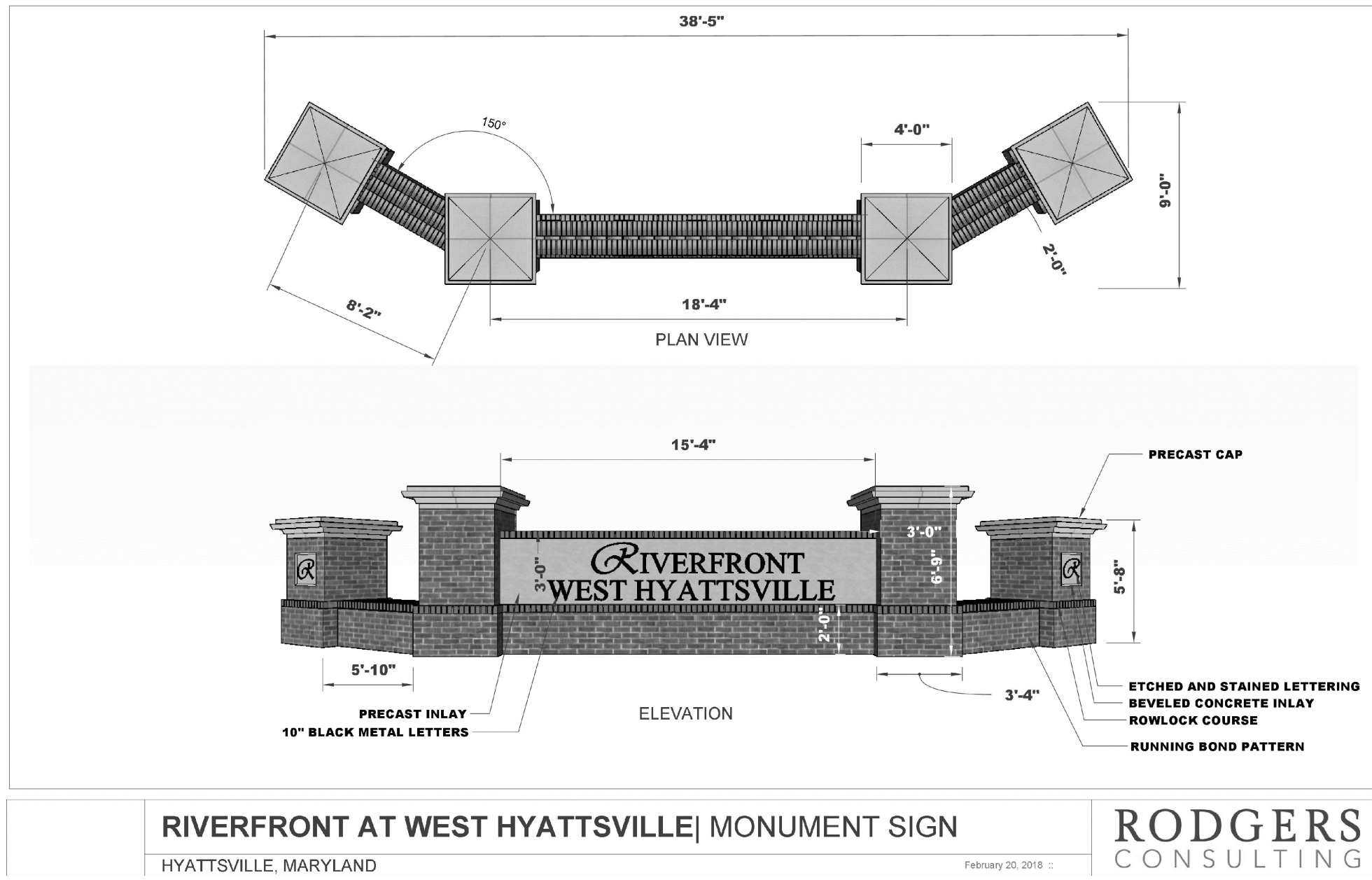
15 Eagle Express Train or Approved equal  
7 NOT TO SCALE



16 Street Light Fixture Detail or Approved equal  
7 NOT TO SCALE



17 "Ellie the Elephant" Spring Rider  
7 NOT TO SCALE



18 Monument Sign  
7 NOT TO SCALE

EQUIPMENT NOTES

- For all site furnishing details supplied hereon the landscape plans for illustration purposes only. The following shall apply to all details shown hereon these landscape plans.
  - Shop drawings shall be supplied at time of permit application and prior to permit issuance to the reviewing and approving agency.
  - All details shown hereon these plans shall be built to manufacturers specifications.
  - Equivalent substitutions for details provided in these plans shall be permitted when approved by the owner/owners representative, landscape architect, and MNCPPC.

PROFESSIONAL CERTIFICATION

"I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional landscape architect under the laws of the State of Maryland, License No.3243, Expiration Date: 2/28/16."



| REVISION | DATE | REVISION | DATE | REVISION | DATE | Owner/Developer:                                                                                                                                                                      |
|----------|------|----------|------|----------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |      |          |      |          |      | Matt Michetti<br>Development Manager<br>Gilbane Development Company<br>1100 North Glebe Road #1000   Arlington, VA 22201<br>M: (571) 344-8355   T: (703) 312 7241   F: (401) 588 5348 |
|          |      |          |      |          |      |                                                                                                                                                                                       |
|          |      |          |      |          |      |                                                                                                                                                                                       |
|          |      |          |      |          |      |                                                                                                                                                                                       |
|          |      |          |      |          |      |                                                                                                                                                                                       |

RIVERFRONT AT WEST HYATTSVILLE METRO

PARCEL 1, WWW 29@71  
L37453 F.103  
ELECTION DISTRICT No. 17  
HYATTSVILLE, PRINCE GEORGE'S COUNTY, MARYLAND

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LANDSCAPE AND LIGHTING DETAILS

|           |          |
|-----------|----------|
| SCALE:    | N.T.S.   |
| JOB No.   | 1208A6   |
| DATE:     | FEB 2018 |
| SHEET No. | 7 OF 7   |



**RIVERFRONT AT WEST HYATTSVILLE**

**DETAILED SITE PLAN**

**ARCHITECTURE**

**DSP-17044**

**pursuant to**

**EXPEDITED TRANSIT-ORIENTED DEVELOPMENT**

**in a**

**Transit District Overlay Zone (TDOZ)**

**STATEMENT OF JUSTIFICATION**

**April 17, 2018**

## TABLE OF CONTENTS

|                                           | PAGE |
|-------------------------------------------|------|
| I. Introduction.....                      | 3    |
| II. Finished Square Feet.....             | 4    |
| III. Prior Approvals.....                 | 4    |
| IV. Relationship to the General Plan..... | 7    |
| V. Master Plan and Zoning.....            | 8    |
| VI. Development District Standards.....   | 9    |
| VIII. Other Requirements.....             | 30   |
| VIII. Conclusion.....                     | 38   |

## I. INTRODUCTION

West Hyattsville Property Company, LLC, (the “Applicant”) presents this Detailed Site Plan application for Townhouse Architecture at 5620 Ager Road in Hyattsville, Maryland (the “Property”). The Property is located on the southwest side of Ager Road, approximately 620 feet north of Hamilton Street and the entrance to the West Hyattsville Metro Station. Found on Tax Map 41, Grids D-4 and E-4, it is known as Parcel 1, Barrett’s Addition to Kirkwood Village, Plat WWW 29@71, recorded in 1957. It is 18.45± acres.

The Property has recently been through several stages of the Prince George’s County approval process, including Preliminary Plan of Subdivision (4-15020) and Detailed Site Plan for Infrastructure Only (DSP-16029). These approvals established the lotting pattern and circulation plan, as well as stormwater quantity and quality management techniques and locations, landscaping and utility locations. This Detailed Site Plan application seeks to establish approval of the various architectural types for the proposed 183 townhomes on the Property. A separate Detailed Site Plan for multifamily architecture will be submitted.

As noted in prior applications, this stretch of Ager Road is a mix of old and new, residential and commercial, dominated by the West Hyattsville Metro Station. To the northwest lay the Kirkwood Apartments, a series of three-story, brick multifamily buildings. Immediately abutting the Property on the Kirkwood Apartment site are a drive aisle and parking spaces that runs the length of the common property line. Across Ager Road, to the northeast, single-family residences abut commercial uses, including a training facility for health care providers and a Latino Market. These are in the R-T Zone within the Transit District Overlay (T-D-O). To the southeast, in the M-X-T and T-D-O Zones, is land associated with the Metro Station. Southwest is the M-NCPPC Northwest Branch Stream Valley Park.

The West Hyattsville Transit District Development Plan (“TDDP”) established the following hierarchy for streets within the proposed development. Different street types have different architectural and massing requirements that will be discussed later in the Development Standards section of this statement of justification.

|                      |                                                                                      |
|----------------------|--------------------------------------------------------------------------------------|
| Residential Streets  | Kirkwood Place<br>River Terrace Road<br>Little Branch Run<br>Nicholson Street        |
| Local Access Streets | Emerald Branch Drive<br>Crimson Fox Drive<br>Hyattsville Drive<br>Alpha Ridge Avenue |

## Alleys

Hush Alley  
Still Alley  
Whisper Alley  
Elkhorn Alley  
Summer Alley  
Winter Alley  
Spring Alley  
Quiet Alley

## II. FINISHED SQUARE FEET

The Applicant proposes three models with several different architectural elevations shown on the elevation sheets. Widths are 16 feet for interior units and 20 and 24-feet for end units. The models have finished square footage as follows:

| Model                 | Finished Square Footage (±) |                 |
|-----------------------|-----------------------------|-----------------|
|                       | Above grade finished area   | Unfinished Area |
| Unit A (16 Ft. wide)  | 1,575 SF                    | 313 SF          |
| Unit B ( 20 Ft. wide) | 1,939 SF                    | 383 SF          |
| Unit C (24 Ft. wide)  | 2,340 SF                    | 462 SF          |
|                       |                             |                 |

## III. PRIOR APPROVALS

### Conceptual Sit Plan CSP-05006

Conceptual Site Plan CSP-05006 was approved on the Property in 2008. Preliminary Plan 4-05145 was approved in 2006. However, both the prior Conceptual Site Plan and Preliminary Plan approved for this property also included the adjacent 26 acres of land owned by WMATA which was filed pursuant to a Joint Development Agreement which has expired. WMATA is not a party to the instant application and the Applicant does not have any interest in the WMATA property. As a result, the applicant is unable to implement these prior approvals, including their conditions, and is required to start the approval process anew. This application constitutes a new application under the Expedited Transit Oriented Development (“ETOD”) regulations contained in Section 27-290.01 of the Zoning Ordinance. Pursuant to Section 27-290.01(a)(1), ETOD projects located in a Mixed-Use Zone are exempt from the requirement to obtain approval of a Conceptual Site Plan. As such, the development of the Subject Property will proceed without a CSP and the prior CSP conditions will not be applicable to the proposed development and analysis of compliance with prior conditions of approval is not required.



Preliminary Plan 4-15020

Preliminary Plan 4-15020 was approved with 24 conditions contained in PGCPB 17-42, adopted on March 23, 2017. Conditions 1.j., and 15 are applicable at the Architecture Detailed Site Plan stage:

**1. Prior to signature approval of the preliminary plan of subdivision (PPS), the applicant shall revise the PPS to:**

**j. Remove the development standards table and replace it with the following table:**

| DEVELOPMENT STANDARD                  | REQUIRED      | PROVIDED                            | CODE SECTION      |
|---------------------------------------|---------------|-------------------------------------|-------------------|
| a. Minimum Bldg. Width Interior Unit  | 20 feet       | 16 feet                             | Section 27-548(h) |
| End Unit                              | 24 feet       | 20 feet                             |                   |
| b. Maximum TH Units per Bldg. Group   | 6 du          | 8 du (7 groups)<br>7 du (10 groups) | Section 27-548(h) |
| c. Max. number of Bldg. Groups w>6 du | 20%           | 61% (17 groups)                     | Section 27-548(h) |
| d. Minimum Lot Size                   | 1,800 sq. ft. | 816 sq. ft. min.                    | Section 27-548(h) |

**\*A variance is approved, in accordance with the table above, from the lot standards of Section 27-548(h) of the Zoning Ordinance.**

RESPONSE: This has been done and the Preliminary Plan has received signature approval. The Detailed Site Plan is in conformance with these standards.

**15. At the time of review of the detailed site plan for architecture for the single-family attached units and final plat for the lots of such units, the following issues shall be considered:**

**a. Variation in the unit width in a stick of more than six units in a row, to incorporate a unit with a minimum width of 18 feet wide for every three narrower units, if possible.**

RESPONSE: The architectural elevation shown in the application do not include a wider townhome in the middle of sticks of more than six units. The Applicant has examined the possibility of including this additional width in the middle but has found it severely restricts the

marketing of the lots. Offsets in house façades and differing architecture and materials provide the desired visual variation.

**b. Architecture which provides entrances on the endwall of units where the endwall is fronting on a public street or open space.**

RESPONSE: No endwall entrances are proposed. While these features might work in more suburban settings, but not as well in urban settings. The goal is to activate the space and streets in front of the homes, not the less used space along side of the units. Two of the homes in an attached grouping would not enjoy the same public space activation as the others in the group. Endwalls shown on the included architecture are well articulated with windows at all levels. This architecture will soften views from adjoining streets, obviating the need for an entrance along the side.

**c. Provide a minimum eight-foot distance between the end unit lot lines of any two single-family attached building groups where pedestrian circulation is proposed between the units.**

RESPONSE: Pedestrian circulation between attached building groups is only likely on Parcels “I,” “L,” “M,” and “R.” All of these parcels exceed eight feet in width at their narrowest point.

**d. An evaluation of adequate access to the proposed parking on Hush Alley, in accordance with the requirements of the Prince George’s County Zoning Ordinance and the 2006 Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone, to determine if the removal of parking or widening of the alley is necessary.**

RESPONSE: Mike Lenhart, of Lenhart Traffic Consulting, Inc., evaluated the access and parking on Hush Alley and provides the following:

As required in Condition 15.d., the DSP was evaluated to determine the adequacy of access to the proposed parking on Hush Avenue. The access to Hush Alley is provided off of Kirkwood Place approximately 100 feet northwest of the centerline of Little Branch Run. Kirkwood Place is a dead-end road beyond the Hush Alley access with on-street parking for six vehicles and there will be little to no traffic on Kirkwood Place with very low traffic speeds. Hush Alley provides access to eight single family attached units which will generate a maximum of 6 to 7 peak hour trips. The geometric design of the intersection provides for good layout and the traffic volumes are anticipated to be very low with good traffic operations for the access as designed.

This condition is met.

### Detailed Site Plan 16029

Detailed Site Plan 16029 was approved by the Planning Board on March 23, 2017 for infrastructure only. Planning Board resolution PGCPB 17-42 contained conditions applicable to the Architecture Site Plan.

## IV. RELATIONSHIP TO THE GENERAL PLAN

In 2014, the County Council approved *Plan Prince George's 2035* ("Plan 2035"), the County's new General Plan. The Growth Policy Map, (Map 1; p. 18) includes the following six policy areas:

Regional Transit Districts  
Employment Areas  
Local Centers  
Established Communities  
Future Water and Sewer Service Areas  
Rural and Agricultural Areas

Plan 2035 also includes a growth boundary. The first five policy areas are found generally within the growth boundary, with most future development recommended for the Regional Transit Districts and Local Centers. Rural and Agricultural Areas are found mostly outside the growth boundary.

The Property is identified on the Growth Policy Map as the West Hyattsville Local Center. Local Centers are recommended **"as focal points for development and civic activity based on their access to transit or major highways."** Plan 2035 includes **"recommendations for directing medium- to medium-high residential development, along with limited commercial use, to these locations, rather than scattering them throughout the established communities."** The centers, it continues, **"are envisioned as supporting walkability, especially in their cores and where transit service is available."** (p. 19)

Plan 2035 further describes Local Centers as areas ripe for development including:

- Mid-rise and low-rise multifamily and townhomes at a density of 15 to 30 dwellings per acre.
  - Limited new Commercial development at an FAR of 1.5 to 3.0
  - Metrorail or Light Rail with connections to bus services.
- (p. 108)

Plan 2035 presents a Vision of Prince George’s County of **“strong, green, and healthy communities”** in a **“competitive, innovative, and adaptive economy”** with **“vibrant and walkable mixed-use centers; quality open space; restored ecosystems; and iconic destinations”** (p. 11). The overriding Land Use Goal, and, indeed, the overarching theme of Plan 2035 is to:

**“Direct future growth toward transit-oriented, mixed-use centers in order to expand our commercial tax base, capitalize on existing and planned infrastructure investments, and preserve agricultural and environmental resources”** (p. 93).

In fact, citing a 2011 study by the George Mason University Center for Regional Analysis (GMU), Plan 2035 adopted its recommendation that **“a majority of new housing be located in compact developments with convenient access to jobs and transportation options to meet the workforce’s growing demand for mixed-use, walkable, transit-accessible communities”** (p. 104).

The prior Infrastructure Detailed Site Plan (DSP-16029) advances this Vision and Land Use Goal by providing just the type of walkable, transit accessible community promoted throughout Plan 2035. This Architecture Detailed Site Plan is the next step in bringing the General Plan vision to fruition.

## V. MASTER PLAN AND ZONING

The Property is in the Mixed Use-Transit Oriented (M-X-T) Zone. It is in the 2006 *Approved Transit District Development Plan for the West Hyattsville Transit District Overlay Zone* (“TDDP”) which sets forth development regulations addressed later in this statement of justification. Three distinct neighborhoods are examined in the TDDP: North Park, Hamilton Square, and Queenstown. The Property straddles the North Park and Hamilton Square neighborhoods, with a majority of the Property—northwest of the Metro tracks—in the North Park neighborhood, and the smaller portion—southeast of the tracks—in Hamilton Square. Proposed townhome development in the North Park portion of the Property is the focus of this detailed site plan, with the portion of the Property in Hamilton Square is shown as future development. North Park includes the adjacent Kirkwood Apartment property. The Vision for North Park is:

**Located just north of the Metro tracks, this will be a primarily residential neighborhood with a diverse mix of housing types. Its residents will enjoy a direct connection to the Metro station and convenient access to the Northwest Branch stream valley park. It will contain several LID streets designed to contain and minimize stormwater runoff into the adjacent Northwest Branch. North Park will also contain a number of neighborhood and smaller “pocket” parks—one acre or less in size—that will be designed for active use by younger children and their parents. Small, neighborhood focused retail will be at the intersection of the**



**primary internal streets, within two blocks of the Metro station. Three taller residential buildings at the edge of North Park will offer outstanding views and surveillance of the stream valley park, increasing the safety of the park. (pp. 10-11)**

## VI. DEVELOPMENT DISTRICT STANDARDS

To realize this Vision, the TDDP includes design standards for Building Envelopes and Blocks, Streetscapes, Architecture, and Parking. While not all are applicable to an infrastructure only detailed site plan, relevant standards are discussed below. Development Standards are listed in *italics* in the column on the left below, with the Applicant's response in the right column.

| <b>Building Envelope and Block Standards- General Design Principles and Intent (Page 67)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><i>I. Intent</i></b><br/> The TDDP identifies the building envelope standards for all building sites within the West Hyattsville Transit District. The intent of the building envelope standards is to create a vital public realm through well designed street space. Deviations from the building envelope standards can be reviewed through the appropriate process as outlined in the Transit District Development Plan (Applicability of Site Plan Requirements). The building envelope standards set the specifications for building sites along street, siting, elements and use.</p> |                                                                                                                                                                                     |
| <p><i>1. Buildings shall be aligned and close to the street</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>Buildings are proposed as close to the street as possible, behind the sidewalk and public utility easement with no substantially additional front yard.</p>                      |
| <p><i>2. Buildings shall be consistent forms on both sides of the street and shall provide public space between buildings fronting the street.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>Internally, open areas are provided between groups of townhomes. The site design shows buildings of consistent (not exact) architecture facing each other across the street.</p> |
| <p><i>3. Buildings shall front the street and square and provide ground level retail uses to provide an active, vital, and safe pedestrian public space.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Does not apply to the townhomes.</p>                                                                                                                                             |

|                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>4. Buildings shall define the property lines. Public and private space shall be clearly defined as public with open views and surveillance, or private and protected.</i></p>                                                                                                                                                                                                                         | <p>Lots are laid out to achieve this standard. Townhomes define property lines by paralleling them. Private space in the rears of the townhomes is clearly private and separate from the public realm.. Public space-parks and walks between groups of homes, are open and easily surveilled from streets or windows.</p> |
| <p><i>5. Buildings shall be designed to orient views towards the street and public realm.</i></p>                                                                                                                                                                                                                                                                                                           | <p>This applies throughout, with lots designed to afford views onto streets. Many Townhome lots in the development will have stunning views into the Northwest Branch Stream Valley Park. All homes are oriented toward the streets, activating the public realm.</p>                                                     |
| <p><i>6. Buildings shall provide retail on all ground floor elevations to provide an active and interesting pedestrian street life. Community-serving financial (e.g., commercial bank or savings and loan branch) or professional (medical, tax preparation, insurance) service establishments may be allowed in ground-floor space provided that such uses have a primary entrance on the street.</i></p> | <p>This does not apply to the townhomes.</p>                                                                                                                                                                                                                                                                              |
| <p><i>7. Building vehicle storage and service areas for garbage and mechanical equipment shall be located away from the street.</i></p>                                                                                                                                                                                                                                                                     | <p>These are not proposed in the Architecture Detailed Site Plan.</p>                                                                                                                                                                                                                                                     |
| <p><i>8. Building parking areas (off-street) shall be located away from the street and shared by multiple owners/uses.</i></p>                                                                                                                                                                                                                                                                              | <p>As this applies to the multifamily buildings, this level of detail will be explored in the multifamily Architecture Detailed Site Plan.</p>                                                                                                                                                                            |
| <p><i>9. Commercial and mixed-use blocks shall contain a minimum on 80 percent commercial uses on the ground floor.</i></p>                                                                                                                                                                                                                                                                                 | <p>This applies to the multifamily development and is not applicable to the townhouse architecture Detailed Site Plan.</p>                                                                                                                                                                                                |

| <b>General Design Principles and Intent-Building Street Types (Page 68)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Intent</b><br/> <i>The TDDP identifies the building street type for all streets within the West Hyattsville Transit District. The building street types are provided to regulate building height requirements, parking structure height, ground story height, upper story height, and transitions in height for the specific street types of <b>Boulevard</b> (Ager, Chillum, and Queens Chapel Roads), <b>Main Street</b> (Hamilton Street), <b>Park Drive</b>, <b>Residential Street</b>, <b>LID Street</b>, <b>Local Access Street</b>, and <b>Alley</b>. Deviations from the building street type requirements shall be reviewed through the appropriate process as outlined in the transit district development Plan (Applicability of Site Plan Requirements).</i></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>COMMENT: None of the Townhouse lots front Ager Road, the lone Boulevard affecting the proposal. Further, a modification to Map 28, Page 101 of the TDDP approved through DSP-16029 reclassified River Terrace Road from a “Park Drive” to a “Residential Street.” Therefore, the TDDP standards for architecture applicable to Boulevards and Park Drive are not applicable and are not included in this statement of justification. The justification begins with Residential Streets.</p>                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>Residential Street</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>There are four Residential Streets in the proposed development: Kirkwood Place, River Terrace Road, Little Branch Run, and Nicholson Street. River Terrace Road parallels the Stream Valley Park. Little Branch Run is the main entrance into the development, connecting Ager Road with River Terrace Road. Nicholson Street is the street closest to and paralleling the River Terrace Road. Kirkwood Place is the first cross street in the development.</p> |
| <p><b>Height Specifications</b></p> <p><b>1. Building Height:</b> <i>Principal building height is measured in stories. All buildings shall be a minimum of four stories and a maximum of six stories in height, except where otherwise noted in the TDDP. No accessory building shall be more than 18 feet to its eaves.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Townhomes of four stories are proposed along the four “residential streets” (Kirkwood Place, River Terrace Road, Little Branch Run, and Nicholson Street).</p>                                                                                                                                                                                                                                                                                                  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>2. Parking Structure Height and Block Coverage:</b> <i>No parking structure within the block shall exceed the eave height within 40 feet of the parking structure. Any parking area fronting the build-to line shall provide a three-foot high solid masonry wall to screen vehicles. No block shall have more than 25 percent of its street frontage occupied by screened parking. Unscreened parking shall be prohibited.</i></p>                                                                                                                                           | <p>There are no parking structures along residential streets</p>                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>Siting Specifications</b></p> <p><b>1. Building Street Façade:</b> <i>The façades of all buildings shall be constructed at the build-to line (or sidewalk edge) for at least 75 percent of the street frontage of each block with the following exception: Block corners are exempt from the build-to line requirement if a special pedestrian-oriented building corner treatment is provided. The street faced shall be a single plane, limited to façade jogs of less than 24 inches, interrupted only by porches, stoops, bay windows, shop fronts, and balconies.</i></p> | <p>All townhomes fronting residential streets are constructed at the build-to-line, just behind the sidewalk and public utility easement (and an additional setback required by Siting Specification requirement 3, below). Townhomes facing one residential street, Little Branch Run, do not actually front the street. They are separated from the street by a public open space parcel. Jogs of equal to or less than 24 inches are proposed along all front façades.</p> |
| <p><b>2. Maximum Block Length:</b> <i>Block lengths shall be a maximum of 400 feet in length; refer to the TDDP block registration plan (Map 13).</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Map 13 shows Lot Registrations classified “AA,” “BB,” “CC,” “DD,” “L,” “Y,” and “Z.”</p> <p>Little Branch Run can be divided into 5 blocks. Three of these blocks are approximately 150 feet in length, with the other two approximately 250 feet long. None exceed 400 feet. This standard is met for Little Branch Run.</p> <p>Nicholson Street is one block that exceeds 400 feet in length. A modification was approved in DSP 16029.</p>                              |



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>3. Buildable Area:</b> <i>Building shall only occupy the lot area delineated in the siting specifications and shall be in accordance with the West Hyattsville TDDP. All single-family residential buildings are required to be located two feet back from the build-to line to provide additional room for a front porch as stated below in the element specifications. The sidewalk location and width shall be in accordance with the applicable streetscape sections and roadway segments of the TDDP and shall be delineated on the detailed site plan.</i></p> | <p>All townhomes meet this requirement. Sidewalk location and width was approved in DSP 16029, and are in accordance with the West Hyattsville TDDP.</p>                                                                                                                         |
| <p><b>4. Side Yard Line:</b> <i>The minimum side setback is five feet.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>This minimum setback is provided on end units.</p>                                                                                                                                                                                                                            |
| <p><b>5. Rear Yard Line:</b> <i>On sites with no alley access, there shall be a 12-foot setback from the rear yard line.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>This minimum setback is provided on end units.</p>                                                                                                                                                                                                                            |
| <p><b>Local Access Street and Alley (Page 78)</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>There are four local access streets: Emerald Branch Drive, Crimson Fox Drive, Hyattsville Drive, and Alpha Ridge Avenue.</p> <p>There are eight alleys: Hush Alley, Still Alley, Whisper Alley, Elkhorn Alley, Summer Alley, Winter Alley, Spring Alley, and Quiet Alley.</p> |
| <p><b>Height Specifications</b></p> <p><b>1. Building Height:</b> Principal building height is measured in stories. All buildings shall be a minimum of four stories and a maximum of six stories in height, except where otherwise noted in the TDDP. No accessory building shall be more than 18 feet to its eaves.</p>                                                                                                                                                                                                                                                  | <p>The architecture shows four story townhomes along the four local access streets and eight Alleys.</p>                                                                                                                                                                         |

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| <p><b>2. Parking Structure Height and Block Coverage:</b> <i>No parking structure within the block shall exceed the eave height within 40 feet of the parking structure. Any parking area fronting the build-to line shall provide a three-foot high solid masonry wall to screen vehicles. No block shall have more than 25 percent of its street frontage occupied by screened parking. Unscreened parking shall be prohibited.</i></p>                                                                                                        | <p>No parking structure is proposed. Garages are shown in the rears of homes, less than 40 feet in height. No solid wall is required.</p>                                                      |
| <p><b>Siting Specifications (Page 79)</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                |
| <p><b>1. Building Street Façade:</b> <i>The facades of all buildings shall be constructed at the build-to line (or sidewalk edge) for at least 75 percent of the street frontage of each block with the following exception: Block corners are exempt from the build-to line requirement if a special pedestrian-oriented building corner treatment is provided. The street façade shall be a single plane, limited to façade jogs of less than 24 inches, interrupted only by porches, stoops, bay windows, shop fronts, and balconies.</i></p> | <p>The façades of the groupings are a single plane with jogs of less than or equal to 24 inches. Homes are pushed as close to the sidewalk edge as the public utility easement will allow.</p> |
| <p><b>2. Maximum Block Length:</b> <i>Block lengths shall be a maximum of 400 feet in length; refer to the TDDP block registration plan (Map 13).</i></p>                                                                                                                                                                                                                                                                                                                                                                                        | <p>Block length is consistent with that approved in DSP 16029.</p>                                                                                                                             |

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| <p><b>3. Buildable Area:</b> <i>Building shall only occupy the lot area delineated in the siting specifications and shall be in accordance with the West Hyattsville TDDP. All single-family residential buildings are required to be located two feet back from the build-to line to provide additional room for a front porch as stated below in the elements specifications. The sidewalk location and width shall be in accordance with the applicable streetscape sections and roadway segments of the TDDP and shall be delineated on the detailed site plan.</i></p> | <p>The site plan shows house locations at, or up to four feet behind, the front build-to-line—which is determined by the public utility easement—allowing for front porches.</p> |
| <p><b>4. Side Yard Line:</b> <i>The minimum side setback is five feet.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>There are no minimum side setbacks for interior townhomes. All end units are a minimum of five feet from the end unit side property line.</p>                                 |
| <p><b>5. Rear Yard Line:</b> <i>On sites with no alley access, there shall be a 12-foot setback from the rear yard line.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>All homes are accessed by an Alley.</p>                                                                                                                                       |
| <p><b>STREETSCAPE STANDARDS (Page 81)</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                  |
| <p><b>GENERAL DESIGN PRINCIPLES AND INTENT</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                  |
| <p><b>GENERAL STREETSCAPE STANDARDS (Page 83)</b></p> <p>COMMENT: All of the General Streetscape standards were reviewed and approved at the Detailed Site Plan for Infrastructure.</p>                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                  |

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| <b>Public Street Lighting (Page 89)</b><br><br>COMMENT: With one exception, the Public Street Lighting Standards were reviewed and approved with the Detailed Site Plan for Infrastructure. The following standard was left for review at the Architecture Detailed Site Plan.                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>11. Residential Building Lighting:</b> <i>Porch and/or entry lights shall be required on all residential buildings to create a safe pedestrian environment at night. Porch and/or entry lights for single-family attached residential units shall not exceed 100 watts per fixture.</i>                                                                                                                                      | These are provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Blocks and Alleys (Page 91)</b><br><br>COMMENT: With one exception, the Blocks and Alleys Standards were reviewed and approved with the Detailed Site Plan for Infrastructure. The following standard was left for review at the Architecture Detailed Site Plan.                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>1. Building Siting:</b> <i>Each applicant or the applicant's heirs, successors, and/or assignees shall be responsible for siting buildings according to the West Hyattsville TDDP and shall be included as part of any application for detailed site plan and building/grading permits. No building or grading permits shall be issued without a detailed site plan that conforms to all building standards in the TDDP.</i> | The buildings are sited in accordance with the West Hyattsville TDDP in terms of location, height, setbacks, orientation. The are located in accordance with the Preferred Land Use Map as modified by District Council approval of DSP-16029; they are four-stories in height, matching the street standard building height requirements; they are setback only as far as necessary to provide sidewalks and public utility easements; and they are oriented toward the street to provide an urban setting on pedestrian-friendly streets. |
| <b>Sidewalks (Page 92)</b><br><br>COMMENT: All Sidewalk Standards were reviewed and approved with the Detailed Site Plan for Infrastructure.                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Sod, Groundcover and Mulch (Page 93)</b><br><br>COMMENT: All Sod, Groundwater and Mulch Standards were reviewed and approved with the Detailed Site Plan for Infrastructure.                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



### **Landscape (Page 93)**

COMMENT: All Landscaping Standards were reviewed and approved with the Detailed Site Plan for Infrastructure.

### **Parks (Page 95)**

COMMENT: All Parks Standards were reviewed and approved with the Detailed Site Plan for Infrastructure.

### **Plazas (Page 97)**

COMMENT: Plaza Standards were reviewed and approved with the Detailed Site Plan for Infrastructure. Those Plaza Standards applicable to the Multifamily section of the development will be reviewed in that DSP.

## **ARCHITECTURE STANDARDS (Page 103)**

### **GENERAL DESIGN PRINCIPLES AND INTENT**

#### ***Intent***

*M-NCPPC staff shall review building architecture. Staff will coordinate with the developer and/or applicant to review the standards of the form-based code. Architecture shall be of high quality, enduring, and promoting a sense of character for the building street wall. Building walls should reflect high-quality architecture and complement the surrounding development. They should be structural walls that provide long-lasting building materials. Building walls should not be too ornate or too simple. All building materials shall be appropriate to their specific properties for load bearing capacity. Refer to the TDDP architecture standards below for the specific prescriptions of this section. Specifically, the architecture standards are intended:*

- ☐ *To enhance the visual appeal of new commercial/mixed-use and residential development*
- ☐ *To enhance the visual environment of activity centers*
- ☐ *To promote pedestrian accessibility and safety*
- ☐ *To minimize visual clutter and blight*

COMMENT: The townhouses best resemble the Federal Style of architecture, with clean lines, a mix of brick and siding, a mix of flat and gabled roofing, with slim upper floor windows. Designed for an urban setting, the homes include rear loaded garages, with front doors close to

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| <p>the sidewalk and street. The submitted architecture shows four-story homes. Box bay windows are a homeowner option along the front façade. These windows, combined with variable materials (brick, siding, stone, veneer) and a fourth-floor loft space stepped back from the front of the buildings, create architectural articulation and visual variety, while maintaining a distinctive, cohesive style along each group of buildings and throughout the community. The setbacks, and the varied features and cohesive front create a community that is visually compelling, promotes pedestrian accessibility and safety, and minimizes visual clutter.</p> |                                                                                                                                                                                                                                                                                                                                                                        |
| <p><i>1. Architecture shall blend aesthetically into the built environment of the block for which the development lot is located.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>As noted, the architecture is consistent throughout the community and is aesthetically pleasing.</p>                                                                                                                                                                                                                                                                |
| <p><i>2. Architecture shall specify required details as indicated in the TDDP.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>The details regarding building materials, window widths and locations, doorway design, loft and forth floor elevations, are outlined next to the applicable standard in this document.</p>                                                                                                                                                                          |
| <p><i>3. Architecture shall provide a coherent form for the building.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Not only is the architecture consistent along the façade of individual groups of buildings, but it is consistent throughout the neighborhood. Each elevation presents a Federal design, varied by architectural detailing, building setbacks at the fourth floor, and the occasional box bay window. These variations provide a coherent form for the building.</p> |
| <p><i>4. Architecture materials shall provide appropriate material properties (strength) for the design purpose of the building; strong materials shall support lighter materials.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>In elevations with mixed materials, stronger materials, such as brick or stone, are shown forming the base of the façade, with lighter, softer materials atop. This will prevent a top-heavy look.</p>                                                                                                                                                              |
| <p><i>5. Architecture materials shall be as indicated in the TDDP; equivalent or better material is also encouraged but shall be approved at the discretion of the Planning Board.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Materials proposed are brick, stone, siding, and/or veneer. These high quality materials are in conformance with TDDP standards and recommendations.</p>                                                                                                                                                                                                            |

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| <p><i>6. Architecture characteristics shall be coordinated with respect to building articulation, building scale and proportions, architectural style, roof forms, building details and fenestration patterns, and materials.</i></p> | <p>The elevations show four-story structures, in accordance with, and in locations outlined in, the TDDP specifications for heights along specific roadways. Not all elevations show an articulation line below the third floor. All elevations show a substantial articulation line between the third and fourth floors. On full brick or stone fronts, the only articulation line may be between the third and fourth floors, but a dramatic line it is. Building fenestration and roof forms, are similar on all elevations. These elevations, akin throughout the neighborhood, are well coordinated.</p> |
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| <b>Configurations and Techniques (Page 105)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <p><b>1. Exterior Walls (Architecture):</b></p> <ul style="list-style-type: none"> <li>□ <i>Exterior walls greater than 40 feet in length shall break any flat, monolithic façade with discernible architectural elements, such as bay windows, recessed entrances and windows, display windows, arcades, balconies, cornices, bases, pilasters, columns or other architectural details or articulation combined with changes in materials to provide visual interest and pedestrian scale. Building designs, rooflines, or façade treatments that are monotonous shall be prohibited.</i></li> <li>□ <i>Exterior wall materials shall be consistent horizontally (i.e., joints between different materials shall be horizontal and continue around corners) except for chimneys and piers.</i></li> <li>□ <i>Exterior wall material/architectural changes shall be provided with a constructional logic. Building additions shall specify a building material that is compatible in architecture and material with the original building.</i></li> <li>□ <i>All exposed and visible exterior walls of a building shall provide quality architectural material along the facades according to the permitted building façade materials stated in the architectural standards.</i></li> </ul> | <p>No façade of any townhouse grouping will be monolithic. The architecture shows box bay windows, jogs of up to 24 inches between units, the loft area stepped back from the third floor, and front stoops and/or porches, all of which help break up the long, straight façade.</p> <p>As shown on the architecture elevations, each townhome has consistent materials horizontally with changes in material generally coming at the second-floor level.</p> <p>Any homeowner addition will need review by the County to ensure that building additions are logical extensions of the home’s architecture.</p> <p>The quality of the architectural materials is self-evident. Brick, stone, siding, brick and stone veneer, all provide durability in a visually pleasing setting.</p> |



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| <p><b>2. Brick and Stone:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Brick shall specify the pattern, color, type, and model number of brick to be used.</i></li> <li><input type="checkbox"/> <i>Stone shall specify the pattern, color, type, and finish of stone to be used.</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                         | <p>A color and materials palate will be submitted during the review of this detailed site plan.</p>                                                                             |
| <p><b>3. Building Facades along Corner Lots:</b><br/> <i>Building facades along corner lots shall be architecturally treated as having street frontage on both the front and side streets. Both facades shall provide architectural material that meets the materials list specified in the architectural standards.</i></p>                                                                                                                                                                                                                                                                                                                                                                                           | <p>Architecture of high visibility endwalls will be treated as fronts. Though no entry is proposed, the endwalls facing public streets will exhibit architectural elements.</p> |
| <p><b>4. Parapet Roofs:</b> <i>(Cornice, Entablature, and Coping Standards)</i></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Parapet roofs shall only be permitted to conceal roof top mechanical equipment and shall not extend beyond the height of the rooftop mechanical equipment. Building architectural roof sections shall be submitted as part of the detailed site plan to provide compliance with this standard.</i></li> <li><input type="checkbox"/> <i>Parapet roofs shall not be permitted if the purpose is to extend the height building. Parapet roofs shall not create a false building height extension and shall not qualify as overall building height.</i></li> </ul> | <p>Parapet roofs are not proposed.</p>                                                                                                                                          |

| <b>WINDOWS AND DOORS/ENTRANCES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <b>Configurations and Techniques (Page 106)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>The following configurations and techniques are permitted.</p> <p><b>1. All Windows:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Windows shall not span vertically more than one story.</i></li> <li><input type="checkbox"/> <i>Windows shall correspond to interior space and shall not span across building structural elements such as walls and mechanical spaces between floors.</i></li> <li><input type="checkbox"/> <i>Windows may be ganged horizontally (maximum five per group) if each grouping is separated by a mullion, column, pier or wall section that is a minimum of seven inches wide.</i></li> <li><input type="checkbox"/> <i>Windows shall be no closer than 30 inches to building corners (excluding bay windows and where the building corner is also a block corner).</i></li> <li><input type="checkbox"/> <i>Exterior shutters, if applied, shall be sized and mounted appropriately for the window (one-half the width), even if inoperable.</i></li> </ul> | <p>While many of these requirements apply more specifically to mixed-use or commercial buildings, the Applicant offers the following as they regard townhomes.</p> <ul style="list-style-type: none"> <li>- No window spans vertically more than one story.</li> <li>- No window spans horizontally across building elements.</li> <li>- Ganged windows are not proposed.</li> <li>- Windows re more than 30 inches to building edges.</li> <li>- Some elevations include shutters that, as seen on the elevations, are appropriately sized for the window.</li> </ul> |
| <p><b>2. Ground Floor Windows:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Single panes of glass shall not be larger than six feet high by four feet wide.</i></li> <li><input type="checkbox"/> <i>Windows shall not be made opaque by window treatments and shall allow a minimum 60 percent of surface view into the building for a depth of at least 20 feet.</i></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>No single-pane windows are proposed. The requirement that they allow 60 percent of surface view into the building for a depth of 20 feet is best suited for commercial uses, and not generally applicable to residential uses. Windows are designed to residential standards.</p>                                                                                                                                                                                                                                                                                   |

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| <p><b>3. Upper-Story Windows:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Windows shall be double-hung, single-hung, awning, or casement windows.</i></li> <li><input type="checkbox"/> <i>Fixed windows are permitted only as a component of a system including operable windows within a single wall opening.</i></li> <li><input type="checkbox"/> <i>Residential buildings/floors: panes of glass no larger than 36 inches vertical by 30 inches horizontal.</i></li> <li><input type="checkbox"/> <i>The maximum pane size for office uses is 40 inches vertical by 40 inches horizontal.</i></li> <li><input type="checkbox"/> <i>Egress windows may be installed according to the appropriate building code.</i></li> </ul> | <p>All front windows are operable. The architectural details so that upper-story windows are no larger than 36 inches high by 30 inches wide. Specific egress windows are not proposed in residential units, though all may be used for egress.</p> |
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| <p><b>4. Doors/Entrances:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <i>Primary entrances shall be delineated on the detailed site plan as major architectural features so that they are clearly identified as entry points, front the primary public street, and are pedestrian accessible. A portico, arcade, or similar architectural feature shall be provided to shelter the primary entrance.</i></li> <li><input type="checkbox"/> <i>Building facades over 200 feet in length facing a street shall provide two or more public building entrances off the street.</i></li> <li><input type="checkbox"/> <i>Primary building entrances shall connect to the sidewalk with a pedestrian walkway.</i></li> <li><input type="checkbox"/> <i>Shop front entrances are permitted to extend up to 24 inches beyond the build-to line.</i></li> <li><input type="checkbox"/> <i>Double height entryways (those that span more than one story) shall be prohibited.</i></li> <li><input type="checkbox"/> <i>Doors shall not be recessed more than three feet behind the shop front windows and shall have a clear view and path to a 45-degree angle past the perpendicular from each side of the door.</i></li> <li><input type="checkbox"/> <i>Roll-down security gates, door, and windows shall be prohibited.</i></li> </ul> | <p>This standard applies to commercial uses. However, it is important to note that doorway entrances to connect to a sidewalk and face the primary street. They are designed, in terms of color palate and fenestration, with the total façade of the home and group of homes in mind—that is, they are architecturally compatible with the homes’ designs.</p> |
| <p><b>SIGNAGE (Page 107)</b></p> <p>COMMENT: There are no building signs associated with the townhome development.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                 |

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| <b>PARKING STANDARDS (Page 109)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                            |
| <b>GENERAL DESIGN PRINCIPLES AND INTENT (Page 109)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                            |
| COMMENT: The General Design Principles and Intent of the Parking Standards were reviewed and approved with the Detailed Site Plan for Infrastructure. On- and off-street parking standards applicable at the Architecture Site Plan stage are outlined below.                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                            |
| <b>ON-STREET PARKING (Page 111)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                            |
| <p><b>Intent</b><br/> <i>To regulate the design and location of on-street parking to provide convenient access to adjoining uses without compromising pedestrian/motorist safety and the quality of the streetscape environment.</i></p>                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                            |
| <p><b>1. Materials:</b> <i>On-street parking areas shall be coordinated with the Department of Public Works and Transportation (DPW&amp;T) and/or State Highway Administration (SHA) as appropriate.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                          | <p>The Applicant continues to work with the City of Hyattsville to coordinate materials for on-street parking. A continuation of the street surface is proposed.</p>                       |
| <p><b>2. Configurations and Techniques</b><br/> <b>a. Permitted Development Blocks for On-Street Parking:</b> <i>On-street parking areas shall be permitted in all development blocks except NN and OO.</i><br/> <b>b. Siting:</b> <i>On-street parking shall be located in accordance with the West Hyattsville TDDP streetscape sections. Restricted (non-rush hour) on-street parking may be permitted on primary streets within the TDOZ, subject to an executed memorandum of understanding (MOU) between the City of Hyattsville, DPW&amp;T, and the State Highway Administration (SHA) as appropriate.</i></p> | <p>The Property is not in Development Blocks “NN” or “OO.” On street parking is expected to be available 24 hours a day; there are no primary streets within the proposed development.</p> |



| <b>OFF-STREET PARKING (Page 112)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p><b>Intent</b><br/> <i>To regulate the location, siting, and design of off-street parking to provide convenient access to adjoining uses without compromising pedestrian/motorist safety and the quality of the built environment within the West Hyattsville TDOZ.</i></p>                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>Configurations and Techniques:</b></p> <p>COMMENT: This Section provides regulations concerning Siting, Uses Within Parking Structures, Façade Treatments for Parking Structures, Parking Structure Fenestration, Parking Structure Height, Siting of Parking Structures with Street Frontage, Parking Structure Entrances and Exits (Single-Family Residential, Parking Structure Entrances and Exits (Multi-family/Nonresidential), Parking Structure Stairwells, Parking Structure Elevators, and Parking Structure Lighting. Of these, only “Siting” and “Parking Structure Entrances and Exits (Single-Family Residential)” apply at this time.</p> |                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>1. Siting:</b> <i>Off-street parking facilities (surface lots and parking structures) shall be located in accordance with the West Hyattsville TDDP/TDOZ parking plan. Surface parking areas shall be provided to the rear of the site away from the public realm view. Parking areas and pedestrian access to these areas shall not exceed 25 percent of the build-to line frontage on any block. Street frontage vehicular access to off-street parking facilities shall be prohibited (see discussion of off-street parking entrances below).</i></p>                                                                                                 | <p>Single-family attached housing is proposed in this Detailed Site Plan. Parking structures associated with this proposal are individual garages and driveways serving individual homes. None of these are in the public realm; in fact, all of the homes are rear-loaded, with garages and driveway access to them in the rear of the homes on alleys. Fronts will have no parking.</p> |

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| <p><b>2. Uses Within Parking Structures Along Street Frontages:</b> <i>Retail uses shall be provided on the ground floor of any parking structure with street frontage within commercial mixed-use blocks as identified in the West Hyattsville TDDP. Retail spaces on the ground floor shall have display windows, canopies/awnings, and recessed entrance doors to enhance the parking structure. Parking structures on corner lots shall provide ground-floor retail uses within the parking structure along both the front and side streets.</i></p>                                          | <p>This Detailed Site Plan is for townhomes only. No commercial mixed use blocks or retail space is proposed.</p> |
| <p><b>3. Façade Treatments for Parking Structures:</b> <i>Parking structure facades that are visible to the public realm shall consist of high-quality material such as brick, brick with concrete banding, brick with glass block banding, or other material as specified in the permitted materials list above. All parking structure exteriors shall be architecturally designed to integrate and be compatible with adjacent building materials. Parking structures on corner lots shall provide street-frontage quality architectural facades along both the front and side streets.</i></p> | <p>Garage façades are not visible to the public realm. All units are rear loaded.</p>                             |
| <p><b>4. Parking Structure Fenestration:</b> <i>Parking structure openings shall provide a minimum of 75 percent transparency to provide visibility for pedestrian safety. Ground floor building, façade fenestration shall be 75 percent of each building façade along its street frontage. Blank wall facades shall not exceed 25 percent of any street frontage in accordance with the approved West Hyattsville TDDP conceptual site plan.</i></p>                                                                                                                                            | <p>This is not applicable to individual home garages. No other parking structure is proposed.</p>                 |

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| <p><b>5. Parking Structure Height:</b> <i>Structured parking shall be from a minimum of two stories to a maximum of five stories. Parking garages shall not exceed the height of the surrounding buildings and shall not visually dominate the block where visible from the street or other public space.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                       | <p>This is not applicable to individual home garages. No other parking structure is proposed.</p>                                                                                                                                                                             |
| <p><b>6. Siting of Parking Structures With Street Frontage:</b> <i>All parking structures with street frontage shall be located at the build-to lines that shall be sited zero feet from the sidewalk edge to create a continuous street wall. Each applicant or the applicant's heirs, successors, and/or assignees, shall be responsible for parking structure improvements as delineated in the West Hyattsville TDDP. Parking garages shall be located within the interior of a block, surrounded by buildings that front the street except where otherwise delineated in the West Hyattsville TDDP. Parking structures on corner lots shall meet the build-to lines along both the front and side streets.</i></p> | <p>This is not applicable to individual home garages. No other parking structure is proposed.</p>                                                                                                                                                                             |
| <p><b>7. Parking Structure Entrances and Exits (Single-Family Residential):</b> <i>Parking structure entrances and exits within single-family areas shall not be more than 80 square feet in area, and there shall not be more than one garage door for each 16 feet of building frontage. All townhouse and live/work unit garages shall be tuck-under. Access to parking garages from the street frontage shall be prohibited. Parking access shall consist of a single location point for entry/exit purposes to minimize curb cuts.</i></p>                                                                                                                                                                         | <p>The proposed architecture shows garages entrances of less than or equal to 80 square feet and are designed as tuck-under entrances. As shown on the architectural elevations, units with two-car garages will have only one door, necessitating only one driveway cut.</p> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <p><b>8. Parking Structure Entrances and Exits (Multi-family/Nonresidential):</b> <i>Parking structure entrances and exits within multifamily residential or nonresidential areas shall not exceed 16 feet clear height and 24 feet clear width and shall not be sited within 100 feet of the block corner or another garage entry on the same block. Garage entry portals may be set back up to 24 inches behind the surrounding façade. Parking access shall consist of a single location point for entry/exit purposes to minimize curb cuts. Vehicle access from the street frontage shall be permitted.</i></p> | <p>This Detailed Site Plan is for Townhomes only.</p>                                             |
| <p><b>9. Parking Structure Stairwells:</b> <i>Parking structure stairwells shall provide up-lighting with a minimum of 2.0 foot-candles and a maximum of 5.0 foot-candles. Glass facades shall be provided for high visibility and openness to enhance pedestrian safety. Steps shall provide open riser construction to increase visibility for pedestrian security.</i></p>                                                                                                                                                                                                                                        | <p>This is not applicable to individual home garages. No other parking structure is proposed.</p> |
| <p><b>10. Parking Structure Elevators:</b> <i>Parking structure elevators shall be lighted to a minimum of five foot-candles at the entrance to the elevator car door in accordance with the ADA standards. Elevators shall be constructed of glass walls to provide an open view to provide pedestrian safety and enhanced visibility.</i></p>                                                                                                                                                                                                                                                                      | <p>This is not applicable to individual home garages. No other parking structure is proposed.</p> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| <p><b>11. Parking Structure Lighting:</b> <i>Lighting for all multifamily and nonresidential parking structures shall provide up-light fixtures and shall meet foot-candle requirements as specified below:</i></p> <ul style="list-style-type: none"> <li><i>a. One-way pendant uplight fixture, 30- to 72-inch stems, recessed “J” box-style hung from parking structure ceiling</i></li> <li><i>b. Two-way pendant uplight fixture, 30- to 72-inch stems, recessed “J” box-style hung from parking structure ceiling</i></li> <li><i>c. Perimeter or core uplight wall fixture</i></li> <li><i>d. 250W metal halide</i></li> <li><i>e. 10-foot6-inch parking structure ceiling</i></li> <li><i>f. Reflectance: 80 percent ceiling (shall use matte white paint), 40 percent deck (concrete construction), and 0 percent walls.</i></li> </ul> | <p>This Detailed Site Plan is for townhomes only.</p> |
| <p><b>BIKEWAYS AND BICYCLE PARKING (Page 116)</b></p> <p>COMMENT: The Bikeways and Bicycle Parking Standards were reviewed and approved with the Detailed Site Plan for Infrastructure.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                       |

## VII. OTHER REQUIREMENTS

### **Sec. 27-290.01. - Requirements for Expedited Transit-Oriented Development Projects.**

**(a) Expedited Transit-Oriented Development Projects shall be eligible for expedited review as set forth in this Section, except that applications eligible under Section 27-107.01(a)(242.2)(D) shall be subject to Section 27-290.02 and shall not be subject to Section 27-290.01(a)(1) through (7) or (b), but may serve as development guidelines.**

RESPONSE: The proposal is pursuant to the definition found in Section 27-107.01(a)(242.2)(A): “the subject property is located entirely within a Transit District Overlay Zone (‘TDOZ’).” Section 27-107.01(a)(242.2)(D) applies to public uses or buildings. This Property is entirely within the West Hyattsville TDOZ; therefore, the application is subject to Section 27-290.01.



**(1) Expedited Transit-Oriented Development Projects located in a Euclidean Zone or a Mixed Use Zone, where a site plan approval is required, shall be exempt from applicable site plan requirements other than a Detailed Site Plan. Detailed Site Plan applications filed pursuant to this Section shall be eligible for expedited review.**

RESPONSE: The Applicant is SEEKING EXPEDITED REVIEW pursuant to this section and is subject to the requirements of the West Hyattsville Transit District Development Plan and Overlay Zone.

**(A) An application filed pursuant to this Section shall incorporate elements of a Conceptual Site Plan, as needed, to comply with specific conditions applicable to the subject property.**

RESPONSE: At the time of the DSP for Infrastructure, a determination was made that the original CSP for this Property was no longer applicable and that the application constitutes a new application under the Expedited Transit Oriented Development ("ETOD").

**(B) An application filed pursuant to this Section may amend an existing Conceptual Site Plan applicable to the subject property.**

RESPONSE: The application is for a detailed site plan and does not amend an existing Conceptual Site Plan.

**(C) An application filed pursuant to this Section may amend an existing Detailed Site Plan for the subject property.**

RESPONSE: This application does not amend an existing Detailed Site Plan.

**(2) Expedited Transit-Oriented Development Projects on property located within a Comprehensive Design Zone shall be eligible for expedited review in the consideration of:**

**(A) A combined Comprehensive Design and Specific Design Plan application pursuant to Section 27-531; or**

**(B) A Specific Design Plan application, where there is an existing Comprehensive Design Plan applicable to the subject property.**

**(i) An application filed pursuant to this subparagraph may amend an existing Comprehensive Design Plan for the subject property.**

**(ii) An application filed pursuant to this subparagraph may amend an existing Specific Design Plan for the subject property.**

RESPONSE: The Property is not in a Comprehensive Design Zone.

**(3) All other applicable requirements and procedures in this Subtitle for Detailed Site Plans, combined Comprehensive Design and Specific Design Plans, or Specific Design Plans, including amendments to existing plans, not inconsistent with this Section, shall apply to Detailed Site Plans, combined Comprehensive Design and Specific Design Plans, or Specific Design Plan applications, including amendments to existing plans, for which an applicant seeks expedited review under this Section. Special Permits, as defined by Section 27-239.02, are not site plans for the purposes of this Section.**

RESPONSE: The application, as outlined in this statement of justification, complies with all detailed site plan requirements of the TDDP as they relate to Architecture.

**(4) An application for a Detailed Site Plan, combined Comprehensive Design and Specific Design Plan, or Specific Design Plan, including an amendment to an existing plan, filed pursuant to this Section, shall be defined in this Section and prominently designated as an "Expedited Transit-Oriented Development Site Plan Application."**

RESPONSE: The words "**Expedited Transit-Oriented Development Site Plan Application**" are on all application forms and the Detailed Site Plan Sheets.

**(5) Expedited Transit-Oriented Development Projects for which a preliminary plan of subdivision is required may file a preliminary plan application concurrently with an Expedited Transit-Oriented Development Site Plan Application in accordance with Part 3, Division 9 of this Subtitle.**

RESPONSE: Preliminary Plan 4-15020 has been approved. This application stands in conformance with that approval.

**(6) Review of Expedited Transit-Oriented Development Projects by the Department of Permitting, Inspections, and Enforcement, as prescribed by Subtitle 32 of this Code, shall be expedited. Notwithstanding any other requirement in this Code, an Expedited Transit-Oriented Development Site Plan Application may be filed with the Planning Board thirty (30) days after the stormwater management concept plan for the project is filed with the Department of Permitting, Inspections, and Enforcement. The Planning Board may not approve an Expedited Transit-Oriented Development Site Plan Application without an approved stormwater management concept plan for the project in accordance with Subtitle 32 of this Code.**

RESPONSE: This applies to the County. However, a stormwater concept plan has been approved. A revision to Concept # 11905-2016 has been approved.

**(7) All County agencies with responsibility for permit review for an Expedited Transit-Oriented Development Project shall make such review the highest priority in their staffs' permitting work responsibilities and shall comport with the expedited development review and permitting provisions of this Section. Permits may be staged to enable specific phases of Expedited Transit-Oriented Development Projects to proceed while concurrent review for future phases is ongoing.**

RESPONSE: This applies to the County.

**(8) All proposed Expedited Transit-Oriented Development Site Plan Applications shall comply with the informational mailing prescriptions set forth in Division 1, Part 3 of this Code and shall be expressly designated in the mailing as an Expedited Transit-Oriented Development Project. In addition, at the time an Expedited Transit-Oriented Development Site Plan Application is filed, the applicant shall provide written substantiation of outreach efforts to garner public input, to include any civic association registered with the Planning Board for the area where the project is located and any municipality within a one mile radius of the Expedited Transit-Oriented Development Project.**

RESPONSE: This was expressly described in the Informational Mailing and will be in all future Applicant mailings.

**(b) As a condition of site plan approval, an Expedited Transit-Oriented Development Site Plan shall:**

**(1) use the best urban design practices and standards, including:**

**(A) Encouraging a mix of moderate and high density development within walking distance of a transit station to increase transit ridership, with generally the most intense density and highest building heights in closest proximity to the transit station and gradual transition to the adjacent areas;**

RESPONSE: The type and amount of development was approved at the Infrastructure Detailed Site Plan. This Architecture DSP presents an urban design.

**(B) Reducing auto dependency and roadway congestion by:**

**(i) locating multiple destinations and trip purposes within walking distance of one another;**

RESPONSE: This is not applicable at the Architecture DSP.

**(ii) creating a high quality, active streetscape to encourage walking and transit use;**

RESPONSE: All streets will include sidewalks (some of which are 6-feet wide), street trees, and attractive lighting. These will be attractive streets leading to adjacent transit. The Architecture DSP shows houses of high-quality design and materials close to the streets, creating an attractive, urban pedestrian oriented space.

**(iii) minimizing on-site and surface parking; and**

RESPONSE: No surface parking lots are proposed. Most of the townhouses will have one garage; end units have two. Minimal on-street parking is proposed for visitor parking and possible use by Stream Valley Park users.

**(iv) providing facilities to encourage alternative transportation options to single-occupancy vehicles, like walking, bicycling, or public transportation use;**

RESPONSE: This was addressed at the DSP for Infrastructure and remains unchanged by this Architecture DSP.

**(C) Minimizing building setbacks from the street;**

RESPONSE: Buildings are proposed as close to the street as possible, behind only the sidewalk and public utility easements.

**(D) Utilizing pedestrian scale blocks and street grids;**

RESPONSE: The TDDP and TDOZ required all blocks to be no more than 400 feet in length. All blocks are less than 400 feet, with the longest being approximately 300.

**(E) Creating pedestrian-friendly public spaces; and**

RESPONSE: The Property adjoins a stream valley park and the proposal includes pedestrian and bicycle access to the park.

**(F) Considering the design standards of Section 27A-209.**

RESPONSE: The section of Subtitle 27A, Urban Centers and Corridor Nodes Development and Zoning Code, includes design standards which are discussed below.

**(2) provide a mix of uses, unless a mix of uses exists or is approved for development in the adjacent areas,**

RESPONSE: This was addressed at the DSP for Infrastructure and remains unchanged by this Architecture DSP.

**(3) not include the following uses, as defined in Section 27A-106 or, if not defined in Section 27A-106, as otherwise defined in this Subtitle (or otherwise, the normal dictionary meaning):**

- (A) Adult entertainment;**
- (B) Check cashing business;**
- (C) Liquor store;**
- (D) Pawnshop or Pawn Dealer;**
- (E) Cemetery;**
- (F) Vehicle and vehicular equipment sales and services (also includes gas station, car wash, towing services, RV mobile home sales, and boat sales);**
- (G) Wholesale trade, warehouse and distribution, or storage (including self-service storage, mini-storage, and any storage or salvage yards);**
- (H) Industrial;**
- (I) Amusement park;**
- (J) Strip commercial development (in this Section, "Strip commercial development" means commercial development characterized by a low density, linear development pattern usually one lot in depth, organized around a common surface parking lot between the building entrance and the street and lacking a defined pedestrian system);**
- (K) Sale, rental, or repair of industrial or heavy equipment;**
- (L) Any automobile drive-through or drive-up service;**
- (M) Secondhand business (in this Section, a "Secondhand business" is an establishment whose regular business includes the sale or rental of tangible personal property (excluding motor vehicles) previously used, rented, owned or leased);**
- (N) Nail salon and similar uses designated as North American Industry Classification System (NAICS) No. 812113, except as an ancillary use;**
- (O) Beauty supply and accessories store (in this Section, a "Beauty supply and accessories store" is a cosmetology, beauty, or barbering supply establishment engaged in the sale of related goods and materials wholesale and/or retail.), except as an ancillary use; or**
- (P) Banquet halls, unless accessory to a restaurant, tavern, hotel, or convention center.**

RESPONSE: The Proposal continues to not include these prohibited uses.

**(4) comply with the use restrictions of Section 27A-802(c), and**

RESPONSE: The section of Subtitle 27A, states:



**Public utility uses or structures including underground pipelines, electric power facilities or equipment, or telephone facilities or equipment; and railroad tracks or passenger stations, but not railroad yards, shall be permitted in all frontages (Building Envelope Standards), subject to the design regulations of this Subtitle. These uses or structures shall be designed to be harmonious to the overall design and character of the Urban Center District. Other public utility uses or structures including major transmission and overhead distribution lines and structures are prohibited within the Urban Centers and Corridor Nodes Districts.**

RESPONSE: Public utilities will be underground on this Property. Junction boxes are to be located in necessary areas and are shown on the detailed site plan. They are typical of urban areas and are harmonious with the character of the Urban Center. Landscaping ensures they are attractive.

**(5) be compatible with any site design practices or standards delineated in any Master Plan, Sector Plan or Overlay Zone applicable to the area of development. To the extent there is a conflict between the site design practices or standards of subsection (b)(1), above, and those of a Master Plan, Sector Plan or Overlay Zone applicable to the area that is proposed for development under this Section, the site design practices and standards of the Master Plan, Sector Plan or Overlay Zone shall apply.**

RESPONSE: The applicant has been careful to design the project to meet the Development Standards related to Architecture found in the West Hyattsville TDDP and TDOZ. These Development Standards have been discussed fully earlier in this statement of justification.

**(6) Nothing in this Section shall be interpreted to preclude projects that include the uses described in subsection (b)(3), above, from proceeding without the use of expedited review prescribed in this Section.**

RESPONSE: Again, the proposal does not include these uses.

#### **Sec. 27A-209. - General Design Principles of Urban Centers and Corridor Nodes.**

**(a) Building Façades should be aligned and close to the Street. Buildings form the space of the Street.**

RESPONSE: As noted, buildings are as close to the street as possible, forming the space of the street.

**(b) The Street is a coherent space, with consistent building forms on both sides. Buildings facing across the Street-Space contribute to a clear public space and Street-Space identity.**

RESPONSE: Lots are designed so that buildings can face each other across streets.

**(c) Multimodal, complete Streets incorporating well-designed pedestrian, bicycle, transit, and auto facilities are essential elements of the Urban Centers and Corridor Nodes.**

RESPONSE: This was addressed at the DSP for Infrastructure and remains unchanged by this Architecture DSP.

**(d) Consideration of the natural environment is paramount in the Urban Centers and Corridor Nodes. All new development should be designed in accordance with best practices of environmentally-sensitive site design and sustainability. Development within the Urban Centers and Corridor Nodes shall demonstrate consideration of the natural environment through several means, including the environmental infrastructure Functional Overlay, Regulating Plan, and Permit Site Plan application.**

RESPONSE: This was addressed at the DSP for Infrastructure and remains unchanged by this Architecture DSP.

**(e) Regulated Environmental Features shall be preserved, protected, and restored to a natural state to the fullest extent possible.**

RESPONSE: This was addressed at the DSP for Infrastructure and remains unchanged by this Architecture DSP.

**(f) Buildings oversee the Street-Space with active fronts. This overview of the Street-Space contributes to safe and vital public spaces.**

RESPONSE: This is more appropriately reviewed when the mixed-use (multi-family and retail on the first floor) are proposed. These will be submitted in a subsequent detailed site plan for architecture of the multifamily units.

**(g) In an urban environment, property lines are generally physically defined by buildings, walls or fences. Land should be clearly public or private—in public view and under surveillance or private and protected from view.**

RESPONSE: All public space is easily visible from homes and clearly defined. Private space, individual yards, can be fenced as the Homeowners' Associated deems appropriate.

**(h) Buildings are designed for neighborhoods, towns, and cities. Rather than being simply pushed closer together, buildings should be designed for the urban situation within towns and cities. Views are directed to the Street-Space and interior gardens or court-yards to highlight these key amenities for the community and reinforce visual surveillance and sense of communal ownership of these spaces.**

RESPONSE: Lots are laid out to accommodate this design criterion, with views directed to the street from buildings that are close to the street. The architecture of the proposed townhomes presents a highly urban form. A significant amount of façade fenestration allows for surveillance and community ownership of the public realm.

**(i) Vehicle storage and parking (excluding on-Street parking), garbage and recycling storage, and mechanical equipment are kept away from the Street-Space.**

RESPONSE: These activities and equipment are to be located in alleys.

## VIII. CONCLUSION

The Applicant presents a Detailed Site Plan for Architecture that is in conformance with the development standards outlined in the West Hyattsville Transit District Development Plan and Transit District Overlay Zone, as well as other Zoning Ordinance requirements for Expedited Transit Overlay Development. Building on the layout approved in the Infrastructure Detailed Site Plan (DSP-16029), the architectural façades presented are urban in nature, and appear on buildings that are close to the streets with garages in the rear, creating the urban, pedestrian oriented environment envisioned by the TDDP. The end result will be an outstanding urban community—pedestrian friendly and transit oriented. The Applicant, therefore, respectfully requests approval.

CITY OF HYATTSVILLE  
PLANNING COMMITTEE MINUTES  
MAY 15, 2018

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1. Introduction of Committee & Guests Members (7:30 PM)

- David Marshall
- Jonathan Mueller
- Maureen Foster
- Wil Maxwell
- Todd Dengel
- Thomas Sheffer
- Andrew Bishop
- Nkosi Yearwood
- Thomas Wright
- Yohannes Bennehoff
- Stefano Terricola, Gilbane Development
- Phil Hughes, Rodgers Consulting
- Mike Sponseller, Gilbane Development
- Tom Haller, Gibbs & Haller
- Mark Ferguson, RDA Engineers
- Chris Hatcher, Learch, Early & Brewer
- Alan Rahimi, RBC, LLC
- Jim Chandler
- Katie Gerbes

2. Committee Business (8:30 PM)

- Adoption of Minutes from April 2018
  - 6 in favor, 1 abstention

3. Riverfront at West Hyattsville Architecture Detailed Site Plan (7:32 PM)

- Already received approvals for preliminary plan of subdivision and infrastructure DSP; this application is for approval of the architecture DSP
- Grading work is ongoing and will end in December 2018
- 183 townhouses – 131 16' units(interior), 52 20' or 24' units (ends)
- Architecture is more contemporary in design – 4 story homes, flat roof and front and rear facing decks
  - o Materials will be brick veneer, hardy plank, and vinyl siding
- Community park along the Northwest Branch Trail will have an amphitheater, expanded path along existing trail and new path leading from the trail to the community
- Improvements will be made to the Northwest Branch Trail, including trail makers, LED lighting and emergency call stations

- o Lighting will extend through the subject property all the way to the Metro
- Committee Questions:
  - o DM: When do the park improvements go in? Simultaneous to the townhomes or after?
    - They will be going in at the same time. We do need permission from M-NCPPC to do the work on the park, so we have been coordinating with them about that.
  - o JM: You have to relocate the Northwest Trail to do construction? Is the trail going to be closed at some point?
    - The goal is to have the new trail constructed before the old will be removed. If for some reason there needs to be a closure before the new one is ready, there will be detours available.
  - o JM: Will the call boxes go to the Hyattsville police?
    - Yes.
  - o TS: When you talk about the safety concerns, are you talking about the line of sight and areas where people can pop out?
    - Yes, exactly. From Kirkwood to Queen's Chapel Road there will be lights.
  - o TS: Will there be a lot of tree clearing happening?
    - The park area is our compensatory storage area, so those trees will need to be removed for grading, then we will build it back up with green infrastructure.
  - o TS: Was there any discussion about programmed spaces such as playgrounds?
    - No, not in that area because it is compensatory storage but within the community there is a playground present.
    - MF: This plan has already been approved, so that can't change at this point.
  - o WM: Is the yellow line showing the trail location now or where it will be?
    - It will move slightly from its current location at the development site, but the rest of the trail will not move.
  - o TD: I'm looking at the picture of the community park entrance and the architecture plan and they look different. What will the finished houses look like?
    - The community park entrance rendering is old, so that does not reflect how the architecture will actually look. It will look like the elevations.
  - o TD: You said you are hoping to have this architecture follow that throughout the rest of Hyattsville?
    - Yes, hoping to keep it urban and contemporary.
  - o TD: Are they all beige? Are there going to be different colors?
    - It has not been finalized at this point, so it could change.
  - o TD: For the rear of the townhouses, is that brick or vinyl?
    - Vinyl product.
- Committee Comments:



- o TD: Personally, not a fan of this type of architecture. Understand the process that is going in to this development and the level of detail, but would like to see the architecture look more like the community park entrance rendering.
- o TS: Initial reaction is that I like it, but it is not in the same urban corridor as EYA. I don't know what market research goes into it, but I imagine that is important.
- o TS: In looking at the promenade and greenway, I would consider a less linear placement of the large trees.
  - That is a requirement by the county to have street trees at certain placements along the roads.
  - TS: Maybe add some additional trees to transition into the forested natural area that is below.
    - We talked to the Parks Department about that, and they wanted there to be less trees on that side because they wanted it to be open and visible. Originally there was more significant landscaping there, but they asked for it to be removed.
- o WM: I think the architecture trends a bit beige- would like to see some more color.
- o WM: For parkscape, would like to see some cool, designer lighting that goes across the park or in the amphitheater.
  - Love the idea, but we will have to talk to Parks Department about it.
- o JM: The idea with the architecture is to tie it to the other recent developments in the area?
  - A lot of it is market based – we are looking at regional and national home builders as well as market pricing and affordability at different areas.
- o JM: Is this similar to EYA?
  - TD: It is more West EYA and Ryan Homes at Editor's Park.
- o JM: I am good with the style and like that it will tie in to the rest of the City.
- o JM: At the front will there still be an apartment building?
  - Yes, but it is a separate project.
- o AB: Have you submitted your DSP application?
  - Trying, it was resubmitted today and should be accepted in the next week to 10 days.
- o AB: For the rear of the units, instead of all vinyl, have you considered a first-floor brick or something else to mix it up a bit?
  - Right now, it is all vinyl, but any builder that comes in could change that slightly. The way it is laid out, the only people who will be in the alleys and see the rear loaded are those who live in the stick and are turning into their homes.
- o AB: I noticed there were no decks on the rear loaded product.

- We are showing them on the end units, and all units have the option of a rooftop deck as well.
- o DM: How many trees are you taking out?
  - The warehouse was unforested. Most of the tree removal was on the parks property. I don't know a number right now.
- o DM: How many trees are you putting in?
  - We will have to get back to you with this number. Considering the site was devoid of trees originally, there should be a net increase in trees.
  - DM: I am looking at an aerial where there are trees.
  - That is on the parks parcel.
  - DM: I am asking about the park parcel and those trees. If you don't have those numbers right now, that is fine.
- o DM: I do not like the bland color. It looks like a rubber-stamped project and that is not the City we are. This project should be iconic and not tan, brown and beige. This is my opinion, but for what it is worth, I wouldn't want a home that looks like this. I would want options of different colors. The rendering in the park entranceway is much nicer than the architecture you have proposed. My concern is less with the materials and more with the color.
  - A lot of it comes down to the cost of materials, when we push the materials, it pushes the price point. It is a balance we need to be mindful of.
- o DM: With the street names, they don't seem to be consistent with the City's street grid and types of street names. You might want to reconsider what you name those streets and maybe talk to City staff about the names.
- o YB: Are you going to be conforming to the dark sky standards for LED lighting?
  - It's the same standard Parks uses. They wanted it to be identical to others in their network.
- o YB: Echo the comments about the architecture being bland.
- o YB: Will it connect to Kirkwood or will the street just end?
  - We are dedicating and building to our property line, but on the other side it is the County right of way, so we need to get the County to commit to connecting the road.
- o YB: Will there be connections to Metro's property beside the trail?
  - Yes, there will be connections to the existing walking trail that goes under the trail tracks. There is an easement there, so no matter what that will be maintained. There will be a temporary connection until the multifamily comes online, when the connection will be formalized.
- o YB: I get that the rear of the units won't be seen by most, but there are windows and there are ways to break it up with color or other cost-effective materials.
- o NY: Is this in for site plan approval?

- Infrastructure is approved, but the architecture plan is in now.
- o NY: Architecture could raise the bar a bit.
- o NY: Could you walk us through the decision on the width of the units?
  - A few different things. We wanted a variation of widths for a range of pricing. Under the TDOZ, there is also limits on the amount of parking we can have there, so by having 16' units, we are limited parking.
  - NY: Not influenced by market study?
    - Yes, there was that as well. A combination of a lot of things. Market study saw the 16' units being a starter home.
- o NY: Will parking be tandem? Are you building this yourself?
  - Turning it over to someone else to build.
  - We're not proposing a lot of tandem spaces, so increased on-street parking to make up for that. Almost every street has on street parking and some have additional parking spaces in the back.
- o DM: Did I hear you correct that there is 1 space for unit?
  - For the 16', yes. Larger units will have larger garage.
- o RECOMMENDATION: We recommend to the City Council that the architecture be made more original, less uniform and there be more colors or building materials provided, especially along the rear elevations.
  - 6 in favor, 1 opposed, 1 abstain
- o Regarding names, I'm seeing some opposition.
  - We submitted names to the County and these are ones that they approved.
  - MF: Does that mean it is a done deal?
    - We will have to check.
- o RECOMMENDATION: We believe that they have turned the houses to face the park and makes the riverfront more a feature is a positive change.
  - 7 in favor, 1 abstain
  - TD: What about the other units that are facing outward to the roadways. Are all of the front facades facing the major arteries?
    - All of the townhouse face out to the main road.
- o TS: With the trees, even a double layer of trees would be more attractive than the single row of unilateral trees.
  - We can talk to parks about that.
- o RECOMMENDATION: Developer should go back and work with M-NCPPC to see what other options there are to augment the plan with the street trees to better replace those trees lost.
  - 7 in favor, 1 abstain.
- o RECOMMENDATION: Safety and lighting features are key to the success of the development and will encourage trail use throughout the community.
  - 7 in favor, 1 abstain.

- o DM: Is this project wholly within the City?
  - JC: Yes.
- o DM: Can you send staff the numbers on those trees?
  - Yes.

#### 4. Landy Infrastructure Detailed Site Plan (8:31 PM)

- We are one step behind the Riverfront folks. When we were last here, it was for preliminary plan of subdivision, which has since been approved by the Planning Board.
- We've made a few changes as a result of your feedback, including removing some units to add green space and on-street parking. Most of those changes were on the west side of the property which is Phase II. We are here for Phase I, which is the east side of the property and the rec area.
  - o Phase II will be either one or two future phases.
  - o Breaking up the phases based on the ridge line and where the stormwater flows.
  - o Phase I is 133 lots.
- All streets and alleys are public and will be maintained by the City.
- Principal entrance to the development is off of Belcrest Road. It will eventually continue all the way to Dean Drive with an additional connection on Northwest Drive.
  - o The entrance will feature a stormwater pond and a connection to Northwestern High School and the trail around the pond area, as well as a Capital Bikeshare station. Coordination with DPW&T about siting the location of the Bikeshare station.
- Principal recreational area is the triangle to the northwest of the site.
  - o Divided into three zones: a sculpture garden/location with two play areas (one for pre-school and one for pre-teen), an open play grassy area with shade structures and then a more natural, forested area.
  - o Park will be owned by HOA
  - o Plan to preserve the existing woods on site in the natural green area. Will be supplementing with additional tree plantings.
- TDDP asked for a trail connection that loops into the larger trail network. That is being provided on the northern edge of the site. Trail will be constructed in the first phase to ensure connections to Dean from the opening of the site.
- Dean Drive will also have an entrance that echoes that on Belcrest Road.
- Looking at new names for the project aside from Landy. If anyone has an idea, let us know.
- Every intersection will have crosswalks, with two of them in the center of the development having speed tables as well.
- Committee Questions:
  - o TD: When you're talking about certain items, you're referencing them in a detail that isn't here? Will there be a more detailed application coming before us? When you are talking about the canopy of trees and the knoll

area, I want to clarify that there is a lot of discussion about certain items that I don't see.

- The renderings are what you will see but are not construction documents. They will be present in the DSP application.
- TD: It is hard to review and comment on details that we do not see.
- o NY: Is this where the regional park is supposed to be in the TDDP?
  - There was a floating symbol there, but that does not mean the park will be on this property, just in the general vicinity. Parks will be developing a larger park elsewhere in the area, along the water.
- o NY: The open space on the top right, that's primarily stormwater management?
  - Stormwater management and trails. Very passive and limited recreation.
- o NY: What is the right of way of the street?
  - Varies depending on if there is parking on one side or two. One side parking is 53', two sides of parking is 62'. The spine road has a wider right of way because the trail is 10 feet wide instead of the standard 6 feet for a sidewalk.
- o TS: With the retention ponds, I am assuming it is an engineered structure. Can you make them a more organic shape and less of a triangle?
  - We are bound a bit by the stormwater management constraints. We do need to maintain the volume. A big concern locally is the flooding is Wells Run. We are doing a higher level of management than necessary by improving the culverts under Belcrest Road.
- o TS: Can you remind me about the fencing of the perimeter?
  - Right now, there is a 6-foot chain link fence along the school building. We will be replacing it with a 6-foot wrought iron fence along the northern perimeter
- o TS: Is access to the playgrounds limited to residents only?
  - Officially, yes. They are private recreation facilities.
- o WM: Why not run the main spine road all the way through on the first phase?
  - Sewer and stormwater issues. We would need to build the entire stormwater system on that side of the development to build the road. It doesn't make sense to take all of that on right at the beginning.
- o WM: What will the secondary trails be made of?
  - Primarily of concrete. Wood decking was also proposed, but when it gets wet is it slippery, so we will be moving away from wood to brick and stone.
- o JM: What is the timeline for next steps for phase I?
  - Optimal sequence is for this to go to the Planning Board as soon as possible, then to pull a rough grading permit. Grading will be happening on the west side of the site at the same time as the



east site. Would like to start rough grading in the fall. If not, will delay grading until Spring 2019. Hoping for early lot sales in late 2019. We think Phase I will be two years' worth of construction. The second phase would come through after one year for approval.

- Next approval phase would be to come back with architecture. We are talking to builders, don't know yet if it will be one or multiple builders.
- o JM: So, Phase II would probably be 2021?
  - Yes, with the construction of the houses starting in 2022.
- o AB: In the DSP, I noticed there are a lot of parks on the north part of the property. Has there been thought about bringing parks into the rest of the property?
  - We have little parks and some mews through the west side of the property, so there are some sprinkled through but much smaller in scale.
- o AB: In Phase II there is a lot, but in Phase I, there will just be the one small park, although I guess they will have the larger park as a part of Phase I.
  - Correct.
- o DM: You mentioned the crosswalks and raised intersections. Will there be call boxes within the project?
  - We have not considered them, but there could be.
- o DM: Is there any fencing between the property and the Seville or Plaza Towers?
  - Not currently. There may be a desire from Plaza Towers to put up a fence, but that would be them. There is also a big grade change, so a fence may not be necessary as there is a retaining wall.
  - Seville has requested enhanced landscaping along their property line, which we will probably do for them.
- Committee Comments:
  - o DM: I think it would be wise to plan and incorporate call boxes within a project of this size and the high number of people circulating.
  - o DM: If you are going to have raised intersections that is fine, but if all the intersections are raised that gets to be a bit crazy.
  - o DM: How long before you select builders?
    - Discussions are still ongoing. Hope to narrow it down in the next month or two.
  - o DM: There is going to be a HOA that will service the entire project or two separate HOAs?
    - One for the entire. Because the City is maintaining the streets, their charge is landscaping and recreation space.
  - o DM: Regardless of ownership, think it is important that everyone can use the park space, even if they aren't a resident.
  - o JM: I like the revision and what has been brought to us tonight.

- o MF: I agree with Marshall on the call boxes, and with the plantings I would encourage native species.
- o MF: The one thing I found offense is the entrance sign. I hate it and I rarely say I hate things. I think it is non-inclusive and the idea of Hyattsville as one community. I think it should be removed from the plans.
- o MF: I'm curious how the stepped microbiorentions will look and if they look like Meridian Hill Park, that would be lovely.
  - A nicely maintained and planned microbioretenion is what you see at the entrance to Riverdale Park Station because it looks great. When you don't maintain, it can look a bit weedy.
- o MF: Is any of this in a floodplain.
  - The entrance is, but we are lowering that because we want it to be a retention area. The extent of the floodplain will be less, but there will be more volume as it is dug out.
- o WM: When you have the green space leading to the rec center, I would consider a raised sidewalk there as people could be crossing that area frequently.
  - Great idea, we will consider.
- o TS: Echo Maureen's sentiments. I love the organic design of the western greenway. I know there is more utility on the east greenway, but it is a different vibe. I would ask that the shapes be more organic to look more natural.
- o TS: For the entrance, I second Maureen's comments on it. It looks like gravestones in a retirement village. Maybe consider making the entrance have benches and more of a welcome area.
  - DM: What about boulders instead of stone columns?
  - Is it because of the design of the sign or is it the idea that there is an entrance sign at all?
    - TS: To me it is the fact that it separates it out and it looks too suburban. It is a bit like an office park.
    - DM: What about a piece of iconic artwork there that could function as the sign.
      - o We have been thinking of this anyways.
- o NY: I wish the west side was the first phase because I believe that is the stronger portion from a design perspective. Still struggling with the variety of units and there being 300+ townhouses and not looking at different product types but that is something you can maybe do in Phase II.
- o NY: With Phase I, struggling with the amount of usable space or destination areas on the east side of the development.
- o NY: I agree with other committee members with the entrance sign and there being some sort of art there.
- o NY: I am looking at the row of units adjacent to Plaza Towers and Seville and you should consider some modification there to provide some

breathing room and provide a destination on that side. For example, extend that north/south street in Phase I to end in an open space.

- o TD: Appreciate that this plan is more cohesive than the last time and seems to flow well. Regarding the entrance, I agree with the comments already made. One thing that seems to work is some sort of Hyattsville element like incorporated into Safeway or what Cafritz did with some of the lit sculptures on site.
- o TD: I think that it is smart for the streets to be owned by the City and know the costs when an HOA has to maintain roads. If it is City use for the parks, maybe some sort of easement or agreement where the City could help maintain in exchange for public use.
- o TD: You have seen this to fruition, so I hope you don't blow it by using a builder that doesn't bring that vision to life.
- o YB: What is your designed speed on the streets?
  - 20 MPH.
  - YB: Will all streets be that?
  - That is a question for Lesley since the City will oversee that.
- RECOMMENDATION: We appreciate the green spaces that have been incorporated into this plan and encourage the developer to find additional green spaces, possibly at the second cross street in Phase I. We support the use of native plants and encourage that the architecture reflects the environmental emphasis of what has been done to date.
  - o 8 In favor
- RECOMMENDATION: In order to address safety issues, we recommend that the developer add call boxes and support the replacement of the existing chain link fence with a more attractive and permeable fencing option that allows access to Northwestern High School
  - o 6 in favor, 2 abstentions
- RECOMMENDATION: The applicant should replace the current entrance space with some sort of welcoming, iconic community space, possibly with art.
  - o 8 in favor
- RECOMMENDATION: The City should work with the developer to ensure public access to the park space provided within the community.
  - o JC: we only maintain our property and those owned by Park & Planning. We do not maintain private property.
  - o MF: So, is it a liability issue for this community to allow the public to use it?
    - JC: It could be allowed through a public use easement
    - NY: You could consider dedicating that portion of the property to the City if both parties agree.
  - o 7 in favor, 1 abstention

#### 5. Hyatt View Preliminary Plan of Subdivision (9:00 PM)

- Small building company that builds custom homes in Prince George's and Montgomery counties at a variety of price points and sizes

- Proposing construction of 8 townhouses at the intersection of Oglethorpe Street and 44<sup>th</sup> Avenue near Dematha High School
  - o Current lot is ¼ acre and currently has a single house on site.
  - o There are a lot of options available by right on the property, but townhouses seem to be the best use of the land
- Carefully went through all the design standards in Gateway Arts District Sector Plan to make sure they apply to this property
- On Oglethorpe, there will be three stories, as it is built into the existing grade. From the rear, it will be four stories visible.
  - o 2 parking spaces provided with each unit.
  - o Large rear deck provided off the kitchen.
  - o Houses are a bit deeper than those in EYA.
  - o Materials will be stone, stucco and siding combination.
  - o Garages will be access by shared rear alley.
  - o 1,940 square feet of living space.
- Price range will be in the upper \$400s-low \$500s
- MF: To clarify, this is just a preliminary plan, not a detailed site plan?
  - o KG: yes, this does not trigger a detailed site plan, so we are commenting on the subdivision package only. We will not see this application again.
- MF: Katie and Jim, is this keeping with the goals for the area?
  - o JC: Primarily yes. There is a variance requested, which is a setback of the build to line. The GAD plan requests a 15-foot setback, plus or minus 5 feet. The applicant is hoping to keep a 5-foot setback, so asking from a variance.
  - o DM: So, is that 5 feet closer to, or further from the road?
    - Closer to the road.
- Committee Questions:
  - o DM: Where does the HVAC system go for the homes?
    - Outside the garage
  - o DM: Where do the trash cans go?
    - Working with the City, we have talked about a couple of options. We are thinking there will be a pad on 44<sup>th</sup> Avenue for everyone to bring their trash cans.
  - o AB: How long is the driveway?
    - 16 feet.
    - AB: That is not a standard parking space. A standard parking space is 19' x 9.5'. A compact space is 16' x 9', so you are having a compact space. A standard space is required for it to count to your parking requirements.
  - o JM: Each garage holds 2 cars?
    - 1 car.
    - JM: Then the driveway up to it is being considered the other space?
      - Correct.
- Committee Comments:
  - o WM: Do we have to have more town homes? I am not a fan of this.

- o NY: Given the location, this is interesting. It is an infill site right across the street from a high-rise building. It is introducing another residential element while not disturbing existing single family. I won't lose sleep on this.
- o TD: Having lived on 44<sup>th</sup> Avenue during Dematha drop off, pick up and games, you should not consider there to be any available on street parking.
- o TD: There is not much we can say in resistance to it. I think there is better use, but we are limited in our opposition to it.
- o DM: My concern is that if you live in the middle of the block, it is not likely you will walk your trash back and forth to put it up.
- o DM: There is no on street parking available.
- o DM: There was discussion from others to cut the number of units from 8 to 6, making them larger and having a true connecting alley
  - TD: That would also allow for a larger parking area.
- o DM: When I first saw this, I thought it was a little tight. I think a more practical use of this space would be to cut the number of units.
  - We discussed a road connecting to Oglethorpe and there were several obstacles that could not be overcome, including that the GAD plan requires a minimum of 80% frontage of the lot covered. There is also some grade change from the front to the back of the lot of 7 feet.
- o Mark Ferguson: Do you have an approved stormwater concept plan? What is your stormwater management?
  - Impervious concrete alley.
- o Mark Ferguson: what is the right-of-way width on Oglethorpe Street?
  - 30 feet
  - MF: Has M-NCPPC asked for a widening to improve that to 50 feet ROW?
- RECOMMENDATION: The first question before us is do we recommend that the City Council approve other subdivision of this lot into 8 is the question before us.
  - o 1 in favor, 3 against, 2 abstentions
- DM: I recommend that the City asks the developer to revise the site plan to 6 units and create a full alley so that sanitation services
  - o TD: Generally, agree, but do not think there should be a number associated with it.
- RECOMMENDATION: The City should ask the developer to revise the site plan to decrease the number of units and create a full, connecting alley.
  - o 4 in favor, 1 against, 1 abstention
- NY: This is a lot like bluebird.
- MF: Are there other things we want to recommend to the City Council about this development?
  - o NY: The only other thing to mention is the street. This submission says Oglethorpe has a 30 foot right of way, but if it is 50, there will need to be a new plan.



- RECOMMENDATION: The City Council should confirm that a 30-foot right-of-way is feasible, as a 50-foot right-of-way would change the design of this plan significantly.
  - 7 in favor

#### 6. Magruder Pointe Project – Committee Opinions on Process (10:15 PM)

- \*\*This item was added to the agenda by committee members. 7 voted in favor of modifying the agenda. There were zero against and zero abstentions.
- MF: What is the latest with Magruder Pointe and the Planning Committee's recommendation to the City Council?
  - TW: I am one of the few Councilmembers who has made a statement about it and my primary objection is about whether or not it meets the standards of the traditional residential neighborhood
  - TW: Did express that the committee was split and thanked you for that work.
  - TD: My understanding is there was also a closed session regarding Magruder Pointe. What are the regulations to close a session? Did it meet it?
    1. KG: Yes, it met the criteria to close a meeting and our legal counsel was present.
  - TD: Can you clarify your table of uses objection?
    1. TW: I don't believe any part of this project is supporting the spirit of the Gateway Arts District Traditional Neighborhood Character Area definition. Also have a concern about building on top of the underlying opened space and using the table of uses amendment as a loophole to build there.
- MF: Is it a good use of the Planning Committee's time to go over all of this? Does the City Council see a benefit of what we are doing or are we wasting everyone's time?
  - TW: I think it is.
  - KG: I will say from the staff side, staff can only speak to the regulations, but you can speak from an opinion standpoint, so I believe that it balances it out.
  - MF: I ask this, because we have talked about a lot of those issues before and we don't see anyone here. It seems very NIMBY to me, in my opinion and so I am concern that this is a worthwhile use of our time.
  - TD: There was a comment at one meeting that there should be a group that sits down and goes over all of these types of things and I was floored.
    1. KG: Staff are working to make sure the general public is better informed that these meetings happen and the timeline for this to occur. We're starting Speak Up pages for all developments and are trying to figure out if there is a more targeted approach staff need to take to notify people.

- DM: Sometimes you can't tell if the Council members have reviewed our work because they don't reference it or have taken it into consideration.
- NY: What if a member of the committee comes to the Council when items are being discussed to give a two-minute summary?
  1. General consensus that it was a good idea.
- MF: City Council and Mayor have never asked us to come and give our opinion. I feel like we are a check off box and nothing more.
- JM: We are all volunteers and one of the benefits of this is to institutionalize it as an involvement. It is still part of the record and adds value to having a permanent group of citizens to meet on all issues, not just when people are engaged.
- TD: Would argue that I am so impassioned about the projects tonight and that they need to be right.
- MF: For the Landy project, for example, that is a huge project and no one was here but they will be at the 11<sup>th</sup> hour.
- JC: A positive note is that in the County Zoning Rewrite, there is a requirement for a pre-application meeting which will encourage a lot of the neighborhood involvement.
- TD: Even up until now, there is a lot of conjecture that is out there. At this meeting we pour over the facts, but it loses ground in the public space.
- JM: There is still an opportunity for us to ask a lot of these questions to address the issues that are out there and get them on the record.
- MF: Is the City being an honest broker for us? If the leadership of the City has already decided what they want to do and aren't going to change their mind, why waste everyone's time. I am not saying they have, but I want to make sure we are not just spinning out wheels.
- DM: I want to say something about Speak Up HVL – I have had someone say to me that they don't like that they need an account to view it.
  1. KG: You do not need an account to view, just to comment.
- DM: Also, the Hope listserv is not an official city avenue or forum and that line needs to be drawn.
- TW: Let me just say that I always consider the opinion of the Planning Committee and if I ever misrepresent this committee, please let me know. I would welcome this committee to make presentations.
- JC: In general, this is a loaded project and is highly controversial, so know that I don't think for this project it is ignoring you per say, just that there is a of opposing viewpoints to consider.
- TD: One thing that staff bring to the table is understanding the economics and how that plays into the project and what is economically realistic given the price of the property and how that functions and what concessions can or cannot be made.
  1. NY: a lot of times the economics are not really broadcasted.
  2. JC: The only time we do that is if they are asking us for money, in which case we ask for a pro forma. There is no reason for them to share that with us.

- JM: Is the letter from Werrlein this morning accurate? The letter said that they would be willing to give a portion of the lower lot to the City at no cost, and would sell to the School Board if they make a decision by the close of FY19.
  - Factually accurate, but we have not gone over it with much detail.

7. Development Updates (10:45 PM)

- AB: I have to step down from the committee because I am working on a lot of these projects at work. Sacred Heart was my review, and it is happening more and more, so I need to step down.
  - MF: As chair, I accept his resignation.

8. Adjourn (10:50 PM)



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Ordinance

Agenda Section: Discussion Items (9:50 p.m. - 10:35 p.m.)

### SUBJECT

Amendment to Chapter 114, Article IV: Residential Parking Zones (15 minutes)

### HCC-348-FY18

### Recommendation:

### Sponsor(s):

At the Request of the City Administrator

### Co-Sponsor(s):

N/A

### ATTACHMENTS

[Ordinance 2018 Residential Parking \(Ch. 114\) 5-8-2018.pdf](#)

[MM Re Ordinance 2018 Residential Parking \(Ch. 114\) 5-7-2018 Comments.pdf](#)

### Summary Background:

In accordance with Motion HCC-99-FY18, the City Attorney has drafted, in consultation with City staff, an ordinance amending Article IV, Residential Permit Parking Zones in the City of Hyattsville Charter and Code.

### Next Steps:

The City Council shall provide its comments and requested revisions to enable the ordinance to be considered for introduction on July 16, 2018. Staff anticipates the revised ordinance will take effect in March 2019 and be phased in over a 3-month period.

### Fiscal Impact:

N/A

### City Administrator Comments:

The new program will be thoroughly communicated throughout Fall/Winter 2018.

### Community Engagement:

The City's Ad Hoc Residential Parking Zone Committee previously provided its comments to the City Council for consideration and incorporation into the revised ordinance.

### Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

### Legal Review Required?

Complete





**CITY OF HYATTSVILLE  
ORDINANCE 2018-\_\_\_\_**

**An Ordinance whereby the City of Hyattsville amends Chapter  
114 to refine the City's residential parking permit system.**

**WHEREAS**, Local Government Article § 5-202(1), (2) & (5) of the Maryland Code grants to municipalities the power to adopt ordinances to assure the good government of the municipality, to protect and preserve the municipality's rights, property and privileges, and to protect the health, comfort, and convenience of the residents of the municipality; and

**WHEREAS**, it is the sense of the Mayor and Council that the demand and availability of parking in certain City residential neighborhoods remains a perpetual problem; and

**WHEREAS**, it is the sense of the Mayor and Council that the City's existing residential parking permit system needs to be revised to better serve the parking needs in neighborhoods throughout the City; and

**WHEREAS**, on January 19, 2016, the Mayor and Council established a Residential Parking Zone Ad Hoc Committee to review the City's current program by exploring gaps in service, needs, and best practices; and to develop recommendations for modifying the program in order to better serve parking needs in neighborhoods throughout the City; and

**WHEREAS**, on September 29, 2016, the Residential Parking Zone Ad Hoc Committee issued recommendations to the City Council; and

**WHEREAS**, the Mayor and Council deem it in the best interest of the City and its residential communities and beneficial to the community's health, comfort, convenience, welfare and happiness to implement some of the changes to the City's residential parking system.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Hyattsville in regular session assembled that Chapter 114 is hereby amended as follows:

**ARTICLE IV**

**Residential Permit Parking Zones**

**§ 114-18. Time limit for leaving vehicles unattended.**

No automobile or vehicle of any description shall be left unattended upon any street or public space in the city for a continuous period longer than forty-eight (48) hours, unless the City grants an exemption pursuant to § 114-321 ~~HD~~ of this Chapter.

**~~§ 114-27. Purpose and Legislative Findings.~~**

~~A. The City Council of the City of Hyattsville is enacting this Article IV in order to:~~

~~(1) Reduce hazardous traffic conditions resulting from nonresidents and residents competing with residents to park their vehicles in certain residential districts;~~

~~(2) Protect the residents of those residential districts from unreasonable burdens in gaining access to their residences;~~

~~(3) Preserve the character of those districts as residential districts;~~

~~(4) Encourage the use of public transportation;~~

~~(5) Promote efficiency in maintaining streets in those residential districts in a clean and safe condition;~~

~~(6) Preserve the value of the property in those residential districts;~~

~~(7) Promote traffic safety and the safety of children and other pedestrians in those residential districts;~~

~~(8) Prevent dangers arising from the blocking of fire lanes, hydrants and other facilities that emergency vehicles require, both in reaching victims and in transporting them to hospitals;~~

~~(9) Facilitate the movement of traffic in the event of accidents and other disasters; and~~

1       ~~(10) To promote the peace, comfort, convenience, and welfare of all inhabitants of the City.~~

2       ~~B. General Findings. The City Council finds that the continued vitality of the City depends on~~  
3       ~~the preservation of safe, healthy, and attractive neighborhoods and other residential areas. The~~  
4       ~~Council further finds that one factor that threatens the safety, health and attractiveness of the~~  
5       ~~City's neighborhoods is the availability of parking in certain neighborhoods. The number of~~  
6       ~~motor vehicles attempting to park in those areas often exceeds the number of available parking~~  
7       ~~spaces. A preferential parking system for residents in designated neighborhoods will help to~~  
8       ~~reduce the burden of those neighborhoods and, thus, promote the general welfare of the City.~~

9       ~~C. Specific Findings. The Council makes the following specific legislative findings in support~~  
10       ~~of preferential residential parking to illustrate the compelling need for the enactment of this~~  
11       ~~Article IV. The Council intends the findings as illustrations only and not the only available~~  
12       ~~factual examples supporting adoption of the Article IV:~~

13       ~~(1) The maintenance of the attractiveness and livability of the City's neighborhoods and~~  
14       ~~other residential areas will enhance the safety, health and welfare of the City's residents;~~

15       ~~(2) On a daily basis a large number of City residents who own motor vehicles must park~~  
16       ~~those vehicles in or near their residences;~~

17       ~~(3) Certain neighborhoods and other areas of the City do not have sufficient on or off-street~~  
18       ~~parking to accommodate the convenient parking of residents' motor vehicles;~~

19       ~~(4) The influx of motor vehicles from nonresidents that compete for the limited available~~  
20       ~~parking in those areas further burdens the residents of those areas;~~

21       ~~(5) The City has certain parking "attractors," including parks, etc. that further aggravate~~  
22       ~~the residents' parking problems;~~

23       ~~(6) Unnecessary vehicle miles, air and noise pollution, and the inconvenience of not finding~~

1 ~~parking caused by the conditions above create unacceptable hardships for the~~  
2 ~~neighborhoods' residents;~~

3 ~~(7) If the City allows those adverse conditions to continue unchecked, those adverse~~  
4 ~~conditions will contribute to the decline of the living conditions in the neighborhoods and~~  
5 ~~the attractiveness of residing within the City, resulting in injury to the general public~~  
6 ~~welfare; and~~

7 ~~(8) A system of preferential residential parking as enacted by this Article IV will serve to~~  
8 ~~promote the health, safety, and welfare of all of the City's residents by reducing~~  
9 ~~unnecessary motor vehicle travel and air and noise pollution, improving the attractiveness~~  
10 ~~of living in the City's neighborhoods, and encouraging the use of public mass transit~~  
11 ~~facilities available now and in the future. The Article IV also will serve the public welfare~~  
12 ~~by ensuring a more stable and valuable property tax base, in order to generate the revenues~~  
13 ~~necessary to provide essential public services.~~

14 **§ 114-287. Definitions. [Amended on 3-27-11 by HO-2011-01]**

15 For the purposes of this Article IV, the following words shall have the meanings respectively  
16 ascribed to them in this Section, except where the context clearly indicates a different meaning:

17 **A. City Administrator** means the City Administrator or ~~his/her~~their designee.

18 ~~**B. Commuter Vehicle** means a motor vehicle, other than a resident vehicle as defined below,~~  
19 ~~parked in a residential area in which it is not registered.~~

20 ~~**CB. Curbside Parking Space** means twenty (20) linear feet of curb, exclusive of those~~  
21 ~~portions of the curb where parking, apart from the provisions of this Article IV, is not presently~~  
22 ~~permitted. means any portion of a public street adjacent to a minimum of twenty (20) linear~~  
23 ~~feet of curb where a vehicle could park or remain standing without significantly obstructing~~

1 the flow of traffic, except where parking or standing would be prohibited by State law or this  
2 Code, other than this Article IV.

3 C. **Guest Permit** means a single-use permit issued by the City to a resident which authorizes  
4 a guest of the resident of a specific residential parking permit area to park a vehicle in that  
5 residential parking permit area for a limited time during a parking permit term without  
6 violating this Article IV.

7 D. **Motor Vehicle** means an automobile, truck, recreation vehicle, motorcycle, or other motor-  
8 driven or self-propelled form of transportation, except for vehicles exceeding a certain size,  
9 weight, and/or carrying capacity that may be prohibited from parking on any public street.

10 E. **Parking Permit Term** means the period of time, defined §114-28 of this Article, during  
11 which parking permits issued pursuant to this Article IV for a particular residential parking  
12 permit area for that period may be valid.

13 ~~EF.~~ **Resident** means an ~~adult~~individual who lives or resides in a structure approved for  
14 residential occupancy, ~~and can demonstrate exclusive right to occupancy of this residence, and~~  
15 uses this residence as their primary dwelling.

16 ~~F. **Resident Vehicle** means a motor vehicle parked in a residential area in which it is registered~~  
17 ~~and is validly registered with the State of Maryland Department of Motor Vehicles.~~

18 G. **Residential District** means a contiguous or nearly contiguous area open to the public  
19 containing streets and highways and parking spaces for the public, all primarily abutted by  
20 residential property or residential and non-commercial property (such as schools, parks,  
21 churches, hospitals and nursing homes).

22 H. **Residence** means a dwelling unit.



1 I. **Residential Parking Permit** means a permit issued by the City to a resident for a particular  
2 vehicle which authorizes the vehicle to be parked in a specific residential parking permit area  
3 during a parking permit term without violating this Article IV.

4 HJ. **Residential Parking Permit Area** means a residential district where curbside parking on  
5 public streets and highways is limited to not more than ~~two (2)~~thirty (30) consecutive  
6 hoursminutes per day, unless the vehicle properly displays a parking permit authorized by this  
7 Article IV.

8 K. **Residential Parking Permit Holder** means a resident/applicant to whom the City has  
9 issued a residential parking permit to be used on a vehicle that the resident/applicant owns or  
10 principally operates.

11 L. **Special Parking Permit** means a parking permit issued to a caregiver or other person who  
12 cannot satisfy the requirements for a residential parking permit but can demonstrate reasonably  
13 necessity or hardship justifying the issuance of multi-use permit.

14 JM. **Vehicle** means any mobile unit whether or not it is self-propelled and designed to travel  
15 on the public roads.

16 **§ 114-298. Designation/Withdrawal of Designation of Residential Parking Permit Areas.**  
17 **[Amended 4-21-14 by HO 2014-04]**

18 A. Minimum size.

19 (a) A residential parking permit area shall be, at minimum:

20 (1) one or both sides of the entire length of a street;

21 (2) one or both sides of a street between two intersections or between an intersection

22 and the dead-end termination of the street;

1           (3) one or both sides of less than an entire residential street, but at least 100 contiguous  
2           feet; or

3           (4) the entirety of a cul-de-sac.

4           (b) The City retains all authority and discretion to create, extend, reduce, reconfigure,  
5           consolidate or terminate any residential parking permit areas.

6    B. Notice & Hearing.

7           (a) In order for the City Council to determine whether a residential district, or any portion  
8           thereof as described in subsection A, shall be designated, or shall continue to be designated,  
9           as a residential parking permit area, the City Administrator shall conduct, upon the City  
10          Administrator's initiative or upon a petition signed by a majority of the residents in the  
11          district, or the portion thereof, a public hearing prior to such designation and prior to the  
12          withdrawal of such designation.

13          (b) A notification shall be prominently posted and/or ~~shall be~~ mailed to every residence in  
14          the proposed or existing residential parking permit area.

15          (c) During ~~such a~~ public hearing held pursuant to this Section, any interested person shall  
16          be entitled to appear, to be heard, and to submit a written statement for the record.

17    BC. Survey.

18          To enable the City Council to determine whether a residential district, or portion thereof, shall  
19          be designated, or shall continue to be designated, as a residential parking permit area, the City  
20          Administrator shall conduct a block-by-block parking survey of the proposed, or existing,  
21          residential parking permit area.

1 ~~ED~~. Criteria.

2 In determining whether an area may be a residential parking permit area, and whether  
3 conditions are to be imposed, the City Administrator shall consider factors including but not  
4 limited to the following:

5 (1) The extent that legal on-street parking spaces are occupied by vehicles during the period  
6 proposed for parking restrictions;

7 (2) The extent that vehicles parking in the area during the period proposed for parking  
8 restrictions are commuter vehicles;

9 (3) The extent that residents cannot obtain adequate curbside parking adjacent to or near  
10 their residences because of widespread use of available curbside parking spaces by others;

11 ~~(4) The effect on the safety of the residents from intensive vehicle parking~~The number of  
12 off-street parking spaces available to residences in the area;

13 ~~(5) The extent of air and noise pollution, hazardous conditions, and deterioration of the~~  
14 ~~residential environment as a result of traffic congestion and insufficient parking in the area;~~

15 ~~(6)~~ (5) The extent that the designation of a residential parking permit area would be likely to  
16 reduce traffic congestion and any other problems referred to above;

17 ~~(7)~~ (6) The extent and need for parking by the general public in the residential district; and

18 ~~(8) The desire of the residents in the proposed, or existing, residential parking permit area~~  
19 ~~for the institution of a residential parking permit system and the willingness of those~~  
20 ~~residents to bear the costs incidental to the issuance of parking permits authorized by this~~  
21 ~~Article IV; and~~

(97) The extent that no reasonable alternative is feasible or practicable that would reduce parking problems and any other problems referred to above without unduly impacting surrounding residential areas.

~~D~~E. Designation/Withdrawal Process.

(1) Within ~~fifteen (15)~~thirty (30) calendar days following the close of the public hearing, the City Administrator shall recommend by written report to the City Council, based on the record of the public hearing and the results of the survey, whether to designate the residential district or portion thereof under consideration as a residential parking permit area or whether to withdraw the designation of an existing residential parking permit area.

The report also shall demonstrate that the City Administrator, in making the recommendation, has taken into account the criteria enumerated above. The report shall recommend the number of permits to be issued to each residential parking permit area as a whole and the number of permits to be issued to each address in the district~~district~~residential parking permit area.

(2) Within thirty (30) calendar days following its receipt of the report, unless the City Council shall vote otherwise, the City Administrator's recommendations shall be effective as to the residential parking permit area.

(3) Nothing in this section shall limit the authority of the City Council over residential parking permit areas.

(4) The City Council or the City Administrator may limit the number of permits issued to all the addresses in a particular residential parking permit area to accomplish the purpose and intent of this Article.

1     FF. Number of Permits Per Residence.

2             (1) The City Administrator or their designee shall determine the total number of residential  
3             parking permits that may be issued per residence within a residential parking permit area,  
4             taking into consideration the total number of residences and parking spaces, both on-street  
5             and off-street, within the particular area.

6             (2) In making its determination, the City Administrator or their designee shall reduce the  
7             total number of permits that may be issued in an area by approximately 10% to  
8             accommodate guest parking.

9             (3) The number of residential parking permits per residence in a residential parking permit  
10            area shall be no less than one (1) or no more than four (4), except in specific cases where  
11            the number of permits available to a particular residence may be adjusted pursuant to  
12            paragraphs (4) and/or (5) of this Subsection.

13            (4) If the demand for permits in a residential parking permit area is likely to exceed the  
14            total number of off-street parking spaces, the City Administrator or their designee may  
15            reduce the number of residential parking permits available to residences with off-street  
16            parking up to the total number of off-street parking spaces at each particular residence.

17            (5) Upon a showing of reasonable necessity or hardship, the total number of residential  
18            parking permits that may be issued to a particular residence may be increased at the  
19            discretion of the City Administrator or their designee who shall take into consideration the  
20            nature of the person's particular circumstances and the potential impact on the affected  
21            residential parking permit area.



1       (6) Any special exception granted under this Subsection shall expire with the permit issued  
2       unless the person for which the exception was granted demonstrates that a reasonable  
3       necessity or hardship continues to exist.

4       G. Duration of Parking Permits.

5       (1) All residential parking permit areas shall operate on two (2) year terms, during which  
6       permits issued pursuant to this Article IV for the particular term remain valid.

7       (2) Upon the expiration of a two-year term for a particular residential parking permit area,  
8       all permits issued pursuant to this Article IV for that term and area also expire and become  
9       immediately invalid, and the next two (2) year term begins.

10       (3) The City Administrator or their designee shall establish a month and year for each  
11       residential parking permit area upon which the first term for that area shall commence, and  
12       the beginning of that term, and every subsequent term for that area, shall be on the first day  
13       of that month.

14       (4) Upon the commencement of the first term as set forth in paragraph (3) of this  
15       Subsection, all permits issued for the particular area pursuant to this Article IV prior to that  
16       date, other than those issued and designated for the first term or addressed in § 114-33 of  
17       this Article IV, shall immediately become void and invalid.

18       (5) Until the first term of a residential parking permit area commences as set forth in  
19       paragraph (3), the existing provisions of this Article IV governing that residential parking  
20       permit area prior to [EFFECTIVE DATE OF THIS ORDINANCE] shall remain in effect.

21       (6) Parking permits issued for the term immediately following the current term may be  
22       issued prior to the expiration of the current term, and such permits shall become valid and  
23       may be used up to 30 calendar days prior to the expiration of the current term.

1     H. Posting of Residential Parking Permit Area.

2           (1) ~~Immediately~~Within 60 calendar days following the effective date of the City's  
3           designation or withdrawal of designations, but before any parking restrictions go into effect  
4           and/or any enforcement takes place, appropriate parking signs shall be erected or moved  
5           in the designated area.

6           (2) ~~The~~Residential parking permit area signs shall ~~indicate~~ prominently display the  
7           following information:

8                 (a) the number of the residential parking area;

9                 (b) the enabling ordinance;

10                (c) the days and/or hours of enforcement; and

11                (d) that curbside parking on public streets in the designated area is prohibited unless  
12                the vehicle properly displays a parking permit authorized by this Article IV.

13     FI. Notice to Residents of Designation of Residential Parking Permit Area.

14     Following the effective date of the designation, the City Administrator shall provide to every  
15     residence within the designated residential parking permit area a Notice of Designation that  
16     shall inform the residents in the designated area of:

17           (1) The existence, exact location, and numerical designation of the residential parking  
18           permit area;

19           (2) The parking restrictions applicable to all vehicles in curbside parking spaces along  
20           public streets and highways in the designated area that do not properly display a parking  
21           permit authorized by this Article IV; and

22           (3) The procedures to obtain a residential or ~~temporary~~guest parking permits.

1     ~~GJ.~~ Withdrawal of Designation.

2           (1) Following City action to withdraw the designation of an existing residential parking  
3           permit area, the City Administrator shall provide to every residence within the existing  
4           residential parking permit area a notice of the Council's withdrawal of the designation.  
5           Said notice shall specify the effective date of the withdrawal of the designation.

6           (2) The effective date of the withdrawal of the designation of an existing residential parking  
7           permit area shall ordinarily be thirty (30) days following the date of the City's action to  
8           withdraw the designation.

9     ~~H. Temporary Designation/Withdrawal of Designation.~~

10    ~~Notwithstanding any other provision of this Article IV, the City Administrator may either~~  
11    ~~establish or temporarily withdraw the designation of all or part of a residential parking permit~~  
12    ~~area or areas on a trial basis for a period not to exceed one hundred twenty (120) days.~~

13    **§ 114-3029. Issuance & Transfer of Residential Parking Permits.**

14    A. ~~Issuance~~Application.

15           (1) ~~An Application for Residential Parking Permit.~~ The applicant is to provide at a  
16           minimum the following ~~information~~ for each motor vehicle to receive a residential parking  
17           permit:

18               (a) The name and residential address of the owner of the vehicle;

19               (b) The name, residential address, and driver's license number of the principal operator  
20               of the vehicle;

21               (c) The make, model, license plate number and vehicle identification number of the  
22               vehicle;

23               (d) The number of off-street parking spaces at the applicant's residence; and

(~~de~~) The ~~name, address and~~ signature of the applicant for the residential parking permit.

(2) The applicant shall demonstrate proof of residency in the particular ~~zone~~area and verification of the resident being the principal driver of the vehicle in a manner determined by the City Administrator, which may include but is not limited to utility bills, lease, driver's license, title, etc.

(3) The applicant for, and holder of, the residential parking permit shall be the owner or principal operator of the vehicle receiving the parking permit.

(4) Subject to the limitations outlined in this Article IV, upon the applicant's ~~payment of a ten dollar (\$10.00) residential parking permit fee,~~ submission of a completed and validated residential parking permit application, and fulfillment of all applicable provisions of this Article IV controlling issuance, or transfer of residential parking permits, the applicant may receive one or more ~~(1)~~-residential parking permits as set forth in § 114-28 for the motor vehicle(s) described in the application. ~~The residential parking permit shall be securely affixed to the inside of the vehicle at a location directed by the City Administrator and shall display the permit number and numerical designation of the residential parking permit area.~~

B. ~~Other~~ Requirements.

~~(1)~~No residential parking permit shall be issued ~~to~~for a vehicle unless:

(1) ~~whose~~its principal operator ~~does not~~ resides on a residential street within the designated residential parking permit area;

(2) it displays valid license plates; and

(3) it is registered in the State of Maryland.

~~(2) The applicant for, and holder of, the residential parking permit shall be the owner or principal operator of the vehicle receiving the parking permit.~~

1 ~~(3) A motor vehicle shall be issued a residential parking permit only if it displays valid~~  
2 ~~license plates that are allowed to those residing in Maryland under Maryland law.~~

3 ~~(4) No residential parking permit shall be issued for any motor vehicle for which a citation~~  
4 ~~issued by the City remains unpaid. Upon notice to the resident of an unpaid citation that is~~  
5 ~~legally due, the City may revoke the permit.~~

6 C. Exceptions for Active Military and Students.

7 (1) The Supervisor of the Office of Code and Parking Compliance shall waive the  
8 requirement of Subsection B(3) of this Section for active duty military personnel and  
9 current students.

10 (2) An applicant may appeal the denial of a request for a waiver under this Subsection, in  
11 writing, to the City Administrator or their designee.

12 D. Issuance of Permits for Vehicles with Unpaid Citations Prohibited.

13 Notwithstanding any other provision in this Article IV, no residential parking permit shall be  
14 issued for any vehicle for which a fully-adjudicated citation issued by the City remains unpaid  
15 or to any person while a citation for any fully-adjudicated violation of this Article IV remains  
16 unpaid.

17 E. Transfer.

18 ~~Upon the holder's payment of a ten dollar (\$10.00) residential parking permit transfer fee,~~  
19 ~~submission of complete and validated residential parking permit application, fulfillment of all~~  
20 ~~applicable provisions of this Article IV controlling issuance, renewal, or transfer of residential~~  
21 ~~parking permits, and surrender of the existing residential parking permit, the holder shall~~  
22 ~~receive a new residential parking permit to be transferred to another qualifying vehicle.~~



1     ~~D. Replacement.~~

2     ~~Upon the holder's payment of a ten dollar (\$10.00) residential parking permit replacement fee,~~  
3     ~~verification of the holder's prior submission of a completed and validated residential parking~~  
4     ~~permit application, fulfillment of all applicable provisions of this Article IV controlling~~  
5     ~~issuance, renewal, or transfer of residential parking permits, and affirmation that the holder's~~  
6     ~~permit was lost, stolen, or destroyed, the holder shall receive a new residential parking permit.~~  
7     ~~The lost, stolen or destroyed permit shall be considered void, and any use of a voided permit~~  
8     ~~is prohibited.~~

9     **§ 114-310. Temporary Guest Permits. [Amended on 3-27-11 by HO-2011-01]**

10    A. Issuance of Guest Permits.

11       (1) A resident or owner of rental property on a residential street within a residential parking  
12       permit area may apply for, and receive, guest parking permit booklets containing fifty (50)  
13       1-day guest permits and one (1) 5-day guest permit.

14       (2) Each residence within a residential parking permit area is limited to two booklets of  
15       guest permits for every two (2) year term set forth in § 114-28, one booklet issued during  
16       the first half of the term and one booklet issued during the second half of the term.

17       (3) Notwithstanding any other provision in this subsection, residents may apply for:

18           (a) one additional booklet of guest permits; and/or

19           (b) an additional five (5) 1-day guest permits for special events, which shall be  
20           pre-dated for the day on which the event is to occur.

21    B. Application

22       (1) A person may, but is not required to, apply for guest permits in the same application  
23       for a residential parking permit.

1       (2) A person need not apply for or possess a residential parking permit to apply for guest  
2       parking permits, however, each applicant for guest permits must provide, at minimum, the  
3       following:

4               (a) name and residential address of the applicant;

5               (b) proof of residency in the particular residential parking permit area, which may  
6               include but is not limited to utility bills, lease, driver's license;

7               (c) the number of off-street parking spaces at the applicant's residence;

8               (d) the permit numbers of any residential parking permits that have been issued to  
9               persons living or residing in that residence for the current or next parking permit  
10              term for that parking permit area; and

11              (e) the signature of the applicant.

12       C. Use of Guest Permits.

13       (1) Each guest permit can only be used once, and before any guest permit may be used, the  
14       date and time that the permit will become effective must be recorded in the appropriate  
15       place on the permit.

16       (2) 1-day guest permits, when used, remain valid for twenty-four (24) hours; 5-day guest  
17       permits, when used, remain valid for one hundred twenty (120) hours.

18       (3) Guest permits, regardless of the denomination, may not be used more than three  
19       consecutive times on a single vehicle.

20       (4) No person shall:

21              (a) sell guest permits or otherwise receive compensation for their use; or

1            (b) use or give away guest permits for commercial parking unless they were issued or  
2            authorized by the City for commercial property use pursuant to § 114-33 of this  
3            Article IV.

4            ~~A. Issuance of Temporary Permits.~~

5            ~~Upon application of any resident of a residential parking permit area and upon good cause~~  
6            ~~being shown, the City Administrator may issue a temporary parking permit to the resident for~~  
7            ~~a vehicle which otherwise may legally park on the applicable street, with such temporary~~  
8            ~~parking permit limited to that particular parking permit area and subject to conditions and~~  
9            ~~limits reasonably imposed by the City Administrator for a fee of one dollar (\$1.00) per permit.~~  
10           ~~Upon application and showing of good cause, the City Administrator may also issue to a~~  
11           ~~resident an unlimited number of temporary permits for a period of no more than twenty four~~  
12           ~~(24) hours for a fee of one dollar (\$1.00) per permit. Such unlimited twenty four (24) hour~~  
13           ~~permits may be issued no more than once in any six (6) month period for any address. For the~~  
14           ~~purposes of this Article IV, the resident shall be the holder of and responsible for the use and~~  
15           ~~misuse of temporary parking permits issued to the resident.~~

16           ~~B. Display of Visitor Parking Permits.~~

17           ~~(1) All temporary parking permits shall be displayed on or about the front windshield of~~  
18           ~~the vehicle so as to be easily visible from outside the vehicle. Such parking permits shall~~  
19           ~~contain display the permit number and the numerical designation of the residential parking~~  
20           ~~permit area.~~

1 **§ 114-31. Special Permits.**

2 A. Issuance of Special Permits.

3 (1) The Supervisor of the Office of Code and Parking Compliance may issue a special  
4 permit to:

5 (a) an onsite caregiver;

6 (b) a person who regularly or frequently provides childcare;

7 (c) an owner of a rental residential property or landlord;

8 (d) registered members of a homeowner's association, neighborhood watch  
9 organization, or other similar community organization that regularly meets in a  
10 residential parking permit area;

11 (e) any other person upon a showing of reasonable necessity or hardship.

12 (2) The Supervisor of the Office of Code and Parking Compliance and/or the City  
13 Administrator or the City Administrator's designee may establish reasonable restrictions  
14 and limitations on the use of special permits, including, but not limited to, the days and  
15 times during which they may be used and the purposes for which they may be used.

16 B. Application. Each applicant for a special permit must provide, at minimum, the following:

17 (1) name and residential address of the applicant;

18 (2) name and address of the business that employs the applicant, if any;

19 (3) the address of the residence where the special permit is to be used and the name of the  
20 resident or owner of that residence;

21 (4) supporting documentation demonstrating the need for a special permit, which may  
22 include, but is not limited to:

1           (a) a signed letter from the resident, or legal guardian of the resident, for whom the  
2           caretaker or other similar services are to be rendered;

3           (b) a contract for caretaker or similar services;

4           (c) a lease demonstrating landlord status;

5           (d) a signed statement from an officer of an organization describing the active  
6           membership for which the permits are to be used and generally describing the purpose  
7           of the gathering for which the permits are requested; or

8           (e) a signed statement from the applicant otherwise explaining why a special permit is  
9           needed if other documentation cannot be obtained;

10          (5) a description of when the permits are to be used; and

11          (6) the signature of the applicant.

12          C. Appeal. An applicant may appeal the denial of an application for a special permit or any  
13          restrictions or limitations that are placed on a special permit, in writing, to the City  
14          Administrator or their designee.

15          D. Use.

16          (1) Special permits shall not be used for any purpose other than the purpose for which they  
17          were issued.

18          (2) The applicant to whom the parking permits were issued shall collect, keep, and maintain  
19          all special parking permits when they are not in use.

20          **§ 114-32. Use of Parking Permits & Exemptions. [Amended on 3-27-11 by HO-2011-01]**

21          A. Parking permits may only be used in the residential parking permit area for which it was  
22          issued.

23          B. Proper display of parking permits.



1       (1) All parking permits shall be securely affixed and/or located inside of the vehicle at as  
2       directed by the Supervisor of the Office of Code and Parking Compliance and shall  
3       properly display the permit number and numerical designation of the residential parking  
4       permit area, and dates and times, if any.

5       (2) Permits that are improperly placed, partially or fully obstructed or obscured, or bear  
6       writing or other markings that make the date, time, or location in which the permit is valid  
7       illegible or ambiguous may be deemed invalid.

8       A.C. A parking permit shall not guarantee or reserve a parking space within a designated  
9       residential parking permit area. A parking permit shall not authorize the standing or parking of  
10      any vehicle in such places and during such times when the stopping, standing or parking of  
11      vehicles is prohibited or set aside for specified types of vehicles, and shall not excuse the  
12      observance of any traffic regulation.

13      ~~B. Whenever the holder of a parking permit, or the vehicle for which the parking permit was~~  
14      ~~issued, no longer fulfills one or more of the applicable provisions of this Article IV controlling~~  
15      ~~issuance, renewal or transfer of parking permits, the permit shall be deemed to have expired~~  
16      ~~and the holder shall notify the City Administrator, who may then direct the holder to surrender~~  
17      ~~the parking permit.~~

18      ~~C. Until its expiration, surrender or revocation, a parking permit shall remain valid for such~~  
19      ~~time as the holder continues to reside within the designated residential parking permit area.~~

20      ~~D. A parking permit shall be valid only in the residential parking permit area for which it is~~  
21      ~~issued.~~

22      ~~E. It shall be a violation of this Article IV for the holder of a parking permit to fail to surrender~~  
23      ~~the permit when directed to do so.~~

1 ~~F. It shall be a violation of this Article IV for any person to represent in any fashion that a~~  
2 ~~vehicle is entitled to a parking permit authorized by this Article IV when it is not so entitled.~~  
3 ~~The display of a parking permit on a vehicle not entitled to such a parking permit shall~~  
4 ~~constitute such a representation.~~

5 ~~G. It shall be a violation of this Article IV for any person to duplicate, or attempt to duplicate,~~  
6 ~~by any means, a parking permit authorized by this Article IV. It also shall be a violation of this~~  
7 ~~Article IV for any person to display on any vehicle such a duplicate parking permit.~~

8 HD. Exemptions.

9 (1) It is not a violation of this Article IV for any person to park or leave standing a vehicle  
10 in any residential permit parking area for up to 30 minutes without a permit.

11 (2) A permit is not required to park in any residential parking permit area during any posted  
12 days and times when residential parking restrictions are not in effect, or during any  
13 temporary period that may be established by the City during which parking restrictions  
14 may be suspended, which shall in no case be longer than 72 hours.

15 (3) Whenever metered parking is in effect in any portion of a residential parking permit  
16 area, the parking spaces controlled by meters shall be excepted from the provisions of this  
17 Article IV so long as the control by meters continues.

18 (24) The provision of this Article IV shall not supersede the provisions of the City Code  
19 and state laws relating to parking by persons with disabilities.

20 (35) The following vehicles are specifically exempted from the parking restrictions  
21 imposed by this Article IV:

1 (a) A motor vehicle owned by or operated under contract to a utility when used in the  
2 construction, operation, removal or repair of utility property or facilities or engaged in  
3 authorized work in the designated residential parking permit area.

4 (b) A motor vehicle identified as owned by or operated under contract to a federal,  
5 state, or local governmental agency and being used in the course of official government  
6 business.

7 (c) An authorized emergency vehicle as defined by state law.

8 (46) The City Administrator may grant an exemption to the requirements of this Article IV  
9 and to Section 114-18 of Article III to any person for a vehicle which may legally park in  
10 the applicable area upon demonstration of unusual hardship or exigent circumstances  
11 provided that the exemption will expire at the end of each calendar year unless the person  
12 demonstrates that the unusual hardship or unusual or exigent circumstances continue.

13 **§ 114-33. Rental Properties.**

14 A. Within fourteen days (14) after the termination of a lease and tenancy, owners of rental  
15 properties are required to:

16 (1) collect all residential parking permits from the former tenants and return them to the  
17 Office of Code and Parking Compliance; or

18 (2) notify the Supervisor of the Office of Code and Parking Compliance, in writing, of the  
19 termination and permit numbers of the former tenants, and also notify the former tenants  
20 that their parking permits are no longer valid.

21 B. Failure to comply with Subsection A of this Section may result in the non-issuance of new  
22 permits for that residence until the existing permits expire at the end of the current term.

1 C. Owners of rental properties are also expected to collect all unused guest parking permits  
2 upon the termination of a lease and/or tenancy because, consistent with § 114-30, no additional  
3 or replacement guest permits may be issued for any residence during a single term.

4 **§ 114-34. Commercial Properties.**

5 A. No person or entity shall receive or use any permits issued pursuant to this Article IV for  
6 any for commercially zoned properties in any residential parking permit area.

7 B. Notwithstanding any other provision in this Article IV, residential parking permits and/or  
8 guest parking permits may be issued in reasonable quantities, as determined by the Supervisor  
9 of the Office of Code and Parking Compliance, for commercially zoned properties within a  
10 residential parking permit area if the Supervisor determines that issuance of such permits  
11 would not result in a significant adverse impact on the residents and other commercial  
12 establishments in the area.

13 **§ 114-335. Regulations & Enforcement.**

14 The City Administrator is authorized to establish all written regulations and procedure necessary  
15 to implement and enforce the provisions of this Article IV and collect all fees and fines. The  
16 ~~regulations shall include a reasonable period prior to enforcement of the parking restrictions to~~  
17 ~~allow for short visits or stops in such residential zones.~~

18 **§ 114-346. Restriction & Penalty. [amended 4-21-14 by HO 2014-04]**

19 A. Parking Violations.

20 (1) Except as set forth in § 114-32(D), it shall be unlawful for any person to park or leave  
21 standing any motor vehicle for any length of time designated on the posted signs in a  
22 designated residential permit parking zone, area without a valid permit for such zone.

1 ~~Unless otherwise provided, the penalty for each parking violation of this Article IV shall~~  
2 ~~be a fine of up to one hundred fifty dollars (\$150.00).~~

3 (2) Unless otherwise provided, the penalty for a violation of this Subsection shall constitute  
4 a parking violation punishable by a fine of up to fifty dollars (\$50.00).

5 B. Falsification and Misuse.

6 (1) It shall be unlawful to:

7 (a) knowingly provide any false information on an application for any permit under this  
8 Article IV;

9 (b) use or misuse any permit issued under this Article IV for an improper or  
10 unauthorized purpose;

11 (c) give any permit to another person for an improper or unauthorized purpose; or

12 (d) duplicate, or attempt to duplicate, by any means, a parking permit issued pursuant  
13 to this Article IV or use, or attempt to use, any such counterfeit parking permit.

14 (2) Unless otherwise provided, the penalty for a violation of this Subsection shall constitute  
15 a municipal infraction punishable by a fine of up to one hundred fifty dollars (\$150.00).

16 C. Failure to Surrender Revoked Permit and Other Violations.

17 (1) Failure to surrender a revoked residential parking permit when ordered to do so shall  
18 constitute a separate municipal infraction punishable by a fine of up to one hundred dollars  
19 (\$100.00).

20 (2) A violation of any other part of this Article IV that is not explicitly addressed in this  
21 Section shall constitute a municipal infraction punishable by a fine of up to one hundred  
22 dollars (\$100.00).



1 ~~B. It shall be a municipal infraction for any person to violate any provisions of this Article IV~~  
2 ~~other than the parking provisions as outlined immediately above. The penalty shall be one~~  
3 ~~hundred dollars (\$100.00). The penalty for any repeat violation within one (1) year shall be up~~  
4 ~~to two hundred dollars (\$200.00).~~

5 ~~C. The falsification of any application for a permit, guest permit or temporary permit, the use~~  
6 ~~of any permit, guest permit or the allowance of such unauthorized use by a permittee shall all~~  
7 ~~constitute violations of this Article IV, punishable as a municipal infraction.~~

8 ~~D. The misuse of any permit, guest permit or temporary permit shall result in a parking citation~~  
9 ~~of up to one hundred dollars (\$100.00). Misuse shall include the failure of the permittees to~~  
10 ~~properly fill out or date any such permit, guest permit or temporary permit.~~

11 **§ 114-357. Revocation of Permit, Changes in Circumstances, Severability.**

12 A. In addition to the penalties provided above for violation of this Article IV the City  
13 Administrator may revoke the residential parking permit of any person found to be in violation  
14 of this Article IV or when an unpaid parking or motor vehicle citation issued by the City is  
15 legally due, and, upon written notification thereof, the person shall promptly surrender such  
16 permit to the Supervisor of the Office of Code and Parking Compliance or the City  
17 Administrator. ~~Failure to surrender a revoked residential parking permit when requested to do~~  
18 ~~so shall constitute a separate municipal infraction.~~

19 B. Changes in Circumstances Causing Ineligibility.

20 If, at any time, the holder of a residential or special parking permit or the vehicle for which a  
21 residential or special parking permit was issued no longer satisfies one or more of the  
22 applicable requirements of this Article IV controlling issuance of parking permits, including  
23 any special circumstances, such as status as active military, current student, or caregiver:

1 (1) the parking permit issued immediately becomes invalid;

2 (2) the holder of the permit shall inform the Supervisor of the Office of Code and Parking

3 Compliance, in writing, of the change in circumstances; and

4 (3) the holder shall promptly surrender the permit to the Supervisor of the Office of Code

5 and Parking Compliance if requested to do so.

6 ~~BC.~~ Nothing in this Article IV shall be construed as authorizing a permittee to violate any traffic  
7 regulation, emergency or otherwise, duly promulgated by the City.

8 ~~CD.~~ Severability.

9 Severability is intended throughout and within the provisions of the Article IV. If any section,  
10 subsection, sentence, clause, phrase or portion of this Article IV is held to be invalid, or  
11 unconstitutional by a court of competent jurisdiction, then that decision shall not affect the  
12 validity of the remaining portions of this Article IV.

13 ~~DE.~~ The parking districts in existence on September 20, 2004 shall remain in effect until they  
14 are modified or withdrawn pursuant to this Article.

## 15 **ARTICLE V**

### 16 **Trucks and Commercial Vehicles**

17 **~~§ 114-368.~~ Operation of heavy vehicles upon certain streets restricted.**

18 \* \* \*

19 **~~§ 114-37. Reserved.~~**

20 **~~§ 114-389.~~ Definitions.**

21 \* \* \*

22 **~~§ 114-3940.~~ Parking restrictions for vehicles on public rights-of-way.**

23 **~~§ 114-401.~~ Parking restrictions for commercial vehicles on private property.**

**~~§ 114-41. Reserved.~~**

**§ 114-42. Petitions and Permits.**

\* \* \*

B. The City Administrator may grant either a temporary permit for a vehicle not meeting the requirements of this Article or one renewable permit, for vehicles prohibited by §114-401, but only after the City Administrator determines that the following criteria are met:

\* \* \*

**§ 114-43. Penalties.**

\* \* \*

B. A violation of §114-401 shall be a municipal infraction enforceable by Code compliance or the police, with the penalty being one hundred dollars (\$100.00) for a first offense and two hundred dollars (\$200.00) for each subsequent offense. Each day that a violation continues shall be a separate offense.

**AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

**AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect one hundred eighty (180) days from the date of its adoption;

**AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public.

**INTRODUCED** by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on (INSERT DATE), 2018.

**ADOPTED** by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on (INSERT DATE), 2018.

Adopted: \_\_\_\_\_

Attest: \_\_\_\_\_  
Laura Reams, City Clerk                      Candace B. Hollingsworth, Mayor

- [ ] indicate deletions
- Underline indicates additions
- Asterisks \* \* \* Indicate matter retained in existing law but omitted herein
- Effective Date: (Insert)

From: City Attorney

To: Director Economic and Community Development  
Manager, Code Compliance

Date: May 9, 2018

Subj: 324-163 Chapter 114 Parking Revisions

## **MEMO**

In order to assist the reader with understanding the revisions made to Chapter 114, I offer this informal memo. Please let me know if you have any questions.

---

### **ARTICLE III**

#### **Stopping, Standing and Parking**

\* \* \*

#### **§ 114-18. Time limit for leaving vehicles unattended.**

This section was edited to reflect changes in Article IV.

### **ARTICLE IV**

#### **Residential Permit Parking Zones**

#### **~~§ 114-27. Purpose and Legislative Findings.~~**

Omitted this section because it was unnecessary and somewhat inapplicable now that the ordinance is being rewritten.

#### **~~§ 114-28. Definitions.~~**

\* \* \*

#### **~~B. Commuter Vehicle~~**



I recommend striking this definition because it is only referenced once in the Article. Moreover, it is not necessary to distinguish between various uses of vehicles because § 114-35 operates to prohibit ALL vehicles that do not have a valid parking permit for that specific area, except under the circumstances provided in § 114-31(C).

#### **EB. Curbside Parking Space**

Proposed language to clarify this definition.

#### **C. Guest Permit**

Added this language to define the new type of permit.

\* \* \*

#### **E. Parking Permit Term**

Added this language to explain the new parking permit “terms” (i.e., the cycles during which current permits are valid and old permits expire).

#### **EF. Resident**

I added the “primary dwelling” language to prevent the periodic overnight guest from attempting to claim residency to obtain a permit.

#### **F. Resident Vehicle**

Recommend striking this language for the same reason as “Commuter vehicle.”

\* \* \*

#### **I. Residential Parking Permit**

Added this language to define the new type of permit.

#### **IJ. Residential Parking Permit Area**

Reduced “grace period” to 30 minutes.

#### **K. Residential Parking Permit Holder**

Added this language to describe who is a “holder.”

#### **L. Special Parking Permit**

Added this language to define the new type of permit.

\* \* \*

### **§ 114-298. Designation/Withdrawal of Designation of Residential Parking Permit Areas.**

#### **A. Minimum size.**

I added section (A) and its subparagraphs to help clarify what “portion thereof” of a residential district means. It may be overkill, but it makes it explicitly clear what a “portion thereof” means.

#### **D. Criteria.**

\* \* \*

~~(8)~~

Omitted this language because new parking system does not have fee structure.

\* \* \*

#### **F. Number of Permits Per Residence.**

This whole subsection is new and establishes the number of parking permits per residence.

#### **G. Duration of Parking Permits.**

This whole subsection is new. Paragraph (1) establishes the two-year terms (or cycles) for parking permits. Paragraph (2) expires and invalidates old permits when a new term begins. Paragraphs (3) and (4) are sort of the “genesis” provisions which establish when terms/cycles begin and end, and they invalidate all parking permits from the previous system upon the commencement of this new system in a new parking permit area. Paragraph (5) was added as a clarification that

make it explicitly clear that all aspects of the “old system” remain in effect until the first day of the first term of a new RPZ term. Paragraph (6) is a provision that permits the City to begin handing out permits for the *next* term *before* the next term begins and makes them valid 30 days prior to the beginning of the upcoming term so that residents have a bit of overlap of the cycles to install their new sticker at their leisure without having to stand next to their cars and replace their stickers at the precise stroke of midnight or else risk getting a ticket for displaying the wrong permit (e.g., it would be permissible for the City to issue January 2020/2021 stickers in, for example, August 2019, and it would be permissible for a resident to remove from their vehicle their January 2018-2019 sticker and affix a January 2020-2021 sticker on December 10, 2019).

#### H. Posting of Residential Parking Permit Area.

I added language to paragraph (1) to ensure that, at the very least, no parking restrictions will be enforced until the proper signage is in place

\* \* \*

### **§ 114-3029. Issuance & Transfer of Residential Parking Permits.**

#### A. Issuance Application.

\* \* \*

#### (4)

I moved language from this paragraph regarding where and how to affix a permit to the “Use” section, which I think makes more sense.

\* \* \*

#### D. Issuance of Permits for Vehicles with Unpaid Citations Prohibited.

I added the “adjudicated” language to this section so that people who are challenging a citation can still get a permit. I also expanded the section to cover not just vehicle citations, but

also any citation issued to a person for violating this Article. Thus, if a person provides false information on their application, or is directed to return a permit but refuses, or misuses guest permits, and is then fined for the violation, it seems sensible that they would also be precluded from receiving new permits.

\* \* \*

**§ 114-310. Temporary Guest Permits. [Amended on 3-27-11 by HO-2011-01]**

I intentionally placed the guest permits provisions in its own section, complete with an “issuance”, “use”, and “application”, subsections to complement the previous section, which addresses strictly residential permits. The purpose of this was to permit residents who do not personally own vehicles (who walk, or use public transit, or are disabled, etc.), but still would like to receive guest permits for visitors to obtain guest permits.

I envision a single application form that has four checkboxes:

I am applying for (check one):

☐ Residential parking permit only

☐ Residential parking permit and guest permits

☐ Guest permits only

☐ Special permit only

The applicant will then check the box that is applicable. If they check box 1 or 2, they fill out the whole form (i.e., Make/model of vehicle etc.). If they check box 3 for guest permits only, they just have to fill out part of the form (i.e., name, address, and proof of residency or ownership, etc.).

Thus, residents can automatically get guest permits at the same time as their residential parking permits. This just adds another option for those who do not own a car. For the purposes of tracking people with guest permits only, it is possible to just track them via street address, which

is likely how the quantity of residential parking permits issued to each residence will have be tracked anyway. Another potential way to track these folks is to simply issue a person who requests only guest permits a Residential Parking Permit number without an actual permit, i.e., do everything exactly the same as you would with a residential parking permit, but simply withhold the resident sticker/hangtag/etc. and just give them the guest booklets and a copy of their number.

#### A. Issuance of Guest Permits.

\* \* \*

#### (3)

I adjusted this section to allow residents to get more guest permits. Subsection A(3) was written intentionally vague to permit discretion regarding the issuance of a third booklet.

#### B. Application

I added this subsection to help clarify the operation of the ordinance and to complement the prior section regarding the application requirements for a residential parking permit.

\* \* \*

#### ~~B. Display of Visitor Parking Permits~~

I omitted the old language and consolidated this provision into a single rule in the “Use of parking permits” section, § 114-32(B), which makes the Article uniform and more accessible.

#### **§ 114-31. Special Permits.**

I added this third category of permits to address all the “special” circumstances where people are not “residents” as defined by this Article but may nevertheless need the equivalent of a residential parking permit. I envision that these permits might be cardboard/cardstock or something similar to a guest permit.



For example, the president of a HOA might apply for 4 permits so that the secretary, treasurer, and two board members can park at the president's residence for a HOA meeting that occurs on the first Tuesday of every month. The president would hand out the permits on the day of the meeting and, like guest permits, the HOA members could put them on their dashboard when they arrive. The permits might be limited to the first Tuesday of every month, which would coincide with the stated purpose.

Landlords, for example, might be issued a special permit that is valid for the applicant's choice of a limited number of days of the week. So, the landlord might choose Fridays and Sundays, and the permit would be valid on only those days. Or they could be unlimited.

Caregivers might be granted a permit that is valid all day during weekdays. Part of the special permit application for a caregiver might include a statement from the parent stating that they work from 6:00 a.m. to 2:00 p.m. Monday through Thursday, and therefore, they need a permit for the grandmother's car for those days from 5:00 a.m. to 3:00 p.m.

#### A. Issuance of Special Permits.

##### (1)

These are the categories that were discussed. This list, of course, can be adjusted, and it also includes paragraph (e) which is a catchall for unusual cases.

\* \* \*

#### B. Application.

Again, as with residential parking permits and guest permits, this section also has a complementary "application" section.

\* \* \*

#### D. Use.

\* \* \*

(2)

This provision is targeted at groups, particularly HOAs and such. The caregiver is likely to be the applicant, and therefore, the caregiver will just keep the special permit until it expires or “changes in circumstances” require the caregiver to surrender it. However, for groups that might have multiple special permits and have changing membership, like an HOA or a community watch organization, the City probably does not want to have to deal with special permits scattered around, getting lost, and disappearing. Therefore, whomever applies for the permits, like the HOA president, will be responsible for them and will be required to keep and maintain the permits. Thus, after the HOA meeting is over, the board members will have to return them to the president. Hopefully this will reduce temptation to abuse special permits and fewer issues with lost permits or former members refusing to return them, etc.

**§ 114-32. Use of Parking Permits & Exemptions. [Amended on 3-27-11 by HO-2011-01]**

\* \* \*

B. Proper display of parking permits.

This new language is a consolidation of old rules. It applies to all classes of permit. It basically requires users to place or affix whatever permit they have in the appropriate location as directed by the City. The new language further makes it a violation to attempt manipulate a permit, like blocking the zone number or writing two dates on a guest permit

\* \* \*

H.D. Exemptions.

(1)

I moved this section from the “penalty” section and placed it within this “exemptions” section to neatly consolidate all of the exemptions into one section. The “parking violation” offense in the “penalty” section just points to this entire category of exemptions as all of the exceptions to the rule that a valid parking permit is needed.

(2)

I added this paragraph for two reasons: First § 114-28(G)(2)(c) indicates that RPZ signs will indicate “the days and/or hours of enforcement.” Accordingly, this provision complements the implication that there may be days and times (such as certain holidays or between the hours of 9:00 a.m. and 2:00 p.m. Monday through Friday) during which parking may be unrestricted.

Second, there was mention of certain special occasions (i.e., funerals) during which the City may want to suspend enforcement. This provision permits suspension of the rules for such special events.

\* \* \*

**§ 114-33. Rental Properties.**

This section places the responsibility of rental property owners to collect permits from former tenants.

**§ 114-34. Commercial Properties.**

A.

This subsection prohibits the use of residential parking permits at commercial properties within a parking permit area.

B.

This subsection permits the Parking Compliance Supervisor to determine whether a limited quantity of permits may be issued to businesses in certain areas where it would not significantly impact the residential area.

\* \* \*

**§ 114-346. Restriction & Penalty. [amended 4-21-14 by HO 2014-04]**

**A. Parking Violations.**

This subsection sets forth the prohibition and penalty for committing a parking violation (e.g., parking with an invalid permit). The initial clause of paragraph (1), “Except as set forth in § 114-32(D),” refers to ALL of the “exceptions” set forth in that section, and this language was added in large part to clarify that it is not a violation to park in a RPZ when the signs in the area indicate parking restrictions are not in effect, when parking meters are in effect, etc.

\* \* \*

**B. Falsification and Misuse.**

Most (if not all) of the non-parking related offenses, misusing permits and lying on an application, things of that nature, are combined in this section.

**C. Failure to Surrender Revoked Permit and Other Violations.**

This is sort of a catchall offense section.

\* \* \*

**§ 114-357. Revocation of Permit, Changes in Circumstances, Severability.**

\* \* \*

**B. Changes in Circumstances Causing Ineligibility.**

This section invalidates permits that are contingent of special factors, such as being a student, if the condition no longer applies (e.g., the college student graduates), and it requires the permit to be returned.

\* \* \*

**AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect one hundred eighty (180) days from the date of its adoption;

[NOTE: Effective date was increased to 180 days, however, this may not be necessary because § 114-28 already includes language that should allow the new system to begin in a rolling manner, one residential parking permit area at a time.]

\* \* \*





## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Nicola Konigkramer

Submitting Department: City Clerk

Item Type: Community Notices

Agenda Section: Community Notices and Meetings

### **SUBJECT**

City Calendar: June 5 - July 16, 2018

**HCC-377-FY18**

### **Recommendation:**

### **Sponsor(s):**

At the Request of the City Administrator

### **Co-Sponsor(s):**

### **ATTACHMENTS**

[Main City Calendar\\_Jun 5 - Jul 16 2018.docx](#)

### **Summary Background:**

N/A

### **Next Steps:**

N/A

### **Fiscal Impact:**

None

### **City Administrator Comments:**

N/A

### **Community Engagement:**

N/A

### **Strategic Goals:**

Goal 1 – Ensure Transparent and Accessible Governance

### **Legal Review Required?**

N/A

Main City Calendar: June 5 – July 16, 2018

Weekly Program Offerings

Ageless Grace Senior Exercise Classes

Wednesdays and Fridays, 10:00 AM @ City Municipal Building

Creative Minds

Tuesdays and Thursdays, 10:00 AM @ Magruder Park Recreation Center

Senior Art Class

Tuesdays, 10:30 AM – 12:30 PM @ Art Works Now

The City is offering free senior art classes in partnership with Art Works Now. Seating is limited, and registration is required.

Call-A-Bus Grocery Trips

JUNE ONLY, Mondays and Tuesdays, 1:00 PM – 3:00 PM @ Citywide

The bus picks up at Friendship Arms and by appointment for community residents. To make an appointment, please call (301) 985-5000 by 2:00 PM the day before the trip.

City Calendar: June 5 – July 16, 2018

Board of Supervisors of Elections Meeting

June 5, 4:00 PM @ City Building, 3<sup>rd</sup> Floor Conference Room

Police and Public Safety Citizens' Advisory Committee Meeting

June 6, 7:30 PM @ City Building

Community Meeting: University Hills

June 7, 6:30 PM @ University Christian Church

The University Hills Civic Association and the City of Hyattsville's Police Department, Department of Public Works, and Office of Code & Parking Compliance invite you to discuss public safety, upcoming road projects, and new code compliance inspection policies.

Shade Tree Board Meeting

June 8, 6:00 PM @ Location TBD

Dogs for the Arts

June 9, 9:30 AM @ Magruder Park

Hyattsville Environment Committee Meeting

June 12, 7:00 PM – 8:30 PM @ City Building, 3<sup>rd</sup> Floor Council Chambers

Hyattsville Safe Streets Initiative Advisory Committee Meeting

June 13, 10:30 AM @ City Building, 2<sup>nd</sup> Floor Prangley Room

Hyattsville Corridor Community Meeting

June 13, 6:00 PM – 8:00 PM @ City Building, 1<sup>st</sup> Floor Multipurpose Room

Seniors On The Go: Casino Day Trip

June 14, 9:30 AM – 6:30 PM @ Harrington Casino & Raceway

Main City Calendar: June 5 – July 16, 2018

The cost is \$15. Rebate for slot machines and food voucher included. Registration is open May 15 - May 30 and confirmed upon receipt of payment in person at 4310 Gallatin Street or by mail. Bus pick-up is at the City Building at 9:30 AM. and at Friendship Arms Apartments at 9:40 AM.

Micro Farmers Market

June 15, 4:00 PM – 8:00 PM @ City Building

Summer Jam & Hyattsville Police Department Open House

June 15, 6:30 PM – 8:30 PM @ City Building

Ethics Commission Meeting

June 19, 7:00 PM @ City Building, 3<sup>rd</sup> Floor Conference Room

Planning Committee Meeting

June 19, 7:30 PM – 9:30 PM @ City Building, 2<sup>nd</sup> Floor Prangley Room

Code Compliance Advisory Committee Meeting

June 20, 7:00 PM @ City Building

Health, Wellness, and Recreation Advisory Committee Meeting

June 21, 7:30 PM – 9:00 PM @ City Building, 3<sup>rd</sup> Floor Conference Room

Fourth Tuesday Senior Lunch & Lecture Series

June 26, 12:30 PM – 2:30 PM @ Friendship Arms Apartments

For more information and to RSVP, please call (301) 985-5058.

Education Advisory Committee Meeting

June 28, 6:30 PM – 8:00 PM @ City Building, 2<sup>nd</sup> Floor Prangley Room

Free Movie Monday

July 2, 12:30 PM – 3:30 PM @ Old Greenbelt Theatre

Bus pick-up is at the City Building at 12:00 PM and at Friendship Arms Apartments at 12:10 PM.

Pick-up and drop-off at your home can be arranged by calling (301) 985-5000 by 2 p.m. the day before the trip.

Board of Supervisors of Elections Meeting

July 3, 4:00 PM @ City Municipal Building, 3<sup>rd</sup> Floor Conference Room

Hyattsville Environment Committee Meeting

July 10, 7:00 PM – 8:30 PM @ City Building, 2<sup>nd</sup> Floor Prangley Room

Hyattsville City Council Meeting

July 16, 8:00 PM – 10:00 PM @ City Building, 3<sup>rd</sup> Floor Council Chambers



## Hyattsville City Council Agenda Item Report

Meeting Date: June 4, 2018

Submitted by: Laura Reams

Submitting Department: Community & Economic Development

Item Type: Legislative

Agenda Section: Motion to Close

### **SUBJECT**

Motion to Close

NOTE: The Council will not return to open session.

### **HCC-379-FY18**

#### **Recommendation:**

I move that the Mayor and Council close the Council Meeting of June 4, 2018 in order to discuss a performance evaluation and to protect the employee's confidentiality on these matters.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals.

#### **Sponsor(s):**

Hollingsworth

#### **Co-Sponsor(s):**

N/A

### **ATTACHMENTS**

#### **Summary Background:**

N/A

#### **Next Steps:**

N/A

#### **Fiscal Impact:**

N/A

#### **City Administrator Comments:**

Recommend Approval

#### **Community Engagement:**

N/A

**Strategic Goals:**

N/A

**Legal Review Required?**

Complete.