

# MAYOR & COUNCIL AGENDA COVER SHEET

**MEETING DATE:**

December 17, 2007

**CALL TO PODIUM:**

**James D. Arnoult**

**RESPONSIBLE STAFF:**

**James D. Arnoult  
Acting City Manager**

(please check one)

<input type="checkbox"/>	Presentation
<input type="checkbox"/>	Proclamation/Certificate
<input type="checkbox"/>	Appointment
<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Historic District
<input checked="" type="checkbox"/>	Consent Item
<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	Resolution
<input type="checkbox"/>	Policy Discussion
<input type="checkbox"/>	Work Session Discussion Item
<input type="checkbox"/>	Other:

**PUBLIC HEARING HISTORY:**

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

<b>TITLE:</b>
<b>Resolution of the Mayor and City Council Authorizing the City Manager to Negotiate and Execute a Contract for Design of Lake Placid Dam Modifications (\$99,126)</b>

<b>SUPPORTING BACKGROUND:</b>
<p>This contract is for the design of Lake Placid Dam modifications. The City owns the Lake Placid Dam embankment and a 7.5 acre parcel on the downstream side of the embankment where we intend to construct an indoor aquatic center.</p> <p>During an inspection in 2006, officials from the Maryland Department of the Environment (MDE) observed that four (4) private residences on Still Creek Lane appeared to be at approximately the same elevation as the top of the dam. As a result the City was directed to conduct a dam breach analysis to determine if the hazard classification for the dam needed to be changed from low hazard to medium or high hazard and to identify any modifications needed if the classification changes.</p> <p>Staff selected Charles P. Johnson Associates, Inc. to conduct the dam breach study. The study which was completed earlier this year found that the houses on Still Creek Lane were not in the danger reach, never the less, it was determined that some modifications to the dam are necessary particularly in light of the proposed Aquatic Center. Additionally, the lake currently does not function as a storm water management (SWM) facility. The proposed design would include an SWM retrofit which would provide an SWM for the indoor aquatic center.</p> <p>Staff is now ready to move forward with the design of the modifications to the Lake Placid Dam and is recommending that the design be performed by Charles P. Johnson &amp; Associates, Inc. because of their familiarity with the project. The design contract will be riding under the current Water Resources Engineering Services Support contract of Montgomery County Department of Public Works and Transportation (Contract #2502050241-AD) for stormwater management design.</p> <p>Funds are available in the Capital Improvement Program, CIP 82-1 Stormwater Management.</p>

<b>DESIRED OUTCOME:</b>
<b>Vote on Resolution</b>

**Resolution Request Form**

REQUEST FORM FOR RESOLUTIONS PERTAINING  
TO EXPENDITURES FROM THE CITY BUDGET  
(CONTRACTS/PURCHASES, TRANSFER FUNDS)

**(Please attach the Mayor and Council Agenda Cover Sheet to this Form. For contracts/purchases, the Cover Sheet MUST include a list of all bidders and bid amounts.)**

Requested by James D. Arnoult Date of City Council Meeting: December 17, 2007

**AUTHORIZING**

Purchase \_\_\_\_\_ Amend Contract \_\_\_\_\_ Transfer Funds \_\_\_\_\_ Negotiate / Execute a Contract  X

**BID INFORMATION:**

Advertisement Date \_\_\_\_\_ N/A \_\_\_\_\_

Newspaper(s) \_\_\_\_\_ N/A \_\_\_\_\_

Bids Opened/Tabulated (date) \_\_\_\_\_ N/A \_\_\_\_\_

**DESCRIPTION OF ITEM(S):**

(Be specific; include quantity, item name, model number, etc.)

This contract is for the design of Lake Placed Dam modifications.

**CONTRACTED/PURCHASE FROM:**

Company Name: CPJ & Associates, Inc.

Street Address: 1751 Elton Road

P. O. Box Number:  N/A

City/State/Zip: Silver Spring, MD 20903

**CONTRACT/PURCHASE AMOUNT:** \$ 99,126

Check One: In the Estimated Amount of \_\_\_\_\_ Not to Exceed  X

**FUNDS TO BE EXPENDED FROM:** Operating Budget \_\_\_\_\_ Capital Improvements Budget  X

3311 598000 82-1 Stormwater Management

(For Finance Department use only; not to be included in the Resolution)

**VERIFICATION OF AVAILABILITY OF FUNDS** Available \_\_\_\_\_ Not available \_\_\_\_\_

\_\_\_\_\_  
Finance Dept. Date

Resolution No. \_\_\_\_\_

Resolution of the Mayor and City Council Authorizing the  
City Manager to Negotiate and Execute a Contract for  
Design of Lake Placid Dam Modifications

WHEREAS, Section 57 of the City Charter provides that the City Council may permit negotiations of contracts without sealed bids for products and services where, in the opinion of the Council, the interests of the City would be best served by negotiated contracts; and

WHEREAS, The City of Gaithersburg desires design services from Charles P. Johnson & Associates, Inc., the design engineer for previous engineering work involving the Lake Placid Dam, for the design of the modifications to the Lake Placid Dam:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Gaithersburg, that the Acting City Manager be and he hereby is authorized to award a contract for design of Lake Placid Dam modifications to Charles P. Johnson & Associates, Inc., in the amount of Ninety-Nine Thousand One Hundred Twenty Six Dollars (\$99,126), said funds to be expended from the Capital Improvements Program.

ADOPTED by the Mayor and City Council this 17<sup>th</sup> day of December 2007.

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Sidney A. Katz, MAYOR and  
President of the City Council

THIS IS TO CERTIFY that the foregoing  
Resolution was adopted by the City Council  
in public meeting assembled on the 17<sup>th</sup> day  
of December, 2007.

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James D. Arnoult, Acting City Manager