

## The Town of Upper Marlboro

**RESOLUTION:** 2024 - 08

**SESSION:** Special Town Meeting

**DATED:** May 14, 2024

### **A RESOLUTION OF THE BOARD OF TOWN COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO TO APPROVE A MAINTENANCE AGREEMENT WITH CUMMINS SALES AND SERVICE FOR THE GENERATOR AT TOWN HALL AND TO AUTHORIZE THE EXECUTION OF THE AGREEMENT**

**WHEREAS**, the Town of Upper Marlboro Public Works Department obtained a quote (#218205) from Cummins Sales and Service (“Cummins”) in the amount of \$8,422.17 for a planned maintenance agreement for the generator at Town Hall located at 14211 School Lane, Upper Marlboro, Maryland (“Quote”), which is attached hereto as Exhibit A; and

**WHEREAS**, Town of Upper Marlboro Ordinance 2022-06 (Purchasing and Contracts), Section 3.A states that expenditures for supplies, materials, equipment, construction of public improvements or contractual services involving less than Ten Thousand Dollars (\$10,000.00) shall be made by the Mayor, provided the amount of the procurement is appropriated within the approved budget and the term is for one year or less; and

**WHEREAS**, the Board of Town Commissioners hereby finds that (1) the Quote is for an amount less than Ten Thousand Dollars (\$10,000.00), (2) sufficient funds have been appropriated in the current fiscal year budget to execute a contract with Cummins in the amount of the Quote and that sufficient funds are proposed to be appropriated for Fiscal Year 2025, and (3) the Quote is for a three year term; and

**WHEREAS**, the Board of Town Commissioners, therefore, must approve a contract with Cummins for the amount of the Quote pursuant to Ordinance 2022-06. The Board of Commissioners for the Town of Upper Marlboro desires to approve an agreement with Cummins in substantially the same form as that attached hereto as Exhibit B.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners for The Town of Upper Marlboro that the Maintenance Agreement attached hereto as Exhibit B is hereby approved accepting the price set forth in the Quote, and authorizing the President to execute a maintenance agreement with Cummins in the amount of \$8,422.17 that is in substantially the same form as that attached hereto as Exhibit B, and to execute other relevant contract documents required to effectuate the purpose of this Resolution.

**PASSED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a Special Town Meeting on this 14th day of May 2024.

Attest:

THE BOARD OF COMMISSIONERS OF THE TOWN  
OF UPPER MARLBORO, MARYLAND

\_\_\_\_\_  
Sarah Franklin, President

\_\_\_\_\_  
Derrick Brooks, Commissioner

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Charles Colbert, Commissioner

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John Hoatson, Town Clerk

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Karen Lott, Commissioner

\_\_\_\_\_  
Alma Prevatte, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed.

In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this 14th day of May, 2024.

\_\_\_\_\_  
John Hoatson, Town Clerk

**Attachment A: Cummins Sales and Service Quote #218205 - Dated 02-23-24**

**Attachment B: Maintenance Agreement**