

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION 2019-15**

BILL NO. 2019-15 As Amended

Title of Bill: Expedited Legislation – Budget Transfer and Appropriation – Capital Budget – Roads and Bridges – Bethel Church Road Bridge Project

Synopsis: A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2020 to transfer existing bond appropriation authority within the Roads and Bridges Capital Projects Budget in the amount of \$75,000 from the following completed projects: a portion of the savings from the Upgrade Nottingham Roads Facility Project (\$13,050.11), the Racine School Road Improvements Project (\$11,081.64), and the Replace Bohemia Church Road Culverts Project (\$50,868.25); to be transferred to the Rehabilitation of Bethel Church Road Bridge Project (\$75,000). An additional transfer of \$120,000 will be added to the Bethel Church Road Bridge Project from the current Replace Mechanics Valley Road Bridge over CSX Project to provide the budget necessary to complete the project. The Department of Public Works is requesting the Bill be considered for expedited legislation under the Council’s Policy #5-19 as approved by Resolution No. 49-2015 due to the need to complete the project before weather related conditions impede completion.

Introduced by: Council President at the request of the County Executive

Introduced and order posted on: August 6, 2019

Public hearing scheduled on: September 3, 2019 at 7:00pm

Consideration scheduled on: ~~September 17, 2019~~ SEPTEMBER 3, 2019

By: 
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Bill having been posted by August 6, 2019 at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on August 21, 2019 and August 28, 2019, a public hearing was held on September 3, 2019 and concluded on September 3, 2019.

By: 
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment.

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Expedited Legislation – Budget Transfer and Appropriation-
Capital Budget – Roads and Bridges – Bethel Church Road Bridge Project

1 **WHEREAS**, in accordance with Section 505 of the Cecil County Charter, on April 1, 2019, the
2 County Executive submitted a proposed budget to the County Council for Fiscal Year 2020; and

3 **WHEREAS**, in accordance with Section 506 of the Cecil County Charter, the County Council held
4 public hearings on the proposed budget submitted by the County Executive for Fiscal Year 2020; and

5 **WHEREAS**, in accordance with Section 507(b) of the Cecil County Charter, on June 4, 2019, the
6 Budget for Cecil County was approved for Fiscal Year 2020; and

7 **WHEREAS**, the County Executive is revising the Fiscal Year 2020 Roads & Bridges Capital Projects
8 Budget to transfer the unencumbered bond revenue and expense for Cecil County, Maryland ~~remaining~~
9 from the following ~~completed~~ Roads & Bridges Capital Project:

- 10 a) To transfer \$13,050.11 from the completed Upgrade Nottingham Road Facility Project; and
11 b) To transfer \$11,081.64 from the completed Racine School Road Improvement Project; and
12 c) To transfer \$50,868.25 from the completed Replace Bohemia Church Road Culverts Project;
13 d) To transfer \$120,000 from the current Replace Mechanics Valley Road Bridge over CSX
14 Project; and

15 **WHEREAS**, such appropriation of unencumbered bond revenue and expense totaling ~~\$75,000~~
16 \$195,000 is requested to be transferred to the following:

- 17 a) The Rehabilitation of the Bethel Church Road Bridge Project budget requires an additional
18 ~~\$75,000~~ \$195,000 in anticipation of increased costs for construction beyond the engineer's
19 estimate and existing project budget. The existing project budget is not sufficient to complete
20 the required remedial maintenance work which includes: replacement of the existing concrete
21 deck and steel bridge bearings, steel beam plating repairs and riprap installation. The
22 rehabilitation work on the bridge will increase the bridge's life expectancy and prevent
23 replacement in the short term; and
- 24 b) On August 8, 2019, four bids were opened for the project and the lowest bid was
25 \$760,518.00 compared to the engineer's estimate of \$620,087.00. The largest discrepancies
26 in the engineer's estimate and low bid were costs for mobilization/demobilization, clearing
27 and grubbing, maintenance of stream flow, and concrete deck/parapet removal. Due to the
28 escalating cost of construction, adding an additional \$120,000 will allow the project a

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29 contingency and the ability to get the work completed now, instead of delaying and possibly
30 increasing the future cost of the project.

31 **WHEREAS**, Section 506 of the Charter of Cecil County requires that no final budget action may be
32 taken by the County Council until after public hearing or hearings have been held in open public session;
33 and

34 **WHEREAS**, County Council has caused notice of a public budget hearing on the recommended
35 appropriation to be published in a newspaper of general circulation in Cecil County; and

36 **WHEREAS**, the Cecil County Department of Public Works is requesting to expedite the Bill as
37 outlined in the Council’s Policy #5-19 Expedited Legislation process as approved by
38 Resolution No. 49-2015. The requested is in consideration of the project schedule due to deadlines
39 associated with weather concerns due to winter. Notice to Proceed is scheduled for
40 September 4, 2019 thus allowing to project to be completed by the end of November 2019. If expedited
41 procedures are not employed and the Council does not vote on the legislation for two weeks after the
42 public hearing (September 17, 2019), then issuance of the Notice to Proceed would be delayed two
43 weeks. The risk of adverse weather impacting paving operations increases as mid-December approaches.
44 Being able to start work on the project two weeks sooner will help reduce the weather-related risk on the
45 Bethel Church Road Bridge Project.

46 **NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
47 **MARYLAND**, that the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for Fiscal
48 Year 2020 is hereby amended for the supplemental appropriation and by amending the Budget to
49 appropriate the transfer existing bond appropriation authority within the Roads and Bridges Capital
50 Projects Budget in the amount of ~~\$75,000~~ **\$195,000** from the following ~~completed~~ projects: a portion of
51 the savings from the Upgrade Nottingham Roads Facility Project (\$13,050.11), the Racine School Road
52 Improvements Project (\$11,081.64), ~~and~~ the Replace Bohemia Church Road Culverts Project (\$50,868.25)
53 **and \$120,000 from the Replace Mechanics Valley Road Bridge over CSX Project;** to go towards the
54 Rehabilitation of Bethel Church Road Bridge Project ~~(\$75,000)~~ **(\$195,000)**.

55 **BE IT FURTHER ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND**, that this Act
56 shall take effect in 60 calendar days from the date it becomes law.

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CERTIFICATION

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.


BY Council Manager

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is hereby submitted to the County Council of Cecil County, Maryland for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

ENROLLED

James Massey
Council Manager

[Signature]
Council President

Date: September 3, 2019

Date: September 3, 2019

BY THE COUNCIL

Read the third time.

Passed – LSD 2019-17

Failed of Passage – LSD _____

BY: James Massey
Council Manager

SEALED WITH THE COUNTY SEAL AND PRESENTED TO THE COUNTY EXECUTIVE for approval this

4th day of September, 20 19 at 1:00 am/pm
(within 10 business days from adoption §306)



BY: James Massey
Council Manager

BY THE EXECUTIVE:
[Signature]
Cecil County Executive

APPROVED Date: Sept. 4th, 2019

VETOED Date: _____
(within 10 business days from presentation §306)

BY THE COUNCIL

Bill No. 2019-15 having been approved by the Executive and returned to the Council becomes law on September 4, 2019 with an effective date of November 4, 2019

BY: James Massey
Council Manager