

# FINAL

## COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 1

Bill No. 1-21

Introduced by Ms. Lacey, Chair  
(by request of the County Executive)

By the County Council, January 4, 2021

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Introduced and first read on January 4, 2021  
Public Hearing set for and held on February 1, 2021  
Bill Expires April 9, 2021

By Order: JoAnne Gray, Administrative Officer

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### A BILL ENTITLED

1 AN ORDINANCE concerning: Purchasing – Value of Purchases Requiring Full  
2 Competitive Procurement Process

3  
4 FOR the purpose of increasing the value of capital and non-capital purchases and contracts  
5 requiring a full competitive procurement process from \$50,000 to \$100,000; increasing  
6 the minimum value of an expedited procurement from \$50,000 to \$100,000; and  
7 generally relating to purchasing.

8  
9 BY repealing and reenacting, with amendments: §§ 8-2-104(a); 8-2-106; 8-2-109(a); and  
10 8-2-114(f)  
11 Anne Arundel County Code (2005, as amended)

12  
13 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*  
14 That Sections of the Anne Arundel County Code (2005, as amended) read as follows:

### ARTICLE 8. PURCHASING

### TITLE 2. PROCUREMENT

#### 8-2-104. **Competitive sealed bidding.**

21  
22 (a) **Contracts over \$100,000.** Except as otherwise provided in § 8-2-102, contracts  
23 estimated to be over **[[**\$50,000**]]** \$100,000 shall be awarded by competitive sealed bidding.

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EXPLANATION: CAPITALS indicate new matter added to existing law.  
[[Brackets]] indicate matter repealed from existing law.  
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 **8-2-106. Small procurements.**

2  
3 All procurements initially estimated not to exceed ~~[\$50,000]~~ \$100,000 for a single  
4 purchase or for the lesser of each term or year of a contract shall be considered a small  
5 procurement and are not subject to the requirements of §§ 8-2-104 and 8-2-105. The  
6 Purchasing Agent, wherever practical when the amount exceeds \$5,000, shall attempt to  
7 secure at least three quotations on all small procurements. Oral quotations may be solicited  
8 and shall be confirmed in writing by the bidders or offerors in paper or electronic format.  
9 The Purchasing Agent shall include, in writing, consideration and comparison of prices  
10 from sellers on the Internet.

11  
12 **8-2-109. Expedited procurements.**

13  
14 (a) **Definition.** In this section, “expedited procurement” means a procurement  
15 involving an amount over ~~[\$50,000]~~ \$100,000 made with the advance written approval of  
16 the Purchasing Agent, approved by the Central Services Officer and the Chief  
17 Administrative Officer, in which prompt action best serves the public interest and the  
18 procurement is not an emergency but an expedited procurement process outweighs the  
19 benefits of either competitive sealed bidding under § 8-2-104 or competitive sealed  
20 proposals under § 8-2-105. An expedited procurement may include situations in which  
21 federal or State revenues to the County may be lost if rapid procurement actions are not  
22 taken or situations that would have an adverse impact on the economic welfare of the  
23 County or important economic development in the County.

24  
25 **8-2-114. Capital improvement contracts.**

26  
27 (f) **Cost exceeds \$100,000.** If the capital improvement project is to be constructed by  
28 contract and the estimated cost exceeds ~~[\$50,000]~~ \$100,000, competitive bids or proposals  
29 shall be secured and the contract shall be awarded in accordance with the provisions of §  
30 8-2-104 or § 8-2-105, as applicable, except that an award of any capital improvement  
31 contract may not be made without the written approval of the Department of Public Works,  
32 the Controller, and one of the following: the County Executive, the Chief Administrative  
33 Officer, or the County Executive’s designee. All contracts for capital improvements shall  
34 be approved by the County Attorney as to form and legal sufficiency and, following  
35 approval, shall be executed on behalf of the County by the County Executive, the Chief  
36 Administrative Officer, or the County Executive’s designee.

37  
38 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days  
39 from the date it becomes law.

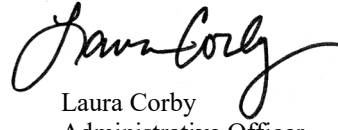
READ AND PASSED this 1<sup>st</sup> day of February, 2021

By Order:



Laura Corby  
Administrative Officer

PRESENTED to the County Executive for his approval this 2<sup>nd</sup> day of February, 2021



Laura Corby  
Administrative Officer

APPROVED AND ENACTED this 8<sup>th</sup> day of February, 2021



Steuart Pittman  
County Executive

EFFECTIVE DATE: March 25, 2021

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF  
BILL NO. 1-21. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.



Laura Corby  
Administrative Officer