

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2019, Legislative Day No. 6

Bill No. 19-19

Introduced by Mr. Pruski, Chairman
(by request of the County Executive)

By the County Council, March 18, 2019

Introduced and first read on March 18, 2019
Public Hearing set for and held on April 15, 2019
Bill Expires June 21, 2019

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Purchasing – Procurement – Minimum Bid Limits

2
3 FOR the purpose of increasing the minimum value of purchases and contracts requiring a
4 full competitive procurement process; increasing the minimum value of an expedited
5 procurement; decreasing the minimum value of contract awards required to be
6 published on the County website; and generally relating to purchasing.

7
8 BY repealing and reenacting, with amendments: §§ 8-2-104(a); 8-2-106; 8-2-109(a); 8-2-
9 114(f); and 8-2-118(a)
10 Anne Arundel County Code (2005, as amended)

11
12 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
13 That Sections of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 8. PURCHASING

TITLE 2. PROCUREMENT

14 15 16 17 18 19 **8-2-104. Competitive sealed bidding.**

20
21 (a) **Contracts over \$50,000.** Except as otherwise provided in § 8-2-102, contracts
22 estimated to be over [\$25,000] \$50,000 shall be awarded by competitive sealed bidding.

23 24 **8-2-106. Small procurements.**

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

1 All procurements initially estimated not to exceed [\$25,000] \$50,000 for a single
2 purchase or for the lesser of each term or year of a contract shall be considered a small
3 procurement and are not subject to the requirements of §§ 8-2-104 and 8-2-105. The
4 Purchasing Agent, wherever practical when the amount exceeds \$5,000, shall attempt to
5 secure at least three quotations on all small procurements. Oral quotations may be solicited
6 and shall be confirmed in writing by the bidders or offerors in paper or electronic format.
7 The Purchasing Agent shall include, in writing, consideration and comparison of prices
8 from sellers on the Internet.

9
10 **8-2-109. Expedited procurements.**

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12 (a) **Definition.** In this section, “expedited procurement” means a procurement
13 involving an amount over [\$25,000] \$50,000 made with the advance written approval of the
14 Purchasing Agent, approved by the Central Services Officer and the Chief Administrative
15 Officer, in which prompt action best serves the public interest and the procurement is not
16 an emergency but an expedited procurement process outweighs the benefits of either
17 competitive sealed bidding under § 8-2-104 or competitive sealed proposals under § 8-2-
18 105. An expedited procurement may include situations in which federal or State revenues
19 to the County may be lost if rapid procurement actions are not taken or situations that would
20 have an adverse impact on the economic welfare of the County or important economic
21 development in the County.

22
23 **8-2-114. Capital improvement contracts.**

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25 (f) **Cost exceeds \$50,000.** If the capital improvement project is to be constructed by
26 contract and the estimated cost exceeds [\$25,000] \$50,000, competitive bids or proposals
27 shall be secured and the contract shall be awarded in accordance with the provisions of §
28 8-2-104 or § 8-2-105, as applicable, except that an award of any capital improvement
29 contract may not be made without the written approval of the Department of Public Works,
30 the Controller, and one of the following: the County Executive, the Chief Administrative
31 Officer, or the County Executive’s designee. All contracts for capital improvements shall
32 be approved by the County Attorney as to form and legal sufficiency and, following
33 approval, shall be executed on behalf of the County by the County Executive, the Chief
34 Administrative Officer, or the County Executive’s designee.

35
36 **8-2-118. Contract awards; public disclosure.**

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38 (a) **Website requirements.** The County Purchasing Agent shall cause to be published
39 on the Anne Arundel County website all awards of contracts for capital improvements,
40 contractual services, professional services, or supplies of [\$25,000] \$5,000 or greater
41 awarded by the County. The website shall provide the following information:

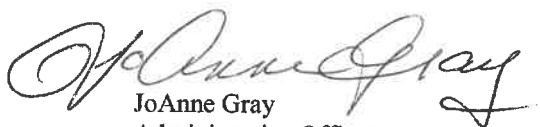
- 42
43 (1) the name and address of the entity receiving the award, and any affiliated
44 company providing goods or services under the agreement;
45
46 (2) the amount of the award;
47
48 (3) the method or type of procurement;

- 1 (4) the name of the department responsible for the contract;
- 2
- 3 (5) the budget funding source;
- 4
- 5 (6) the purpose of the award;
- 6
- 7 (7) any known affiliation that the entity receiving the award may have with a
- 8 County employee or official that is disclosed by the entity through the procurement
- 9 process;
- 10
- 11 (8) for business entities, the names and titles of persons executing the contract on
- 12 behalf of the business entity; and
- 13
- 14 (9) a list of the bids or offers received, the name of each bidder or offeror, the
- 15 amount of the bid or offer, and reasons for rejection of bids or offers.
- 16


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

READ AND PASSED this 15th day of April, 2019


By Order:


 JoAnne Gray
 Administrative Officer

PRESENTED to the County Executive for his approval this 16th day of April, 2019



 JoAnne Gray
 Administrative Officer

APPROVED AND ENACTED this 23rd day of April, 2019


 Steuart Pittman
 County Executive

EFFECTIVE DATE: **JUN 7 2019**

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
19-19. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.


 JoAnne Gray
 Administrative Officer