



## ANNE ARUNDEL COUNTY OFFICE OF LAW

### Legislative Summary

**To:** Members, Anne Arundel County Council

**From:** Lori L. Blair Klasmeier, Supervising County Attorney /s/

**Via:** Gregory J. Swain, County Attorney /s/

**Date:** June 17, 2024

**Subject:** Bill No. 60-24 – Purchasing – Sole Source Procurements – Single Source Procurements – One Bid or Offer

---

This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 60-24.

### Background

Section 8-2-107 of the County Code sets forth when a “sole source” procurement may be used to acquire goods or services, including when only one source exists, the item is a public utility, professional services are sought, previously acquired software is being renewed, the purchase is made through an intergovernmental agreement, or when a competitive procurement results in only one bid or offer from a responsible, responsive bidder or offeror.

### Purpose

The purpose of Bill No. 60-24 is to revise provisions relating to sole source procurements, by providing that certain categories of what have been considered sole source procurements are exempt from procurement, and by providing that a competitive procurement resulting in only one bid or offer from a responsible, responsive bidder or offeror is considered a “single source procurement”.

### Bill No. 60-24

#### SECTION 1.

Definitions of “single source procurement” and “sole source procurement” are added to § 8-1-101. A single source procurement is defined as when a competitive procurement results in

**Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.**

only one bid or offer from a responsible, responsive bidder or offeror. That situation is currently considered a sole source procurement. "Sole source procurement" is defined as a procurement method used when the Purchasing Agent determines prior to a competitive solicitation that there is only one source for the required goods or services.

**Subsection (c) is added to § 8-1-102**, which relates to the scope of Article 8. That subsection provides that the purchase of certain non-competitive goods and services are exempt from competitive and sole source procurement processes. Some of the exempt purchases are in categories that are currently considered sole source procurements: renewal of previously procured software; purchases from other governmental entities; and public utilities. Other categories of purchases are newly added: training of County employees; rentals of venues or equipment for public events or programs; and professional certifications, accreditations, and licenses. Subsection (c) further provides that the Purchasing Regulations shall include provisions governing these purchases.

**Subsection 8-2-101(d)** is modified to the Purchasing Regulations to include provisions relating to sole source procurements, single source procurements, and purchases exempt under the new § 8-1-102(c).

**Section 8-2-107** is modified to comport with the changes to §§ **8-2-101 and 8-2-102**, including removing the categories of sole source procurements that are now considered exempt purchases or single source procurements. A new **subsection (b)** is added to require that the Purchasing Regulations include provisions relating to sole source procurements.

**Section 8-2-108** is new and sets forth when a single source procurement may be used. It also requires that the Purchasing Regulations include provisions relating to single source procurements.

## **SECTION 2.**

This section provides that the Ordinance shall take effect 45 days from the date that it becomes law.

The Office of Law is available to answer any additional questions. Thank you.

cc: Honorable Steuart Pittman, County Executive  
Christine Anderson, Chief Administrative Officer  
Hannah Dier, Deputy Chief Administrative Officer  
Jeff Amoros, Chief of Staff  
Ethan Hunt, Government Relations Officer  
Chris Trumbauer, Budget Officer  
Billie Penley, Controller