

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2017 Legislative Session

Resolution No. CR-72-2017

Proposed by The Chairman (by request – County Executive)

Introduced by Council Member Davis

Co-Sponsors _____

Date of Introduction September 19, 2017

RESOLUTION

1 A RESOLUTION concerning

2 Waiver Approval for Procurement of greater than \$500,000

3 For the purpose of approving the waiver of the participation requirement of at least forty percent
4 (40%) certified County-Based Small Businesses (CBSB) in procurements greater than Five
5 Hundred Thousand Dollars (\$500,000) pursuant to Section 10A-161(a)(1) of the Prince George’s
6 County Code (Code).

7 WHEREAS, pursuant to Section 10A-161(a)(1) of the Code, any procurements in which the
8 Prince George's County government secures competitive bids or proposals pursuant to Sections
9 10A-112 and 10A-113 of the Code and that are greater than Five Hundred Thousand Dollars
10 (\$500,000) requires at least forty percent (40%) certified CBSB participation; and

11 WHEREAS, pursuant to Section 10A-161(a)(1) of the Code, the Purchasing Agent must
12 determine if there are insufficient responsible CBSB to completely fulfill the forty percent (40%)
13 certified CBSB participation requirement for a procurement; and

14 WHEREAS, pursuant to Section 10A-161(a)(1) of the Code, the Purchasing Agent may
15 waive the requirement upon approval by Council Resolution and concurrence of the County
16 Executive; and

17 WHEREAS, the Purchasing Agent received requests from Departments for waivers, as
18 described in Attachments A-1 and A-2 attached hereto and made a part hereof; and

19 WHEREAS, the Purchasing Agent conducted a search to identify responsible CBSB and
20 County-Based Businesses (CBB) that could provide the services or goods which are the subject
21 of a procurement of more than \$500,000; and

22 WHEREAS, the Purchasing Agent conducted a search to identify responsible CBSB and

1 CBB that could provide the services or goods which are the subject of a procurement that is Five
2 Hundred Thousand Dollars (\$500,000) or more, including conducting searches of the Supplier
3 Development and Diversity Division (SDDD) vendor database; and

4 WHEREAS, the search did not identify sufficient responsible CBSB, including businesses
5 that qualify for automatic CBSB certification pursuant to Section 10A-163(g) of the Code, as
6 evidenced by Attachments A-1 and A-2; and

7 WHEREAS, each Attachment contains a certification from the Executive Director of the
8 Supplier Development and Diversity Division attesting to the search and results reflecting
9 insufficient responsible CBSB; and

10 WHEREAS, each Attachment contains a certification from the Purchasing Agent that the
11 waiver requests are in compliance with Section 10A-161(a)(1) of the Code; and

12 WHEREAS, the County Executive concurs with the requests for waivers, as described in
13 Attachments A-1 and A-2; and

14 WHEREAS, the Council further finds that the approval of such waivers necessitating
15 Council action are plainly in the public interest and essential for the seamless continuation of
16 governmental functions.

17 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
18 County, Maryland, in accordance with Section 10A-161(a)(1) of the Prince George's County
19 Code, grants the request to waive the forty percent (40%) certified CBSB requirement for any
20 procurement of Five Hundred Thousand Dollars (\$500,000) or more, described in in
21 Attachments A-1 and A-2 are hereby APPROVED.

22 BE IT FURTHER RESOLVED that this Resolution shall be become effective as of the date
23 of its adoption.

Adopted this 19th day of September , 2017.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Derrick Leon Davis
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

ATTACHMENT A-1
TERM SHEET

Solicitation: Bloodborne Pathogens and Occupational Employee Medical Services

Annual Contract Value: \$1,500,000

Performance Term: Initial term of the agreement will be three (3) years and may be extended for two (2) additional one (1) year periods by mutual agreement of the parties.

Waiver Request: Request waiver of the 40% to 20% participation.

Background on Contract: Bloodborne Pathogens services are required by the Occupational Safety and Health Administration (OSHA) 29 CFR 1910.1030. The County is also required to provide Occupational Employee Medical Services. The contractor will provide all medical examinations and procedures for all applicants and employees. The contractor is required to have a facility located in Prince George’s County with flexible operational hours with physicians and licensed healthcare professionals on staff, to perform medical examination and procedures. Public Safety personnel are required to undergo medical examination and follow-up examinations on an as-needed basis. Medical examinations are also required for employees in safety sensitive Department of Transportation positions. The contractor is required to provide workplace drug and alcohol tests for random, reasonable suspicion, post-accident and return to duty as required by the County. The contractor must be certified in Bloodborne Pathogens Infectious Control Diseases to provide medical evaluation and treatment to employees who experience an occupational exposure to human blood or other potentially infectious materials. The contractor must provide post-exposure notification, and available at all times to respond to infectious and non-infectious exposure issues, follow up 24-hours a day/365 days a year, provides an after hour hotline staffed by their employee(s), treatment plan if needed, provide vaccinations and skin tests.

<u>Supplier Development and Diversity Division Certification</u>	
I, the undersigned, searched the Supplier Development and Diversity Division (“SDDD”) vendor database to identify responsible County-based small businesses that could provide the subject or service forming the basis of this procurement and identified one responsible County-based small businesses, including businesses that automatically qualify pursuant to Section 10A-163(g), having the required capacity to satisfy the above-referenced procurement.	
By: Cydnee Phoenix, Executive Director Supplier Development and Diversity Division	Date: September 7, 2017
<u>Purchasing Agent Certification</u>	
I, the Purchasing Agent, hereby certify that this waiver request is in compliance with Section 10A-161(a)(1) of the Prince George’s County Code.	
By: Roland L. Jones, Purchasing Agent	Date: September 7, 2017

**ATTACHMENT A-2
TERM SHEET**

Solicitation: Combined Public Safety Services Promotional Examinations

Annual Contract Value: \$1,000,000

Performance Term: Initial term of the agreement will be three (3) years and may be extended for two (2) additional one (1) year periods by mutual agreement of the parties.

Waiver Request: Request waiver of the 40% to 20% participation.

Background on Contract: The County is seeking to procure specialized services on behalf of the Police Department, Fire/Emergency Medical Services, Department of Corrections and Office of the Sheriff for the design, development, and administration and scoring of promotional written examination, skills assessments and or structured oral exercises. The contractor will be required to perform job analysis, examination administration, orientation/trainings and examination skills assessment validation processes, complete with final statistical reports to complement each process.

<u>Supplier Development and Diversity Division Certification</u>	
I, the undersigned, searched the Supplier Development and Diversity Division (“SDDD”) vendor database to identify responsible County-based small businesses that could provide the subject or service forming the basis of this procurement and identified one responsible County-based small businesses, including businesses that automatically qualify pursuant to Section 10A-163(g), having the required capacity to satisfy the above-referenced procurement.	
By: Cydnee Phoenix, Executive Director Supplier Development and Diversity Division	Date: September 7, 2017
<u>Purchasing Agent Certification</u>	
I, the Purchasing Agent, hereby certify that this waiver request is in compliance with Section 10A-161(a)(1) of the Prince George’s County Code.	
By: Roland L. Jones, Purchasing Agent	Date: September 7, 2017