



Prince George's County Council

Agenda Item Summary

Meeting Date: 11/15/2016 **Effective Date:** 4/1/2017*

Reference No.: CB-074-2016 **Chapter Number:** 69

Draft No.: 2 **Public Hearing Date:** 11/15/2016 @ 10:00 a.m.

Proposer(s): Franklin, Davis, Harrison, Lehman, Patterson and Taveras

Sponsor(s): Franklin, Davis, Harrison, Lehman, Patterson and Taveras

Item Title: AN ACT CONCERNING LOCAL ECONOMIC OPPORTUNITY AND EMPLOYMENT for the purpose of enhancing access to local economic opportunities through public procurement by increasing participation opportunities for County-based small businesses and County-based minority business enterprises; establishing a Prince George's County Supply Schedule program; enabling and modifying the Business Development Reserve Program; expanding the threshold for reserving certain procurement opportunities for County-based small businesses and County-based businesses from \$100,000 to \$500,000; requiring teaming agreements with County-based small businesses for responsive bidders and eligible award recipients under certain circumstances; enhancing prompt payment requirements for the County Government and contractors in certain circumstances; modifying the meaning of best value in procurement decisions; increasing compliance and reporting requirements for the Purchasing Agent, county agencies, and award recipients under certain circumstances; establishing requirements for the timing of award notifications and mandatory debriefings to unsuccessful bidders subject to certain conditions; requiring bundled public works procurements to meet County-based small business participation requirements separately for design and construction work; authorizing the Purchasing Agent to require bonding assistance to County-based small businesses subject to certain conditions; adjusting the definitions of various procurement terms and generally relating to local economic opportunities in the County.

Drafter: Colette Gresham, Legislative Officer

Resource Personnel: Brendon Laster, Chief of Staff, District 9

LEGISLATIVE HISTORY:

Date:	Acting Body:	Action:	Sent To:
09/20/2016	County Council	presented and referred	PSFM

Action Text:

This Council Bill was presented by Council Members Franklin, Davis, Harrison, Lehman, Patterson and Taveras and referred to the Public Safety and Fiscal Management Committee

10/03/2016 PSFM Held in Committee

Action Text:

This Council Bill was Held in Committee

10/13/2016 PSFM Favorably County Council
recommended with
amendments

Action Text:

A motion was made by Council Member Harrison, seconded by Vice Chairman Patterson, that this Council Bill be Favorably recommended with amendments to the County Council. The motion carried by the following vote:

Aye: 5 Franklin, Patterson, Harrison, Lehman and Turner

10/18/2016 County Council introduced

Action Text:

This Council Bill was introduced by Council Members Franklin, Davis, Harrison, Lehman, Patterson and Taveras

11/15/2016 County Council public hearing held

Action Text:

The public hearing was held for this Council Bill.

11/15/2016 County Council enacted

Action Text:

A motion was made by Vice Chair Glaros, seconded by Council Member Franklin, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 9 Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

12/01/2016 County Executive signed

Action Text:

This Council Bill was signed

AFFECTED CODE SECTIONS:

10A-173 10A-152.01 10A-169 10A-166 10A-165 10A-164 10A-163 10A-162 10A-161
10A-158.01 10A-153 10A-148 10A-132 10A-115 10A-114 10A-112 10A-106 10A-101
10A-159

BACKGROUND INFORMATION/FISCAL IMPACT:

The proposed legislation will enhance access for County-based small businesses and County-based minority business enterprises to local economic opportunities through public procurement by increasing participation opportunities. The legislation establishes a County Supply Schedule program and reestablishes the Business Development Reserve Program. The threshold for reserving certain procurement opportunities for County-based small businesses and County-based businesses would increase to \$500,000. In addition, there will be requirements for teaming agreements with County-based small businesses where the prime contractor is not a County-based small business, enhancing prompt payment from the County and contractors, and establishing requirements for the

timing of award notifications and mandatory debriefings to unsuccessful bidders. The legislation also requires bundled public works procurements for design and construction work and authorizes the Purchasing Agent to require bonding assistance to County-based small businesses.

***NOTE: This Act shall take effect on April 1, 2017, except as otherwise stated in the Act. The provisions of this Act that modify Sections 10A-101(a)(2.1) and 10A-112(c) of the Code shall take effect on October 1, 2017. Additionally, Section 6 of this Act shall take effect forty-five (45) calendar days after the date of enactment (January 3, 2017).**

Document(s): B2016074, CB-74-2016 AIS, CB-074-2016 Report, CB-074-2016 Fiscal Impact