

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2024 Legislative Session

Reference No.: CB-60-2024

Draft No.: 1

Committee: GOFP

Date: Sept. 12, 2024

Action: FAV (A)

REPORT: Committee Vote: Favorable 5-0 Council Members (Watson, Harrison, Dernoga, Hawkins, Oriadha)

The Prince George's County Council's Government and Operations and Fiscal Policy Committee convened on September 12, 2024, and again on September 26, 2024, to consider CB-060-2024, which seeks to allow products and services funded by grants to be subject to open competition in the Prince George's County procurement process. With enactment, all contracts funded by grants would be subject to the normal competitive procurement process.

The Bill sponsor, Council Member Blegay, made clear that all purchases, regardless of the exemption, should meet the requirements of Section 10A-108 of the Prince George's County Code. Having met with stakeholders Council Member Blegay suggested adding grants to the procurement process. Currently, most but not all grant-funded procurements are directly addressed by the Office of Procurement, and those procurements go through the standard competitive process.

Several agencies, including the Office of Procurement, the Police Department, the Office of Homeland Security, Family Services, and the Health Department, were represented during the September 12, 2024, meeting and expressed concerns about the legislation. Those concerns include a need for an increase in staff levels and workload, along with process and time delays that could impact the agencies' missions. If funds are not returned in a timely manner, they could be required to be paid back.

The administration was in opposition to draft 1 of the legislation.

Council member Blegay gave the committee an example of the challenges a local business faced when negotiating with the County.

Sean Dixon, representing the Office of Law and Office of Procurement Director Dickerson, and other agency representatives spoke about the current process and technical challenges with draft 1 of the legislation.

Individuals who addressed the committee in support of the legislation included Mr. Vennard Wright and Ms. Sylvia Johnson.

CB-60-2024 was held in committee on September 12.

During the September 26, 2024, GOFP meeting, Draft 2 (CB-60-2024) was discussed.

CM Blegay noted that conversations have been held, and a compromise was struck. All purchases would receive consideration of preferences for county base, small business county-based business, county base minority business enterprise, and county-located business.

The amendment was reviewed, which states:

All purchases pursuant to this Section should consider preference for county-based small businesses, county-based businesses, County-based minority business enterprises, and county-based businesses located in the County.

As a result of this change, though it's still in the realm of exemptions there had to be a corresponding change in the title. The new title was also reviewed, which states: Preferences for County-based Small Businesses, County-based Businesses, County-based Minority Business Enterprise, and County-located Businesses for Goods and Services as Applicable to The Exemptions of Section 10A-108(a). For the purpose of allowing products, goods, and services that are subject to exemptions found in Section 10A-108(a) to be a part of open competition in the Prince George's County's procurement process. All purchases pursuant to this Section should consider preference for county-based small business, county-based business enterprise and County-located business.

Ms. Skinner, representing the Office of the County Executive, thanked the participants in the meeting and stated that the administration is in support of the amendments.

After further discussion, the GOFP committee voted favorably as amended on CB-60-2024, 5-0.