

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

Resolution No. CR-92-2017

Proposed by The Chairman (by request – County Executive)

Introduced by Council Members Davis and Lehman

Co-Sponsors _____

Date of Introduction November 14, 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, A-2, A-3 and A-4 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 but not limited to, conducting
3 searches of the Supplier 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, A-2, A-3 and A-4; 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, A-2, A-3 and A-4; 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, A-2, A-3 and A-4 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 14th day of November , 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

Contract: Food Services Management

Total Contract Value: \$1,500,000

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

Waiver Request: Request waiver of the 40% participation requirement, to exercise the final option to extend.

Background on Contract: Final extension of Aramark Correctional Services contract from January 1, 2018 thru December 31, 2018 to provide meals to inmates (900-1,000 average daily population). Contractor is responsible for providing daily, three nutritionally balanced meals for the adult population, three special enhanced meals and evening snacks for the juvenile inmate population, medical specified meals to inmates and meals for Correctional Officers & staff. The contract requires the maintenance, repair and replacement of all kitchen equipment and replacement of all trays, small wares and biodegradable single serve containers with lids. The Aramark food director is responsible for the training of its staff and the inmate workers assigned to the kitchen.

<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 zero 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: October 27, 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: October 27, 2017

ATTACHMENT A-2
TERM SHEET

Contract: Automated Speed Enforcement Program

Annual Contract Value: \$3,171,870 (FY17 Fee)

Performance Term: Extension (Non-Competitive)

Waiver Request: Request waiver of the 40% participation requirement to extend contract.

Background on Contract: County awarded a contract to Sigma Space Corporation which will expire on December 31, 2017. The extension is needed to provide sufficient time to solicit and award a new Automated Speed Enforcement Program contract, allow for the run out and transitional process to be completed.

<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 zero 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: October 27, 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: October 27, 2017

ATTACHMENT A-3
TERM SHEET

Contract: Combined Public Safety Promotional Exams

Annual Contract Value: \$560,000 (Total Dollar Value for One-Year Extension)

Performance Term: Extension (Non-Competitive)

Waiver Request: Request waiver of the 40% participation requirement to extend contract.

Background on Contract: The County awarded a contract to Fields Consulting and Pitman McLenagan Group based upon their cost proposal and technical response to Request for Proposal #S07-016 to provide Combined Public Safety Promotional Exams. The services entail development, design, administration and scoring of the promotional examinations for the Fire/EMS Department, Office of the Sheriff, Department of Corrections and Police Department. Extension of the current contracts will permit time to complete the solicitation 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 zero 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: October 27, 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: October 27, 2017

ATTACHMENT A-4
TERM SHEET

Solicitation: Security Intercom System

Total Dollar Value: \$650,000

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

Waiver Request: Request waiver of the 40% participation requirement.

Background on Contract: The contractor will replace the Department of Corrections current intercom system with new equipment, install new intercom stations, install port adapters and necessary paging amps and speakers, install IP based Master Stations, furnish and install administrative software, provide cabling throughout the facility, install uninterruptible power supply UPS, furnish and install new digital communications controllers and digital communications expanders and provide maintenance.

<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 zero 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: October 27, 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: October 27, 2017