



Todd M. Turner  
Chair  
District 4

MAR 05 2020

The Hon. Joanne C. Benson, Chair  
Prince George's County Senate Delegation  
James Senate Office Building, Room 214  
Annapolis, Maryland 21401-1991

The Hon. Erek L. Barron, Chair  
Prince George's County House Delegation  
Lowe House Office Building, Room 207E  
Annapolis, Maryland 21401-1991

Re: **Prince George's County Council's Position on General Assembly Legislation**

Dear Senator Benson & Delegate Barron:

It is my pleasure, on behalf of the Prince George's County Council, to transmit our position on pending proposed State legislation for the 2020 General Assembly Session. The Council met on March 3, 2020. The enclosed report reflects our positions on General Assembly bills as they are currently drafted.

The Council appreciates the opportunity to work together with you and your colleagues to address issues important to our citizens and the operation of Prince George's County. Should you have any questions or need additional information please do not hesitate to contact me. For your convenience my office phone number is (301) 952-3094.

Thanks again, for favorable consideration of the Council's position.

Sincerely,

Todd M. Turner  
Council Chair

Enclosures

cc: Hon. Angela D. Alsobrooks, Prince George's County Executive



Todd M.  
Turner  
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**COMMITTEE OF THE WHOLE REPORT**

The Prince George's County Council met on March 3, 2020 with the following Members present:

Council Member, Todd M. Turner, Chair  
Council Member, Calvin S. Hawkins, II, Vice Chair  
Council Member, Monique Anderson-Walker  
Council Member, Derrick L. Davis  
Council Member, Thomas E. Dernoga  
Council Member, Mel Franklin  
Council Member, Dannielle M. Glaros  
Council Member, Sydney J. Harrison  
Council Member, Jolene Ivey  
Council Member, Rodney C. Streeter  
Council Member, Deni L. Taveras

The Council voted for the following positions on the respective bills:

<b>HB 1300/ SB 1000</b>	Blueprint for Maryland's Future- <b>SUPPORT with AMENDMENTS</b>
<b>HB 747/ SB 933</b>	State and Local Procurement – Payment Practices – <b>SUPPORT with AMENDMENT</b>
<b>HB 1236</b>	Transit - Maryland Area Regional Commuter Train - Expansion of Service- <b>SUPPORT</b>
<b>HB 1249</b>	I-495 and I-270 Public-Private Partnership – Partnership Agreement – Requirements (Maryland State Department of Transportation Promises Act of 2020) – <b>SUPPORT with AMENDMENTS</b>
<b>HB 1424</b>	Public-Private Partnerships – Process and Oversight- <b>SUPPORT</b>



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

### **HB 747**

Delegate D. Barnes, et al.  
Health & Government  
Operations Committee

State and Local Procurement - Payment Practices

### POSITION:

### SUPPORT WITH AMENDMENT

**HB 747** – State and Local Procurement - Payment Practices – FOR the purpose of altering a State policy to make a payment under a procurement contract or after receipt of a proper invoice in 15 days rather than the current policy of 30 days; requiring each county and municipality to adopt a certain policy; reducing the number of days from 45 to 15 following receipt of an invoice after which the State owes interest on unpaid amounts and interest begins to accrue on unpaid amounts; and repealing a requirement that a contractor submit an invoice within a certain amount of time in order to receive interest payments.

Under current law, it is the policy of the State to make a payment under a procurement contract within 30 days of the day on which a payment becomes due under a contract or, if later, after the day on which the agency receives an invoice. For payments that are payable under the terms of a written contract, interest on unpaid balances accrues at the annual rate of 9% beginning after 45 days. For payments that are due for an invoice, interest accrues at the same rate beginning after 30 days.

It is our understanding that the 30-day payment policy is the common practice for local governments in Maryland and around the U.S. The Prince George's County Office of Finance (Accounts Payable Section) indicates that the County is currently operating at 85-90% efficiency in processing payments within 30 days. In order to meet the proposed 15-day standard, considerable infrastructure and system improvements would be required. As drafted, HB 747 establishes a mandate for local governments to adopt policies to make payments to contractors within 15 days. The Prince George's County Council would support an amendment to provide Counties and Municipalities with the authority to establish a 15-day payment policy, without mandating the policy. The Council supports the objective of prompt payment for contractors but believes that local governments should be allowed to develop policies based on the ability to implement successfully.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 747 WITH AMENDMENT** and respectfully requests your favorable consideration of its position.

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Prepared by: LA PEREZ CONSULTING  
On behalf of Prince George's County Council

**County Administration Building – Upper Marlboro, Maryland 20772**



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

**HB 1236** Transit - Maryland Area Regional Commuter Train -  
Expansion of Service  
Delegate Solomon, et. al  
Environment &  
Transportation Committee

### POSITION:

### SUPPORT

**HB 1236** – Transit - Maryland Area Regional Commuter Train - Expansion of Service – Requiring the Maryland Transit Administration to engage in good faith negotiations with certain jurisdictions and train companies to reach a written agreement on a pilot program to establish Maryland Area Regional Commuter train service between Union Station in the District of Columbia and Alexandria Station in the Commonwealth of Virginia; requiring the Administration to consult with regional private entities to determine the most effective means to establish service between those train stations; etc.

HB 1236 would legislate that the reports required to be submitted by the Maryland Transit Authority (MTA) must summarize the best efforts and discussions undertaken to comply with the bill; identify solutions to any issues with establishing the expanded MARC train service; if necessary, list the statutory changes necessary to establish the expanded service; and provide any other information that MTA deems necessary for successful run-through service.

Better coordination between Union Station in the District of Columbia and Alexandria Station in the Commonwealth of Virginia would work towards removing the current transportation silos, removing the currently disjointed network of transit options. Expanding MTA services would reduce travel times and fully connect these communities to the city's transit system—and thereby job and housing opportunities.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 1236** and respectfully requests your favorable consideration of its position.

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Prepared by: LA PEREZ CONSULTING  
On behalf of Prince George's County Council



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

**HB 1249**  
Delegate Korman, et al.  
Environment &  
Transportation  
Committee/Appropriations  
Committee

I-495 and I-270 Public-Private Partnership - Partnership Agreement - Requirements (Maryland State Department of Transportation Promises Act of 2020)

## POSITION:

## SUPPORT WITH AMENDMENT

**HB 1249** – I-495 and I-270 Public-Private Partnership - Partnership Agreement - Requirements (Maryland State Department of Transportation Promises Act of 2020) – FOR the purpose of requiring the public-private partnership agreement for the I-495 and I-270 Public-Private Partnership Program to include certain provisions; authorizing certain revenues derived from certain tolls to be distributed to a certain special fund to be budgeted in a certain manner; requiring the Board of Public Works, on or before October 1, 2021, to request a certain determination letter from the Maryland Transportation Authority and the State Department of Transportation; etc.

This bill establishes various requirements for the public-private partnership (P3) agreement for the project to construct toll lanes on I-495 and I-270, including that at least 10% of the revenues from the toll lanes be deposited into a special fund to be used only for transit projects in the counties where the toll facilities are located. By October 1, 2021, the Board of Public Works (BPW) must request a determination letter from the Maryland Transportation Authority (MDTA) and the Maryland Department of Transportation (MDOT) confirming the plan to issue a final request for proposals for the project; provisions related to the P3 agreement and special fund are contingent on BPW's receipt of the letter by October 1, 2021, and take effect on the date notice is received, as specified.

HB 1249 will provide the necessary level of transparency and orderly development and approval of P3 agreements with the input of all appropriate parties. The legislation requires bidders for P3 agreements to agree to initiate a Community Benefit Agreement (CBA) as a condition of contract award by MDOT. However, the legislation does not specify the parties to be included in the CBA. The Prince George's County Council strongly supports the CBA requirement and believes that the jurisdictions in which the project will be located should be a party to the Community Benefit Agreement and requests an amendment to include impacted local jurisdiction(s) in the CBA and ensure that the CBA demonstrates benefits specifically to the impacted local jurisdictions.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 1249 with AMENDMENT** and respectfully requests your favorable consideration of its position.

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On behalf of Prince George's County Council



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

### **HB 1424**

Delegates Solomon, et al.  
Environment &  
Transportation  
Committee/Appropriations  
Committee

Public-Private Partnerships - Process and Oversight

### POSITION:

### SUPPORT

**HB 1424** – Public-Private Partnerships - Process and Oversight – FOR the purpose of establishing the Public-Private Partnership Oversight Review Board; requiring a certain reporting agency to include in presolicitation reports for certain public-private partnerships presolicitation reports of certain contracts and a certain environmental impact statement under certain circumstances; requiring certain presolicitation reports to be submitted to the Legislative Policy Committee; prohibiting the Board of Public Works, under certain circumstances, from designating a public-private partnership; etc.

This bill establishes a process for review, designation and evaluation of a proposed public private partnership (P3) with a total value that exceeds \$500,000,000, prior to solicitation of bidders by a government agency. This review is conducted by a nine-member P3 Oversight Review Board with 2 members appointed by the House, 2 members appointed by the Senate, 3 members appointed by the Governor, along with the Comptroller and State Treasurer. This oversight board reviews a presolicitation report that must include specified information on each contract required in the agreement (including a completed Environmental Impact Statement that meets the National Environmental Policy Act requirements) prior to recommending designation of the project as a P3. This recommendation is provided to the Board of Public Works as well as the House and Senate Budget Committees.

HB 1424 will provide the necessary level of transparency and orderly development and approval of P3 agreements with the input of all appropriate parties. This legislation will also significantly tighten financial controls over public infrastructure assets valued in excess of \$500,000,000. The input of the proposed Oversight Board and the General Assembly in addition to the Board of Public Works provides a balanced, deliberative process that allows consideration of all relevant factors prior to moving forward with solicitation.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 1424** and respectfully requests your favorable consideration of this legislation.

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On behalf of Prince George's County Council

**County Administration Building – Upper Marlboro, Maryland 20772**