

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

Resolution No CR-93-2017
Proposed by The Chairman (by request – County Executive)
Introduced by Council Members Davis, Lehman and Glaros
Co-Sponsors _____
Date of Introduction November 14, 2017

RESOLUTION

1 A RESOLUTION concerning

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

3 For the purpose of approving the waiver of certain requirements for any procurement equal to or
4 less than Five Hundred Thousand (\$500,000) pursuant to Section 10A-162(c)(3) of the Prince
5 George’s County Code (Code).

6 WHEREAS, pursuant to Section 10A-162(c) of the Code, any procurement, subject to
7 Section 10A-112, 10A-113, or 10A-114 of the Code, that is equal to or less than Five Hundred
8 Thousand (\$500,000) shall be “set-aside” for award to County-Based Small Businesses (CBSB)
9 subject to certain requirements; and

10 WHEREAS, pursuant to Sections 10A-162(c)(1) and 10A-162(c)(2) of the Code, the
11 Purchasing Agent is required to determine if there are at least two (2) responsible CBSB that can
12 sufficiently provide the services or goods for a procurement that is \$500,000 or less; and

13 WHEREAS, pursuant to Sections 10A-162(c)(1) and 10A-162(c)(2) of the Code, if the
14 Purchasing Agent determines that there are not at least two (2) responsible CBSB that can
15 sufficiently provide the services or goods which are the subject of a procurement that is Five
16 Hundred Thousand (\$500,000) or less, the Purchasing Agent may waive the CBSB procurement
17 requirement as set forth in 10A-162(c)(3) of the Code, upon approval by the Council; and

18 WHEREAS, the Purchasing Agent received requests from certain County agencies for
19 waivers of CBSB procurement requirement as set forth in 10A-162(c)(3) of the Code, and are
20 described in Attachments A-1, A-2, A-3 and A-4 of this Resolution; and

21 WHEREAS, Attachments A-1, A-2, A-3 and A-4 are attached to this Resolution and made
22 a part hereof; and

1 WHEREAS, the Purchasing Agent conducted a search to identify responsible CBSB and
2 County-Based Businesses (CBB) that could provide the services or goods which are the subject
3 of a procurement that is Five Hundred Thousand (\$500,000) or less, including but not limited to,
4 searches of the Supplier Development and Diversity Division (SDDD) vendor database; and

5 WHEREAS, the search did not identify two (2) responsible CBSB or two (2) responsible
6 CBB; and

7 WHEREAS, the search conducted included searching businesses that qualify for automatic
8 County-based small business certification pursuant to Section 10A-163(g) of the Code, which
9 could provide the services or goods that are the subject of a procurement that is Five Hundred
10 Thousand (\$500,000) or less at a reasonable price, as described by Attachments A-1, A-2, A-3
11 and A-4; and

12 WHEREAS, each Attachment contains a certification from the Executive Director of
13 SDDD attesting to the search and results reflecting insufficient responsible CBSB and CBB; and

14 WHEREAS, each Attachment contains a certification from the Purchasing Agent that the
15 waiver requests are in compliance with Section 10A-162(c)(3) of the Prince George's County
16 Code; and

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

20 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
21 County, Maryland, in accordance with Section 10A-162(c)(3) of the Prince George's County
22 Code, grants the requests to waive the CBSB procurement requirement as set forth in the above-
23 mentioned section of the Code and as described in Attachments A-1, A-2, A-3 and A-4, are
24 hereby APPROVED.

25 BE IT FURTHER RESOLVED that that this Resolution shall be become effective as of the
26 date 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: Repair, replacement, testing of self-contained breathing apparatus and repair and maintenance of Jaws of Life rescue tools

Total Contract Value: \$125,000

Performance Term: Term of agreement is one (1) year (Non-Competitive Award)

Waiver Request: Request waiver of a procurement that is \$500,000 or less.

Background on Contract: Contractor will provide repair and replacement parts for Scott self-contained breathing apparatus (SCBA), repair to cascade breathing air fill cylinders systems and repair and maintenance of Hurst Jaws of Life rescue tool. SCBA are essential to the respiratory protection of Fire/EMS emergency personnel in hazardous environment conditions and required by the Occupational Safety and Health Administration. The hydraulic jaws of life rescue tools are crucial in vehicle extrications and building stabilization operations.

<u>Supplier Development and Diversity Division Certification</u>	
I, the undersigned, searched the Supplier Development and Diversity Division (“SDDD”) vendor database to identify two (2) responsible County-based small businesses that can sufficiently provide the services or goods which are the subject of this procurement or, in the absence of such vendors, identify two (2) responsible County-based businesses that can sufficiently provide the services or goods which are the subject of this procurement. My search identified zero responsible County-based small businesses and zero responsible County-based businesses, including businesses that automatically qualify for County-based small business certification pursuant to Section 10A-163(g) that can sufficiently provide the services or goods which are the subject of this 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-162(c)(3) of the Prince George’s County Code.	
By: Roland L. Jones, Purchasing Agent	Date: October 27, 2017

ATTACHMENT A-2
TERM SHEET

Solicitation: 24-hour Laundry Repair Services and Maintenance

Total Contract Value: \$250,000

Performance Term: Initial term of the agreement is two (2) 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 procurement that is \$500,000 or less.

Background on Contract: Contractor will provide 24-hours laundry repair and maintenance services at the Department of Corrections.

<u>Supplier Development and Diversity Division Certification</u>	
I, the undersigned, searched the Supplier Development and Diversity Division (“SDDD”) vendor database to identify two (2) responsible County-based small businesses that can sufficiently provide the services or goods which are the subject of this procurement or, in the absence of such vendors, identify two (2) responsible County-based businesses that can sufficiently provide the services or goods which are the subject of this procurement. My search identified zero responsible County-based small businesses and zero responsible County-based businesses, including businesses that automatically qualify for County-based small business certification pursuant to Section 10A-163(g) that can sufficiently provide the services or goods which are the subject of this 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-162(c)(3) of the Prince George’s County Code.	
By: Roland L. Jones, Purchasing Agent	Date: October 27, 2017

ATTACHMENT A-3
TERM SHEET

Contract: Software Maintenance and Support Services

Total Contract Value: \$200,000 (Annual dollar value)

Performance Term: Term of agreement is one (1) year (Non-Competitive Award).

Waiver Request: Request waiver of the procurement that is \$500,000 or less.

Background on Contract: Computer Associates (“CA”) will provide proprietary software maintenance and support services and maintain existing discounted pricing. The County competitively procured software CA licensing and maintenance services for the mainframe database, database programming, mainframe security, tape cataloging. The software is proprietary and deeply ingrained in the legacy of mainframe applications.

<u>Supplier Development and Diversity Division Certification</u>	
I, the undersigned, searched the Supplier Development and Diversity Division (“SDDD”) vendor database to identify two (2) responsible County-based small businesses that can sufficiently provide the services or goods which are the subject of this procurement or, in the absence of such vendors, identify two (2) responsible County-based businesses that can sufficiently provide the services or goods which are the subject of this procurement. My search identified zero responsible County-based small businesses and zero responsible County-based businesses, including businesses that automatically qualify for County-based small business certification pursuant to Section 10A-163(g) that can sufficiently provide the services or goods which are the subject of this 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-162(c)(3) of the Prince George’s County Code.	
By: Roland L. Jones, Purchasing Agent	Date: October 27, 2017

ATTACHMENT A-4
TERM SHEET

Contract: Five (5) Dual-Purpose Green Canines

Total Contract Value: \$42,500

Performance Term: One-time purchase (Non-Competitive Award)

Waiver Request: Request waiver of the procurement that is \$500,000 or less.

Background on Contract: The Police Department Canine Section requires five (5) dual purpose green canines. The Canine Section will be conducting canine training for basic patrol canine school due to loss of handlers from promotions and aging canines. The new officers and canines are to fill current vacant position within the Canine section.

<u>Supplier Development and Diversity Division Certification</u>	
I, the undersigned, searched the Supplier Development and Diversity Division (“SDDD”) vendor database to identify two (2) responsible County-based small businesses that can sufficiently provide the services or goods which are the subject of this procurement or, in the absence of such vendors, identify two (2) responsible County-based businesses that can sufficiently provide the services or goods which are the subject of this procurement. My search identified zero responsible County-based small businesses and zero responsible County-based businesses, including businesses that automatically qualify for County-based small business certification pursuant to Section 10A-163(g) that can sufficiently provide the services or goods which are the subject of this 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-162(c)(3) of the Prince George’s County Code.	
By: Roland L. Jones, Purchasing Agent	Date: October 27, 2017