

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**2002 Legislative Session**Bill No. CB-76-2002Chapter No. 67Proposed and Presented by Council Member HendershotIntroduced by Council Member Hendershot

Co-Sponsors _____

Date of Introduction October 7, 2002**BILL**

1 AN ACT concerning

2 County Contracts with Certified Sheltered Workshops

3 For the purpose of establishing a sheltered workshop employment program to assist certified
4 sheltered workshops in performing work for the County under certain circumstances.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 10A. PURCHASING.

7 Section 10A-101,

8 The Prince George's County Code

9 (1999 Edition, 2001 Supplement).

10 BY adding:

11 SUBTITLE 10A. PURCHASING.

12 Sections 10A-154 and 10A-155,

13 The Prince George's County Code

14 (1999 Edition, 2001 Supplement).

15 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
16 Maryland, that Section 10A-101 of the Prince George's County Code be and the same is hereby
17 repealed and reenacted with the following amendments:18 **SUBTITLE 10A. PURCHASING.**19 **DIVISION 1. ADMINISTRATIVE PROCEDURES.**20 **Sec. 10A-101. Definitions.**

(a) The words defined in this Section shall have the meanings set forth below whenever they appear in this Subtitle unless the context in which they are used clearly requires a different meaning or a different definition is prescribed for a particular provision.

* * * * *

(4) **Business** means any association, corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other legal entity through which business is conducted.

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(4.1) **Certified sheltered workshop** means an agency that is:

(A) organized under the laws of the United States or the State of Maryland;

(B) certified as a sheltered workshop by the Wage and Hour Division of the United States Department of Labor;

(C) accredited by the Division of Vocational Rehabilitation of the Maryland Department of Education;

(D) operated in the interest of individuals who have a mental or physical disability, including blindness, that constitutes a substantial handicap to employment and prevents the individual from engaging in normal competitive employment; and

(E) the net income of which does not inure wholly or partially to the benefit of any shareholder or other non-disabled individual.

(5) **Change order** means a written order signed by the Purchasing Agent or the Purchasing Agent's designee, directing the contractor to make changes which the Changes Clause of the contract authorizes the Purchasing Agent to order without the consent of the contractor.

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SECTION 2. BE IT FURTHER ENACTED that Sections 10A-154 and 10A-155 of the Prince George's County Code be and the same are hereby added:

SUBTITLE 10A. PURCHASING.

DIVISION 6. SPECIAL PROVISIONS.

SUBDIVISION 11. CERTIFIED SHELTERED WORKSHOP EMPLOYMENT PROGRAM.

Sec. 10A-154. Responsibilities of agencies receiving County, federal or state funding.

(a) Each department, agency or activity that receives more than fifty percent of its total funding from either the County or federal government or the state government shall identify

1 activities or functions that are able to be performed by a certified sheltered workshop
2 headquartered in Prince George's County and employs residents of the County with disabilities.

3 (b) The Purchasing Agent shall prepare specifications for procurements that include
4 contracting or subcontracting with certified sheltered workshops to perform those activities or
5 functions.

6 **Sec. 10A-155. Utilization of certified sheltered workshops.**

7 (a) The Purchasing Agent shall structure the procurement procedures and activities of the
8 County to facilitate and encourage the award of County contracts awarded, directly or indirectly,
9 to certified sheltered workshops.

10 (b) The Purchasing Agent shall require that the competitive bidding of contracts be
11 restricted to certified sheltered workshops provided they are capable of delivering goods or
12 services according to specifications and at established fair market price.

13 (c) The Purchasing Agent shall be required to work with the sheltered workshops and
14 health and human services coalitions to establish pricing, identify new markets and sheltered
15 workshops to bid on County contracts.

16 (d) The Purchasing Agent shall maintain a list of the certified sheltered workshops that
17 provide commodities and services to the County and that are willing and able to provide
18 commodities and services to the County.

19 (e) The Purchasing Agent shall report to the County Council by September 1 of each year
20 the extent to which certified sheltered workshops participated in the performance of County
21 contracts during the previous year.

1 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this 29th day of October, 2002.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.