

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2026 Legislative Session

Bill No. CB-026-2026

Chapter No. _____

Proposed and Presented by Council Member Oriadha

Introduced by Council Members Oriadha, Olson, Blegay, Dernoga, Adams and Adams-
Stafford

Co-Sponsors _____

Date of Introduction April 21, 2026

BILL

1 AN ACT concerning

2 Locally-owned and Operated Business Assistance

3 For the purpose of establishing a locally-owned and operated business preference, streamlining
4 certifications for diverse local businesses, clarifying procurement bonus points and preferences,
5 and generally relating to certification requirements and standards for diverse local businesses.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 10A. PURCHASING.

8 Sections 10A-101, 10A-163, 10A-163.01, 10A-173,

9 The Prince George's County Code

10 (2023 Edition; 2025 Supplement).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
12 Maryland, that Sections 10A-101, 10A-163, 10A-163.01, and 10A-173 of the Prince George's
13 County Code be and the same are hereby repealed and reenacted with the following
14 amendments:

15 **SUBTITLE 10A. PURCHASING.**

16 **DIVISION 1. ADMINISTRATIVE PROCEDURES.**

17 **Sec. 10A-101. Definitions.**

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

* * * * *

(24.1) Locally-owned and Operated Business means any County-based business:

(A) Which is at least fifty-one percent (51%) owned by one or more County residents, or, in the case of any publicly-owned corporation, at least fifty-one percent (51%) of the stock of which is owned by one or more County residents; and

(B) Whose general management and daily business affairs and essential productive operations are controlled by one or more County residents; and

(C) Which has been certified by the Supplier Development and Diversity Division as a County-based business, County-based small business, and/or County-based minority business enterprise pursuant to Division 7 of this Subtitle.

DIVISION 7. ECONOMIC DEVELOPMENT.

SUBDIVISION 1. COUNTY-BASED SMALL BUSINESS ASSISTANCE

Sec. 10A-163. County-based business certification requirements.

(a) Except as provided for in Subsection (h)(g), below, a business that seeks to be certified as a County-based business shall make application to the Purchasing Agent on a form provided by the Purchasing Agent. Such an application shall not be approved by the Purchasing Agent unless the business:

* * * * *

(6) Files documentation showing that:

(i) More than fifty percent (50%) of the business' full-time employees are County residents; or

(ii) The owners of more than fifty percent (50%) of the business are County residents; or

(iii) More than (fifty percent) 50% of the assets of the business, excluding bank accounts, are located in the County; or

(iv) More than (fifty percent) 50% of the total sales or other revenues of the business are derived from transactions of the business in the County.

(b) Except as provided for in Subsection (h)(g), below, a business that seeks to be certified as a County-based small business shall make an application to the Purchasing Agent on a form provided by the Purchasing Agent. Such an application shall not be approved by the Purchasing Agent unless:

1 (1) The business meets the requirements of Section 10A-163(a); and

2 (2) The business meets the definition of "small business" pursuant to the Code of
3 Maryland Regulations ("COMAR") 21.01.02.01(80); or

4 (3) The business meets the federal definition of "small business concern" in Part 121 of
5 Title 13 of the Code of Federal Regulations.

6 (c) Certification shall be valid for a three [two]-year period.

7 * * * * *

8 (h) Reducing redundant certifications.

9 (1) A business that is certified as a minority business enterprise (MBE) pursuant to
10 Section 10A-101(a)(26), whose certification indicates that the business's principal address,
11 principal place of operation, or domicile is within Prince George's County, Maryland, shall be
12 automatically deemed by the Supplier Development and Diversity Division and the Purchasing
13 Agent to be a certified County-based minority business enterprise and County-based business
14 under this Subtitle without further application or certification[, provided that, the business
15 provides the Supplier Development and Diversity Division a copy of a federal tax return filed
16 with the Internal Revenue Service establishing that the business has continuously operated within
17 the County within the preceding twelve (12) months].

18 (2) Valid MBE or DBE certification status in accordance with this Subsection [and the
19 submission to the Supplier Development and Diversity Division of a copy of a federal tax return
20 filed with the Internal Revenue Service establishing that the business has continuously operated
21 within the County within the preceding twelve (12) months] shall satisfy the documentation
22 requirements for any County-based business or County-based small business certification
23 renewal for County-based minority business enterprises.

24 * * * * *

25 (j) In addition to the methods included in the provisions of Subsection (h) [(g)], above, the
26 Purchasing Agent may utilize an expedited process for any certification renewal under this
27 Division, including the submission of a (i) a "no change" affidavit, (ii) a copy of a federal tax
28 return filed with the Internal Revenue Service establishing that the business has operated within
29 the County within the preceding twelve (12) months, and (iii) a certificate of good standing with
30 the Maryland State Department of Assessments and Taxation, to satisfy the documentation
31 requirements for certification renewal.

* * * * *

Sec. 10A-163.01. Validity of Diverse Supplier Certifications.

(a) All diverse supplier certifications shall be valid for a three-year [two-year] period.

(b) The Purchasing Agent may grant temporary certification to those who have submitted applications to become certified as a County-based business, County-based small business, County-located Business, County-based Minority Business Enterprise, and Minority Business Enterprise for a period not to exceed ninety (90) days from the date the certification application is submitted to the County.

(c) The Purchasing Agent may promulgate rules and regulations for the implementation and administration of temporary certification as a County-based business, County-based small business, County-located Business, and Minority Business Enterprise.

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SUBDIVISION 3. BUSINESS PREFERENCES; COUNTY-LOCATED BUSINESS ASSISTANCE.

Sec. 10A-173. Business preferences.

(a) On any procurement for which a County agency or the County government secures competitive bids pursuant to Section 10A-112 or competitive proposals pursuant to Section 10A-113, the Purchasing Agent shall apply the following percentage bid discount to the bid price or add the following percentage points to the total evaluated score of the proposal:

Business Type	Where the prime bidder or prime proposer is a certified firm, add or discount the following, as applicable:
County-based minority business enterprise	15%
County-based small business	12%
County-based business	10%
Minority Business Enterprise or [Disadvantage] <u>Disadvantaged</u> Business Enterprise	5%
County-located business	3%

Cumulative preference points: The same firm that is a prime bidder or prime proposer of a bid or proposal shall not be counted for a preference for more than one of the certified business

1 categories above and shall receive a preference for the highest scoring certified business category
2 for which it qualifies. No single certified firm can receive more than 15% percentage points or
3 discount, as applicable, in any one bid or proposal, with the exception of the application of the
4 Locally-owned and Operated Business [County resident-owned business] preference prescribed
5 in Subsection (b), below.

6 (b) Locally-owned and Operated Business preference. [County resident-owned business
7 preference.]

8 (1) In addition to the preferences awarded in accordance with Subsection (a), above, the
9 Purchasing Agent shall apply a five percentage (5%) bid discount to the bid price or add five
10 percentage (5%) points to the total evaluated score of the bid or proposal of a prime bidder or
11 prime proposer, respectively, (for joint venture entities, the majority firm of a joint venture
12 entity) that is a [County resident-owned business] Locally-owned and Operated Business as
13 defined in this Subtitle. [A County resident-owned business in this Subtitle is a firm that has
14 majority ownership (defined herein as "owning more than 50% of the ownership interest of the
15 entity") by one or more residents domiciled in Prince George's County.]

16 (2) At the time of bid or proposal, the owner(s) of a prime bidder or prime proposer that is
17 a Locally-owned and Operated Business shall provide an affidavit affirming current domicile in
18 the County for at least the twelve (12) months prior to the bid, income tax returns establishing
19 residency in the County for the most recent full calendar year, and documentation establishing
20 majority ownership of the prime bidder or prime proposer (for joint venture entities, the majority
21 firm of the joint venture entity) to establish status as a [County resident-owned business]
22 Locally-owned and Operated Business and be awarded the 5% preference prescribed in this
23 Subsection.

24 (3) For each procurement, [The] the Purchasing Agent [may require] shall provide
25 direction to prospective bidders on how to qualify for the Locally-owned and Operated Business
26 preference under this Subsection, and shall identify any additional information to clarify current
27 residency or ownership in accordance with this Subsection.

28 * * * * *

29 (g) For the purposes of this Division, the following terms have the following meanings:

30 (1) **Prime bidder** means the person, firm, entity or organization submitting a response to
31 a solicitation for competitive bids and is responsible for executing the work as mentioned in the

1 solicitation; and

2 (2) **Prime proposer** means the person, firm, entity or organization submitting a response
3 to a solicitation for competitive proposals and is responsible for executing the work as mentioned
4 in the solicitation.

5 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
6 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
7 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
8 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
9 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
10 Act, since the same would have been enacted without the incorporation in this Act of any such
11 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
12 or section.

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

Adopted this ____ day of _____, 2026.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Krystal Oriadha
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____

BY: _____
Aisha N. Braveboy
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.