

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2012 Legislative Session**

Resolution No. CR-30-2012

Proposed by Council Member Franklin

Introduced by Council Members Franklin, Lehman, and Harrison

Co-Sponsors \_\_\_\_\_

Date of Introduction May 15, 2012

**RESOLUTION**

1 A RESOLUTION concerning

2 County Council Procurement Practices

3 For the purpose of establishing requirements for local procurement preferences in County  
4 Council procurement practices and encouraging local businesses to become businesses on the  
5 County Government's approved vendor list.

6 WHEREAS, the Prince George's County Council is committed to ensuring that County-  
7 based businesses have maximum opportunities in County Government procurement; and

8 WHEREAS, the Prince George's County Council enacted the "Jobs First" Act of 2011,  
9 CB-17-2011, in order to strengthen procurement opportunities for County-based businesses in  
10 County Government procurement; and

11 WHEREAS, the Prince George's County Council is committed to ensuring that it leads  
12 by example in ensuring that County-based businesses have maximum opportunities in County  
13 Government procurement.

14 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
15 County, Maryland, that the County Council hereby establishes the following procedures and  
16 requirements for procurement practices by the County Council and its staff:

17 For procurements by the County Council and its staff for which competitive bids or  
18 proposals are sought, the County Council and its staff shall:

- 19 (1) Seek bids or proposals from vendors on the open market, including from at  
20 least five (5) County-based businesses from the appropriate category in the County  
21 Government's approved vendors list (if there are less than five (5) County-based businesses from  
22 the appropriate category on the County Government's approved vendors list, then bids or

1 proposals should be sought from all of the County-based businesses, if any, from the appropriate  
2 category on the County Government's vendors list);

3 (2) Award the procurement to the responsible County-based business with the  
4 lowest bid or proposal price among the responding County-based businesses (if any), unless the  
5 bid or proposal price is more than 12% above that of the lowest bidding non-County-based  
6 business, in which case, the County Council and its staff shall give the lowest bidding  
7 responsible County-based business an opportunity to reduce its bid or proposal price to within  
8 12% of the lowest bidding responsible non-County-based business. If the lowest bidding  
9 County-based business complies, the County Council and its staff shall award the procurement to  
10 the lowest bidding responsible County-based business; or

11 (3) If the lowest bidding responsible County-based business is unable to reduce its  
12 bid or proposal price to within 12% of the lowest bidding non-County-based business or if there  
13 are no responsible County-based businesses available to respond to the procurement, the County  
14 Council and its staff shall award the procurement to the lowest bidding responsible non-County-  
15 based business.

16 BE IT FURTHER RESOLVED that in this Resolution the following words shall have the  
17 following meanings:

18 (1) "County-based business" means a business whose principal place of operation  
19 is located within Prince George's County, Maryland.

20 (2) "Responsible County-based business" means a County-based business whose  
21 bid or proposal offers goods or services that will adequately respond to the needs of the  
22 procurement.

23 (3) "Responsible Non-County-based business" means a business whose principal  
24 place of operation is not located within Prince George's County, Maryland, and whose bid or  
25 proposal offers goods or services that will sufficiently respond to the needs of the procurement.

26 (4) "Procure" means to buy, rent, lease, lease-purchase, or otherwise obtain any  
27 supplies, services, or construction. "Procurement" (or a "procurement") is the noun form of this  
28 term. It includes all functions that pertain to the obtaining of any public procurement, including  
29 description of requirements, selection and solicitation of sources, and preparation, award and  
30 execution of the contract or purchase order. The term does not include the making of any grant  
31 or donation.

1 BE IT FURTHER RESOLVED that the County Council supports and endorses the efforts  
2 of its MBE Compliance Officer and the Office of Central Services to encourage more County-  
3 based businesses to become members of the County Government’s approved vendors list.

4 BE IT FURTHER RESOLVED that the requirements of this Resolution shall be superseded  
5 by the applicable provisions of CB-17-2011 when CB-17-2011 becomes effective.

6 BE IT FURTHER RESOLVED that a copy of this Resolution be sent by the Clerk of the  
7 Council to the Prince George’s County Chamber of Commerce, Prince George’s County Black  
8 Chamber of Commerce, the Prince George’s Business Roundtable, and the Prince George’s  
9 County Office of Central Services.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2012.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Andrea C. Harrison  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council