

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2013 Legislative Session

Bill No. CB-25-2013
Chapter No. 32
Proposed and Presented by Council Member Franklin
Introduced by Council Members Franklin, Harrison, Lehman and Toles
Co-Sponsors _____
Date of Introduction July 2, 2013

BILL

1 AN ACT concerning

2 Purchasing

3 For the purpose of requiring the Purchasing Agent under certain circumstances to utilize County-
4 based businesses for small purchases, defined as not exceeding an aggregate amount of \$30,000,
5 which use a simplified purchase procedure.

6 BY repealing and reenacting with amendments:

7 SUBTITLE 10A. PURCHASING.

8 Section 10A-115,

9 The Prince George's County Code

10 (2011 Edition).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
12 Maryland, that Section 10A-115 of the Prince George's County Code be and the same is hereby
13 repealed and reenacted with the following amendments:

14 SUBTITLE 10A. PURCHASING.

15 DIVISION 2. AWARD OF CONTRACTS.

16 **Sec. 10A-115. Small purchases.**

17 (a) Any contract not expected by the Purchasing Agent at the time price quotations are
18 solicited to exceed an aggregate amount of Thirty Thousand Dollars (\$30,000) for goods and
19 services or construction, may be entered into according to a simplified small purchase procedure
20 set forth in regulations. Such regulations shall include appropriate requirements for obtaining
21 competition and minority participation.

1 (b) The Purchasing Agent may delegate the authority to enter into small purchase contracts
2 to using agencies pursuant to the regulations authorized in Subsection (a).

3 (c) The Purchasing Agent shall consolidate similar requirements of using agencies for
4 purposes of achieving maximum volume discounts, whenever practicable.

5 (d) For contracts that use a simplified purchase procedure prescribed in Subsection (a), the
6 Purchasing Agent or the Purchasing Agent's designee shall reserve such contracts for County-
7 based businesses, provided, that the Purchasing Agent or the Purchasing Agent's designee shall
8 not be required to reserve the contract if the Purchasing Agent or the Purchasing Agent's
9 designee determines in writing that

10 (1) there are not at least three (3) available County-based businesses that could
11 adequately perform the requirements or deliver the goods or services that are the subject of the
12 contract or

13 (2) a County-based business cannot offer a reasonable price for the contract. In this
14 Section, "reasonable price" means within twelve percent (12%) above the best price on the open
15 market.

16 (e) Prior to making a written determination required under Subsection (d), above, the
17 Purchasing Agent or the Purchasing Agent's designee shall consult with the database of County-
18 based businesses designated and maintained by the Office of Central Services to contact or
19 otherwise gather information about the availability and pricing of County-based businesses for
20 the contract.

21 (f) The written determination required under Subsection (d), above, shall briefly detail the
22 reasons for determining that not at least three (3) available County-based businesses could
23 adequately perform the requirements of the contract or that a County-based business could not
24 offer a reasonable price, including a comparison of any pricing information between County-
25 based businesses and that of businesses on the open market, which were considered by the
26 Purchasing Agent or the Purchasing Agent's designee. The Purchasing Agent or the Purchasing
27 Agent's designee shall submit written determinations required under Subsection (d), above, to
28 the Office of Central Services within thirty (30) days of the written determination being made.
29

1 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect on January 1,
2 2014.

Adopted this 24th day of July , 2013.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Andrea C. Harrison
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
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.