

HOUSE BILL 770

L2

8lr2431

By: **Washington County Delegation**

Introduced and read first time: February 4, 2008

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Washington County – Purchasing Goods and Services – Public Bidding**

3 FOR the purpose of raising the threshold amount at which the procurement of goods
4 and services in Washington County requires a public bidding process; providing
5 that a certain requirement is subject to certain exceptions; authorizing the
6 County Commissioners of Washington County or an employee of Washington
7 County to enter into certain contracts regardless of a certain threshold amount
8 requiring a public bidding process if a contract meets certain conditions;
9 establishing that a contract of purchase or other expenditure does not need to be
10 awarded to a certain lowest bidder under certain circumstances; and generally
11 relating to the purchasing of goods and services by the County Commissioners
12 of Washington County.

13 BY repealing and reenacting, with amendments,
14 The Public Local Laws of Washington County
15 Section 1–106(a) and (b)(2)
16 Article 22 – Public Local Laws of Maryland
17 (2007 Edition)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article 22 – Washington County**

21 1–106.

22 (a) (1) Except as **OTHERWISE** provided in [subsection (d) of this section]
23 **THIS SUBTITLE**, the County Commissioners or any employee of the county may not
24 enter into any contract of sale or purchase or any contract for any county work,
25 project, or other expenditure to which the county is a party where the amount involved
26 in the contract exceeds [\$25,000] **\$50,000** without advertising for bids at least 1 week

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 before the bid by publication in at least one newspaper that is published in the county
2 or through electronic media.

3 **(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION**
4 **AND REGARDLESS OF WHETHER THE TOTAL CUMULATIVE PROCUREMENT**
5 **EXCEEDS \$50,000, IF A CONTRACT IS FOR AN INDETERMINATE AMOUNT OF**
6 **GOODS OR SERVICES PROCURED ON AN AS-NEEDED BASIS OVER A PERIOD OF**
7 **TIME, THE COUNTY COMMISSIONERS OR AN EMPLOYEE OF THE COUNTY MAY,**
8 **WITHOUT ADVERTISING FOR BIDS, ENTER INTO A CONTRACT OF PURCHASE OR A**
9 **CONTRACT FOR A COUNTY WORK PROJECT OR OTHER EXPENDITURE TO WHICH**
10 **THE COUNTY IS A PARTY.**

11 (b) (2) A contract of purchase or other expenditure shall be awarded to
12 the lowest responsible bidder who submits a responsive bid, **UNLESS:**

13 **(I) THE CONTRACT OF PURCHASE OR OTHER EXPENDITURE**
14 **IS FOR THE PROCUREMENT OF PROFESSIONAL OR TECHNICAL SERVICES,**
15 **INCLUDING ARCHITECTURAL, DESIGN ENGINEERING, LEGAL, MEDICAL,**
16 **TECHNOLOGICAL, OR TECHNICAL SERVICES; AND**

17 **(II) THE COUNTY COMMISSIONERS HAVE AUTHORIZED THE**
18 **AWARD OF THE CONTRACT ON THE BASIS OF THE QUALIFICATIONS, RESOURCES,**
19 **AND EXPERIENCE OF THE BIDDER, REGARDLESS OF WHETHER THE BIDDER IS**
20 **THE LOWEST BIDDER.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2008.