

# SENATE BILL 960

L2

71r3326  
CF HB 905

---

By: **Senators Brinkley and Mooney**

Introduced and read first time: February 28, 2007

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 2, 2007

---

Committee Report: Favorable

Senate action: Adopted

Read second time: March 20, 2007

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Frederick County – Procurement Contracts – Architectural and Engineering**  
3 **Services**

4 FOR the purpose of authorizing the Board of County Commissioners of Frederick  
5 County to award certain procurement contracts for architectural and  
6 engineering services based on an evaluation of the technical proposals and  
7 qualifications of at least a certain number of persons; requiring that the  
8 contracts be fair, competitive, and reasonable; making stylistic changes; and  
9 generally relating to contracts for architectural and engineering services  
10 awarded by the Board of County Commissioners of Frederick County.

11 BY repealing and reenacting, without amendments,  
12 Article 25 – County Commissioners  
13 Section 3(1)(1)  
14 Annotated Code of Maryland  
15 (2005 Replacement Volume and 2006 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article 25 – County Commissioners  
18 Section 3(1)(3)

---

### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland  
2 (2005 Replacement Volume and 2006 Supplement)

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

5 **Article 25 – County Commissioners**

6 3.

7 (1) (1) (i) To provide for competitive bidding for any county work and  
8 the making and awarding of contracts for the purchase of materials and supplies in  
9 excess of \$15,000 and to require bonds in connection with the work or contracts,  
10 regardless of the amount, whenever the county commissioners consider it proper to  
11 require a bond; and if no bids are submitted in response to any request for bids, to  
12 place the order in a manner that the county commissioners consider appropriate.

13 (ii) In Frederick County, to provide for competitive bidding for  
14 any county work and the making and awarding of contracts for the purchase of  
15 materials and supplies in excess of \$30,000 and to require bonds in connection with  
16 the work or contracts, regardless of the amount, whenever the County Commissioners  
17 consider it proper to require a bond; and if no bids are submitted in response to any  
18 request for bids, to place the order in a manner that the County Commissioners  
19 consider appropriate.

20 (3) (I) The provisions of paragraph (1)(ii) of this subsection are not  
21 applicable in Frederick County with regard solely to contracting for the services of an  
22 architectural, engineering, or consultant firm for design or consultation purposes.

23 (II) In Frederick County, contracts for architectural and  
24 engineering services costing more than \$30,000, [shall] **MAY** be awarded on:

25 1. [a] **A** competitive basis which shall consist of either  
26 sealed competitive bids or competitive negotiation[. “Competitive negotiation” means  
27 a process] that includes the submission of written technical and price proposals from  
28 two or more sources and a written evaluation of those proposals in accordance with  
29 evaluation criteria; **OR**

30 2. **AN EVALUATION OF THE TECHNICAL PROPOSALS**  
31 **AND QUALIFICATIONS OF AT LEAST TWO PERSONS, WITH THE CONTRACT SET AT**  
32 **A RATE OF COMPENSATION THAT IS FAIR, COMPETITIVE, AND REASONABLE.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2    July 1, 2007.

Approved:

---

Governor.

---

President of the Senate.

---

Speaker of the House of Delegates.