

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 1113

(Delegate Charles, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

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State Finance and Procurement – Procurement Improvement Council – Form for  
Discussion and Report on the Required Use of eMaryland Marketplace

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This bill adds the use of eMaryland Marketplace (eMM) to the list of topics for which the Procurement Improvement Council (PIC) can serve as a forum for discussion. It also requires PIC to report to specified committees of the General Assembly by December 31, 2021, on specified topics related to the use of eMM for publishing notices of procurements and of procurement awards. **The bill takes effect July 1, 2020.**

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Fiscal Summary

**State Effect:** The bill does not materially affect State governmental finances. The Department of General Services (DGS) can complete the required report with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law/Background:** eMM is Maryland’s online procurement portal. Agencies may not charge vendors a fee to access eMM, nor can they be charged a fee to post notices of a procurement or award or to use eMM to conduct a procurement. State agencies must post all invitations for bids and requests for proposals valued at \$10,000 or more on eMM, but they are not required to receive bids and proposals electronically. All contract awards in excess of \$25,000 must also be posted on eMM. In fiscal 2016, responsibility for management and oversight of eMM was transferred administratively from DGS to the Department of Information Technology, which completed a two-year project to upgrade

and enhance the functionality of eMM in summer 2019. Following the upgrade, eMM was rebranded as eMaryland Marketplace Advantage.

In addition to State agencies, the following entities must use eMM to post public notice of a procurement or public notice of the award of specified procurements:

- counties;
- municipalities;
- bicounty or multicounty governmental agencies;
- special tax districts, sanitary districts, drainage districts, soil conservation districts, and water supply districts;
- public institutions of higher education;
- public schools; and
- entities otherwise exempt from most provisions of State procurement law.

Chapter 590 of 2017 renamed the Procurement Advisory Council as PIC and designated the State's Chief Procurement Officer as the chair of PIC. PIC's responsibilities generally mirror those of the Procurement Advisory Council, including ensuring that the State's procurement system uses the most advanced procurement methods and providing a forum for the discussion of specific procurement issues and problems that arise. Its responsibilities were expanded to include advising the General Assembly on proposed legislation to enhance the efficiency and transparency of State procurement.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Prince George's County; University of Maryland Medical System; Department of General Services; Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2020  
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Analysis by: Michael C. Rubenstein

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510