
By: Allegany County Delegation

Introduced and read first time: January 18, 1996

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: February 27, 1996

CHAPTER ____

1 AN ACT concerning

2 **County Boards of Education - Emergency Procurements**

3 FOR the purpose of broadening an exception to a certain requirement for competitive
4 bidding in procurements by county boards of education; eliminating the
5 requirement that the emergency repair be required during the regular school year;
6 and generally relating to emergency procurements by county boards of education.

7 BY repealing and reenacting, with amendments,
8 Article - Education
9 Section 5-110
10 Annotated Code of Maryland
11 (1992 Replacement Volume and 1995 Supplement)

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

14 **Article - Education**

15 5-110.

16 (a) This section does not apply to:

17 (1) Baltimore City;

18 (2) Contracts for the purchase of books and other materials of instruction as
19 defined in the State Department of Education Financial Reporting Manual; and

20 (3) Emergency repairs [required during the regular school year].

HOUSE BILL 221

2

1 (b) (1) If the cost of any school building, improvement, supplies, or equipment
2 is more than \$15,000, the county board, at least 2 weeks before bids are to be filed, shall
3 advertise for bids in at least one newspaper of general circulation in the county.

4 (2) The county board may name in the specifications and advertisements for
5 bids the particular make, kind, or brand of article to be contracted for or purchased.

6 (c) (1) A contract for the school building, improvements, supplies, or other
7 equipment shall be awarded to the lowest responsible bidder who conforms to
8 specifications with consideration given to:

9 (i) The quantities involved;

10 (ii) The time required for delivery;

11 (iii) The purpose for which required;

12 (iv) The competency and responsibility of the bidder; and

13 (v) The ability of the bidder to perform satisfactory service.

14 (2) The county board may reject any and all bids and readvertise for other
15 bids.

16 (d) (1) In this subsection, the term "minority business enterprise" has the
17 meaning stated in § 14-301 of the State Finance and Procurement Article.

18 (2) In Montgomery County, by resolution and by implementing regulations,
19 the Montgomery County Board of Education shall establish a minority business utilization
20 program to facilitate the participation of responsible certified minority business
21 enterprises in contracts awarded by the Montgomery County Board of Education in
22 accordance with competitive bidding procedures.

23 (e) A contract entered into or purchase made in violation of this section is void.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 1996.