
By: Delegates Owings and DeCarlo

Introduced and read first time: January 17, 1997

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - County Boards of Education - Competitive Bidding**

3 FOR the purpose of increasing the threshold dollar amount of a contract for which a
4 county board of education must use competitive bidding.

5 BY repealing and reenacting, with amendments,
6 Article - Education
7 Section 5-112
8 Annotated Code of Maryland
9 (1997 Replacement Volume)

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

12 **Article - Education**

13 5-112.

14 (a) This section does not apply to:

15 (1) Baltimore City;

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

18 (3) Emergency repairs.

19 (b) (1) If the cost of any school building, improvement, supplies, or equipment
20 is more than [\$15,000] \$30,000, the county board, at least 2 weeks before bids are to be
21 filed, shall advertise for bids in at least one newspaper of general circulation in the
22 county.

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

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

28 (i) The quantities involved;

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1 (ii) The time required for delivery;

2 (iii) The purpose for which required;

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

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

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

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

9 (2) In Montgomery County, by resolution and by implementing regulations,
10 the Montgomery County Board of Education shall establish a minority business utilization
11 program to facilitate the participation of responsible certified minority business
12 enterprises in contracts awarded by the Montgomery County Board of Education in
13 accordance with competitive bidding procedures.

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

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 1997.