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By: **Calvert County Delegation**

Introduced and read first time: February 9, 1998  
Assigned to: Commerce and Government Matters

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 3, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Calvert County - Competitive Bidding**

3 FOR the purpose of altering the amount above which certain purchases or contracts  
4 made by the Board of County Commissioners of Calvert County must be  
5 awarded by competitive bidding; and generally relating to competitive bidding  
6 in Calvert County.

7 BY repealing and reenacting, with amendments,  
8 The Public Local Laws of Calvert County  
9 Section 6-101 and 6-102  
10 Article 5 - Public Local Laws of Maryland  
11 (1986 Edition and July 1991 Supplement, as amended)  
12 (As enacted by Chapter 402 of the Acts of the General Assembly of 1997)

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

15 **Article 5 - Calvert County**

16 6-101.

17 (a) Except as otherwise provided in this title, contracts for the purchase by the  
18 county of supplies or services involving [\$7,500] \$15,000 or more shall be by formal  
19 bidding procedures and the contract shall be awarded at a regularly scheduled  
20 meeting of the commissioners to the lowest responsible bidder meeting specifications.  
21 A contract may not be subdivided to avoid the requirements of this section.

1 (b) The commissioners shall invite proposals for all contracts subject to this  
2 section by publishing a notice in at least 2 county newspapers for 2 consecutive weeks.  
3 The notice shall state that in not less than 3 weeks the commissioners will meet in  
4 public session to receive bids for the described purchase or contract, state the time  
5 and place of the meeting, and reserve the right to reject any and all bids.

6 (c) In determining the "lowest responsible bidder," in addition to considering  
7 price, the commissioners or the official authorized to contract for the county shall  
8 consider:

9 (1) The ability, capacity, and skill of the bidder to perform the contract or  
10 provide the service required;

11 (2) Whether the bidder can perform the contract or provide the service  
12 promptly, or within the time specified, without delay or interference;

13 (3) The character, integrity, reputation, judgment, experience, and  
14 efficiency of the bidder;

15 (4) The quality of performance of previous contracts or services;

16 (5) The previous and current compliance by the bidder with laws and  
17 ordinances relating to the contract or service;

18 (6) Whether the bidder is in arrears to the county on any debt or  
19 contract, is in default on any surety to the county, or is delinquent as to any taxes or  
20 assessments; and

21 (7) Any other information that may have a bearing on the decision to  
22 award the contract.

23 (d) If a contract is not awarded to the lowest bidder in price, the reasons for  
24 the decision shall be stated in the minutes of the meeting at which the contract is  
25 awarded.

26 6-102.

27 The following types of contracts may be awarded without complying with the  
28 bidding procedures otherwise required under this subtitle:

29 (1) Purchases or contracts involving less than [~~\$7,500~~] \$15,000;

30 (2) Purchases of supplies or services that are available only through one  
31 source;

32 (3) Contracts for professional services such as those of attorneys,  
33 physicians, architects, engineers, accountants, consultants, and others possessing a  
34 similar high degree of technical skill and expertise, provided that to the extent  
35 appropriate for the particular service to be provided, an attempt is made to secure  
36 competitive proposals for these services;

1           (4)       Purchases or contracts made when the county commissioners  
2 determine that an emergency exists, provided that the commissioners publish an  
3 explanation of the circumstances deemed to constitute the emergency in at least 2  
4 county newspapers; and

5           (5)       Purchases based on federal, state, county, or municipal contracts that  
6 are established by a legal competitive process.

7       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
8 effect October 1, 1998.