

HOUSE BILL 905

L2

71r1063

By: **Frederick County Delegation**

Introduced and read first time: February 9, 2007

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: March 14, 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)
19 Annotated Code of Maryland

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 (2005 Replacement Volume and 2006 Supplement)

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

4 **Article 25 – County Commissioners**

5 3.

6 (1) (1) (i) To provide for competitive bidding for any county work and
7 the making and awarding of contracts for the purchase of materials and supplies in
8 excess of \$15,000 and to require bonds in connection with the work or contracts,
9 regardless of the amount, whenever the county commissioners consider it proper to
10 require a bond; and if no bids are submitted in response to any request for bids, to
11 place the order in a manner that the county commissioners consider appropriate.

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

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

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

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

29 2. **AN EVALUATION OF THE TECHNICAL PROPOSALS**
30 **AND QUALIFICATIONS OF AT LEAST TWO PERSONS, WITH THE CONTRACT SET AT**
31 **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.

Speaker of the House of Delegates.

President of the Senate.