

CHAPTER 258

(House Bill 905)

AN ACT concerning

Frederick County – Procurement Contracts – Architectural and Engineering Services

FOR the purpose of authorizing the Board of County Commissioners of Frederick County to award certain procurement contracts for architectural and engineering services based on an evaluation of the technical proposals and qualifications of at least a certain number of persons; requiring that the contracts be fair, competitive, and reasonable; making stylistic changes; and generally relating to contracts for architectural and engineering services awarded by the Board of County Commissioners of Frederick County.

BY repealing and reenacting, without amendments,
Article 25 – County Commissioners
Section 3(1)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 3(1)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Article 25 – County Commissioners

3.

(1) (1) (i) To provide for competitive bidding for any county work and the making and awarding of contracts for the purchase of materials and supplies in excess of \$15,000 and to require bonds in connection with the work or contracts, regardless of the amount, whenever the county commissioners consider it proper to

require a bond; and if no bids are submitted in response to any request for bids, to place the order in a manner that the county commissioners consider appropriate.

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

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

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

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

2. **AN EVALUATION OF THE TECHNICAL PROPOSALS AND QUALIFICATIONS OF AT LEAST TWO PERSONS, WITH THE CONTRACT SET AT A RATE OF COMPENSATION THAT IS FAIR, COMPETITIVE, AND REASONABLE.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007.

Approved by the Governor, April 24, 2007.