

CHAPTER 671

(House Bill 770)

AN ACT concerning

Washington County – Purchasing Goods and Services – Public Bidding

FOR the purpose of raising the threshold amount at which the procurement of goods and services in Washington County requires a public bidding process; providing that a certain requirement is subject to certain exceptions; authorizing the County Commissioners of Washington County or an employee of Washington County to enter into certain contracts regardless of a certain threshold amount requiring a public bidding process if a contract meets certain conditions; establishing that a contract of purchase or other expenditure does not need to be awarded to a certain lowest bidder under certain circumstances; and generally relating to the purchasing of goods and services by the County Commissioners of Washington County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 1–106(a) and (b)(2)
Article 22 – Public Local Laws of Maryland
(2007 Edition)

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

Article 22 – Washington County

1–106.

(a) (1) Except as **OTHERWISE** provided in [subsection (d) of this section] **THIS SUBTITLE**, the County Commissioners or any employee of the county may not enter into any contract of sale or purchase or any contract for any county work, project, or other expenditure to which the county is a party where the amount involved in the contract exceeds [\$25,000] **\$50,000** without advertising for bids at least 1 week before the bid by publication in at least one newspaper that is published in the county or through electronic media.

(2) **NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION AND REGARDLESS OF WHETHER THE TOTAL CUMULATIVE PROCUREMENT EXCEEDS \$50,000, IF A CONTRACT IS FOR AN INDETERMINATE AMOUNT OF GOODS OR SERVICES PROCURED ON AN AS-NEEDED BASIS OVER A PERIOD OF TIME, THE COUNTY COMMISSIONERS OR AN EMPLOYEE OF THE COUNTY MAY,**

WITHOUT ADVERTISING FOR BIDS, ENTER INTO A CONTRACT OF PURCHASE OR A CONTRACT FOR A COUNTY WORK PROJECT OR OTHER EXPENDITURE TO WHICH THE COUNTY IS A PARTY.

(b) (2) A contract of purchase or other expenditure shall be awarded to the lowest responsible bidder who submits a responsive bid, **UNLESS:**

(I) THE CONTRACT OF PURCHASE OR OTHER EXPENDITURE IS FOR THE PROCUREMENT OF PROFESSIONAL OR TECHNICAL SERVICES, INCLUDING ARCHITECTURAL, DESIGN ENGINEERING, LEGAL, MEDICAL, TECHNOLOGICAL, OR TECHNICAL SERVICES; AND

(II) THE COUNTY COMMISSIONERS HAVE AUTHORIZED THE AWARD OF THE CONTRACT ON THE BASIS OF THE QUALIFICATIONS, RESOURCES, AND EXPERIENCE OF THE BIDDER, REGARDLESS OF WHETHER THE BIDDER IS THE LOWEST BIDDER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, May 22, 2008.