

**Department of Legislative Services**  
Maryland General Assembly  
2010 Session

**FISCAL AND POLICY NOTE**

House Bill 837 (Washington County Delegation)  
Health and Government Operations Education, Health, and Environmental Affairs

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**Washington County - Procurement of Professional or Technical Services**

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This bill exempts the award of contracts of purchase or other expenditures made by Washington County for procurement of specified professional or technical services from the requirement to advertise the bid in at least one county newspaper or through electronic media, if the amount involved in the contract exceeds \$50,000. The bill also exempts procurement contracts for these professional or technical services from including specified required clauses (*e.g.*, a termination for default clause and clauses related to contract modification).

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Washington County finances will not be substantially affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Chapter 671 of the 2008 session authorized the county commissioners to award a contract on the basis of the qualifications, resources, and experience of the bidder, regardless of whether the bidder is the lowest bidder, if 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.

Chapter 671 increased from \$25,000 to \$50,000, the amount at which the procurement of goods and services by the county commissioners or a county employee would require a competitive bidding process. Also, the county is authorized to enter into a contract without first advertising for bids, regardless of the value, 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 may reject any contract bid.

**Local Fiscal Effect:** Washington County advises that the bill will codify current practices. Contracts for specified professional and technical services are awarded on the basis of experience and qualifications, and not on the basis of a low bid resulting from an advertised bidding process.

This analysis assumes that under the bill it is the award of a contract for specified services that is not subject to Section 1-106 of the public local laws of Washington County.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Washington County, Department of Legislative Services

**Fiscal Note History:** First Reader - March 12, 2010  
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