

HOUSE BILL 1580

L2
HB 1478/17 – HGO

8lr2169

By: **Delegate Fisher**

Introduced and read first time: February 9, 2018

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Calvert County – Competitive Bidding Process**

3 FOR the purpose of altering the method by which the County Commissioners of Calvert
4 County or the official authorized to contract for the county shall invite proposals for
5 certain contracts; authorizing the Commissioners or the official authorized to
6 contract for the county to use other methods to invite proposals for certain contracts;
7 and generally relating to the competitive bidding process in Calvert County.

8 BY repealing and reenacting, with amendments,
9 The Public Local Laws of Calvert County
10 Section 6–101
11 Article 5 – Public Local Laws of Maryland
12 (2002 Edition and August 2017 Supplement)

13 ~~Preamble~~

14 ~~WHEREAS, Calvert County is currently required to purchase advertising in local~~
15 ~~newspapers when inviting proposals for contracts; and~~

16 ~~WHEREAS, Calvert County spends more than \$17,000 per year on such advertising;~~
17 ~~and~~

18 ~~WHEREAS, Calvert County seeks to invite proposals for contracts by making such~~
19 ~~invitations available to the widest possible audience; and~~

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.



~~WHEREAS, Alternative media, such as eMaryland Marketplace and social media websites, would provide a greater audience than the current system; and~~

~~WHEREAS, The taxpayers of Calvert County should not be required to subsidize a privately owned for-profit newspaper; and~~

~~WHEREAS, The Calvert Recorder routinely hires lobbyists to curry favor with Calvert County State legislators for the purpose of keeping and maintaining the subsidy; now, therefore,~~

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

Article 5 – Calvert County

6–101.

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

(b) The Commissioners or the official authorized to contract for the county shall invite proposals for all contracts subject to this section by [publishing a notice in at least two county newspapers for two consecutive weeks. The notice shall state that in not less than three weeks the Commissioners or the official authorized to contract for the county will meet in public session to receive bids for the described purchase or contract, state the time and place of the meeting, and reserve the right to reject any and all bids] **PUBLISHING NOTICE IN eMARYLAND MARKETPLACE AND IN OTHER FORMS OF SOCIAL MEDIA OR WEBSITES WHERE THE COUNTY MAINTAINS A PRESENCE. THE COMMISSIONERS OR THE OFFICIAL AUTHORIZED TO CONTRACT FOR THE COUNTY MAY USE OTHER METHODS TO INVITE PROPOSALS FOR CONTRACTS SUBJECT TO THIS SECTION.**

(c) In determining the “lowest responsible bidder,” in addition to considering price, the Commissioners or the official authorized to contract for the county shall consider:

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

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

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

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

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

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

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

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

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.