

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2024 Legislative Session

Bill No. CB-026-2024

Chapter No. 39

Proposed and Presented by The Chair (by request - County Executive)

Introduced by Council Members Ivey, Blegay, Watson, Harrison, Fisher, Hawkins,

Oriadha and Burroughs

Co-Sponsors _____

Date of Introduction July 16, 2024

BILL

1 AN ACT concerning

2 Bid and Contract Security

3 For the purpose of amending a provision of Subtitle 10A to address the challenges experienced
4 in the marketplace to implement the current County bonding requirements; to ensure the County
5 and its subcontracting community has adequate security for its protection in construction
6 projects.

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8 BY repealing and reenacting with amendments:

9 SUBTITLE 10A. PURCHASING

10 Section 10A-132

11 The Prince George's County Code

12 (2023 Edition).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, that Section 10A-132 of the Prince George's County Code be and the same is hereby
15 repealed and reenacted with the following amendment:

16 **SUBTITLE 10A. PURCHASING.**

17 **DIVISION 4. BID AND CONTRACT SECURITY.**

18 **Sec. 10A-132. Bonds; generally.**

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(a) Subject to Subsection (b), below, unless otherwise required by State or Federal law or regulation or as a condition to State or Federal assistance, no bid, performance, or payment bonds may be required by the Purchasing Agent to be posted if the contract price does not exceed One-Hundred Thousand Dollars (\$100,000).

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(d) Notwithstanding the requirements of Subsection (b), the Purchasing Agent shall be authorized to waive or modify said requirements if the Purchasing Agent determines such waiver or modification is in the best interest of the County.

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45) calendar days after it becomes law.

Adopted this 17th day of September, 2024.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: Jolene Ivey
Jolene Ivey
Chair

ATTEST:

Donna J. Brown
Donna J. Brown
Clerk of the Council

APPROVED:

DATE: October 15, 2024 BY: Angela Alsobrooks
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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