

Subject: To Amend Chapter 178 of the Code of St. Mary's County, Maryland to Establish Procedures for Purchases for Less Than \$25,000

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RESOLUTION

TO AMEND CHAPTER 178 OF THE CODE OF ST. MARY'S COUNTY MARYLAND, TO ESTABLISH PROCEDURES FOR PURCHASES FOR LESS THAN \$25,000

WHEREAS, pursuant to Article 25, §3(l) of the *Annotated Code of Maryland*, the Board of County Commissioners for St. Mary's County, Maryland, is authorized 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; and

RECORDING FEE 0.00
TOTAL 0.00

WHEREAS, on September 15, 1987, the Board of County Commissioners for St. Mary's County, Maryland, enacted Resolution No. 87-16 thereby adopting a Procurement Manual for St. Mary's County, effective January 1, 1988; and

REC-3102 PCP-1999999
JWH SEC BIK#1487

WHEREAS, in accordance with Article 25, § 3(r) of the *Annotated Code of Maryland*, a notice of a public hearing was advertised on January 20, 2012, and January 27, 2012, in *The Enterprise*, a newspaper of general circulation in St. Mary's County, and a public hearing was held on January 31, 2012, to receive public comment and consider amending Chapter 178 of the *Code of St. Mary's County, Maryland*, to establish procedures for purchases for \$25,000 or less; and

Feb 17, 2012 10:52 am

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, finds that it is in the best interest of the health, safety and welfare of the citizens of St. Mary's County to amend Chapter 178 of the *Code of St. Mary's County, Maryland*, to establish procedures for purchases for \$25,000 or less,

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland, pursuant to Article 25, §3(l) of the *Annotated Code of Maryland*, that Chapter 178 of the *Code of St. Mary's County, Maryland*, be, and the same hereby is, amended to add the following:

Small Purchases for Less Than \$25,000 or Less

1. "Small Purchase" includes the purchase of goods or services for a contract price of \$15,000 or more but less than \$25,000.
2. "Exempt Purchase" includes the purchase of goods or services for a contract less than \$15,000.

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3. Small purchases are subject to the requirements of a simplified Request for Quotations (RFQ), as follows:
- the department or agency requesting the procurement shall submit specifications and requisitions to the Procurement Office;
 - each RFQ will be summarized and posted as a Small Purchase on the County's web site by the Procurement Office to allow no less than 5 business days for interested vendors to contact the department or agency requesting the procurement to obtain specifications and relevant information;
 - all quotations by vendors shall be submitted to the department or agency requesting the procurement;
 - the department or agency requesting the procurement shall receive, evaluate, and process all vendor quotations;
 - the department or agency requesting the procurement shall forward to the Procurement Office all quotations submitted by vendors and identify a lowest responsible and responsive vendor;
 - the Small Purchase shall be made from the lowest responsible and responsive vendor by issuance of a County purchase order.
4. Exempt purchases are exempt from competition requirements and shall be made through customary purchasing procedures at the direction of the department or agency requesting the procurement.
5. The provisions herein do not apply to (1) a contract to which the County may become a party by virtue of a "piggy-back" provision provided that contract was procured through a competitive process conducted by a federal, state, or local governmental entity; (2) intergovernmental or multi-governmental solicitations or contracts; (3) existing solicitations or contracts, including the exercise of options in existing contracts.
6. The provisions herein are subject to any provision, condition or requirement in any grant to which the County is, or becomes, a party.

BE IT FURTHER RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland that this Resolution shall be effective upon the date written below.

Those voting Aye: 4 (Bussell, Jones, Morris, Morgan)

Those voting Nay: 1 (Jasboe)

Those Abstaining: -

Date of Adoption: 2/14/12

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Effective Date: 2/28/12

ATTEST:

COMMISSIONERS OF ST. MARY'S COUNTY

Susan J. Sabo
For John Savich
County Administrator

Francis Jack Russell
Francis Jack Russell, President

- NO -

Lawrence D. Jarboe, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Cynthia L. Jones
Cynthia L. Jones, Commissioner

George R. Sparling
George R. Sparling
County Attorney

Todd B. Morgan
Todd B. Morgan, Commissioner

Daniel L. Morris
Daniel L. Morris, Commissioner