

MEMORANDUM

TO: County Council

FROM: Robert H. Drummer, Legislative Attorney 

SUBJECT: **Public Hearing:** Expedited Bill 25-09, Contracts and Procurement - Minority Owned Businesses – Amendments

Expedited Bill 25-09, Contracts and Procurement - Minority Owned Businesses – Amendments, sponsored by the Council President at the request of the County Executive, was introduced on May 5, 2009. A Management and Fiscal Policy Committee worksession is tentatively scheduled for June 22 at 2 p.m.

The minority owned business purchasing program is intended to remedy the effects of discrimination on minority owned businesses. The goal of the program is to award an appropriate percentage of the dollar value of County contracts to minority owned businesses in proportion to their availability to perform work under County contracts. The Chief Administrative Officer must annually set percentage goals of the dollar value of eligible contracts for certified minority owned businesses. The Office of Procurement must encourage participation by minority owned businesses in County contracts by outreach and by setting appropriate subcontracting goals for certified minority owned businesses. The Director of the Department of General Services may waive minority owned business participation on a specific contract under appropriate circumstances.

Code §11B-61(b) requires the Executive to submit a report to the Council evaluating the need to extend the minority owned business purchasing program by July 1, 2009. The legislation creating the program is scheduled to sunset on December 31, 2009. Bill 25-09 would extend the deadline the Executive must submit this report to the Council from July 1, 2009 to July 1, 2012. In addition, the Bill extends the sunset date for the minority owned business purchasing program from December 31, 2009 to December 31, 2012.

This packet contains:	<u>Circle #</u>
Expedited Bill 25-09	1
Legislative Request Report	3
Memo from County Executive	4
Fiscal Impact Statement	5

Expedited Bill No. 25-09
Concerning: Contracts and Procurement
- Minority owned businesses-
Amendments
Revised: April 29, 2009 Draft No. 1
Introduced: May 5, 2009
Expires: November 5, 2010
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: December 31, 2012
Ch. , Laws of Mont. Co.

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

AN EXPEDITED ACT to:

- (1) extend the deadline the Executive must submit to the Council a report that evaluates the minority owned business purchasing program; and
- (2) extend the sunset date for the County's minority owned business purchasing program.

By amending

Montgomery County Code
Chapter 11B, Contracts and Procurement
Section 11B-61, 11B-64

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

LEGISLATIVE REQUEST REPORT

Expedited Bill 25-09

Contracts and Procurement – Minority Owned Businesses – Amendments

- DESCRIPTION:** This Bill would extend the time the County Executive has to submit a report evaluating the need to extend the minority-owned business purchasing program. In addition, the Bill extends the sunset date for the minority-owned business purchasing program.
- PROBLEM:** Additional time is required for the County Executive to submit a report to the Council evaluating the need to extend the minority-owned business purchasing program.
- GOALS AND OBJECTIVES:** To extend the time the County Executive has to submit a report to the County Council evaluating the need to extend the minority-owned business purchasing program and to extend the sunset date for the minority-owned business purchasing program.
- COORDINATION:** Department of General Services and the Office of the County Attorney
- FISCAL IMPACT:** To be requested.
- ECONOMIC IMPACT:** None expected.
- EVALUATION:** Subject to the general oversight of the County Executive and the County Council.
- EXPERIENCE ELSEWHERE:** Not applicable.
- SOURCE OF INFORMATION:** Marc P. Hansen, Deputy County Attorney
- APPLICATION WITHIN MUNICIPALITIES:** None.
- PENALTIES:** None.

BILL



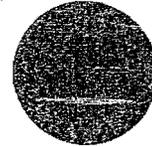
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Isiah Leggett
County Executive

OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

MEMORANDUM



April 2, 2009

TO: Phil Andrews, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Proposed Legislation – Minority-owned Business Purchasing Program

I am attaching for the Council's consideration a bill which would extend the time the County Executive has to submit a report evaluating the need to extend the minority-owned business purchasing program. In addition, the bill extends the sunset date for the minority-owned business purchasing program. I am also attaching a Legislative Request Report for the bill. This bill is needed because additional time is required for the County Executive to submit a report to the Council evaluating the need to extend the minority-owned business purchasing program.

Thank you for your prompt consideration of this legislation. I look forward to working with the Council as it considers this proposal

Attachments (2)

cc: Joseph Beach, Director, OMB
David Dise, Director, DGS

