

Expedited Bill No. 3-09
Concerning: Local Small Business
Reserve Program - Amendments
Revised: 2/5/09 Draft No. 1
Introduced: February 10, 2009
Expires: August 10, 2010
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: December 31, 2009
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Executive

AN ACT to:

- 1) amend the County's Local Small Business Reserve Program by increasing the minimum percentage of the combined dollar value of certain contracts that each using department must award to local small businesses; and
- 2) generally amend the County's Local Small Business Reserve Program.

By amending

Montgomery County Code
Chapter 11B, Contracts and Procurement
Section 11B-66

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:

1 **Sec. 1 Section 11B-66 is amended as follows:**

2 **11B-66. Local Small Business Reserve Program.**

3 (a) Except as provided in Subsection (c), this Article applies to all
4 procurements by a using department.

5 (b) A using department's procurement procedures must award a minimum
6 of [10] 20 percent of the using department's combined dollar value of
7 contracts issued for goods, services, or construction to local small
8 businesses, subject to method 2 regulations.

9 (c) The total dollar value of procurements by a using department does not
10 include:

11 (1) the value of any contract to which this Article does not apply
12 because of a conflict with state or federal law or a grant
13 requirement;

14 (2) a preexisting contract executed by the County;

15 (3) a non-competitive contract award made under Section 11B-14;

16 (4) a public entity or emergency procurement;

17 (5) any waiver made under Section 11B-67(f);

18 (6) any procurement where no local small business is qualified or
19 able to perform the contract; or

20 (7) any single procurement that is estimated to exceed \$10 million.

21 **Sec. 2. Expedited Effective Date.**

22 The Council declares that this legislation is necessary for the immediate
23 protection of the public interest. This Act takes effect on the date on which it
24 becomes law.

25 *Approved:*

26

Philip M. Andrews, President, County Council

Date

27 *Approved:*

28

Isiah Leggett, County Executive

Date

29 *This is a correct copy of Council action.*

30

Linda M. Lauer, Clerk of the Council

Date