

MHBE Board Meeting  
November 18, 2019

## Procurement Policies & Procedures Review

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# Procurement Policies and Procedures

- Presentation of proposed modifications to PP&P Document for board approval
  - Revision to address Office of Legislative Affairs FY14-17 audit finding that no minimum solicitation period was defined
  - Add a Method of Procurement (ICPA)
  - Revision of Contract Approval Process

# Proposed Changes to MHBE Procurement Policies and Procedures

## Section II A. Competitive Sealed Bidding

### New Language:

3. Each invitation for bids shall be published on eMaryland Marketplace **Advantage** and the website of the Exchange **for a minimum of fourteen (14) to twenty-one (21) calendar days, at the Procurement Officer's discretion, to meet agency need**, and shall be advertised in any other reasonable manner that would promote competition and transparency in the procurement process as determined by the Executive Director or a procurement officer designated by the Executive Director. The Executive Director or designated procurement officer may solicit bids directly from any vendor.

# Proposed Changes to MHBE Procurement Policies and Procedures

## Section II B. Competitive Sealed Proposals

### New Language:

3. Each request for proposal shall be published on eMaryland Marketplace **Advantage** and the website of the Exchange **for a minimum of fourteen (14) to twenty-one (21) calendar days, at the Procurement Officer's discretion, to meet agency need**, and shall be advertised in any other reasonable manner that would promote competition and transparency in the procurement process as determined by the Executive Director or a procurement officer designated by the Executive Director. The Executive Director or designated procurement officer may solicit proposals directly from any vendor.

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## Section II G. Intergovernmental Cooperative Purchasing Agreement

### Procurement Contract Provision Regarding Participation by Other Entities

#### New Language:

4. 1. Except, as provided in paragraph (2) of this subsection, each procurement contract for supplies or services entered into by MHBE shall include a provision that facilitates other State and local entities and nonprofit entities to participate in the contract.
2. (a) This section does not apply to (1) a procurement for a rental property lease or other unique purchase; or (2) a procurement with a projected value less than \$100,000.  
(b) This section does not apply if the designated procurement officer determines that including the provision would:
  - (1) undermine the desired timing of the procurement;
  - (2) interfere with MHBE's ability to meet the minority business enterprise (MBE) goals provided under Paragraph IV of the Permanent Procurement Policies; or
  - (3) not in the best interest of MHBE

# Proposed Changes to MHBE Procurement Policies and Procedures

## Section III Contract Approval Authority and Reporting Requirements

### New Language

- B. Where master contracting has been utilized, task orders valued at over \$200,000 will be approved by the Finance and Audit Sub-Committee as delegated by the Board of Trustees.
  
- F. The Executive Director shall report to the Board of Trustees, at the next regular meeting of the Board following (a) the award of any contract **or task order** above \$25,000 and (b) the award of any contract valued at \$10,000 or more where a noncompetitive method of source selection has been utilized.

## Request to Approve Changes

MHBE requests the Board's approval to accept the proposed changes to the Permanent Procurement Policies and Procedures.

# Questions & Answers