For Internal Use Only



BALTIMORE CITY COUNCIL COMMITTEE OF THE WHOLE

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Committee of the Whole is to meet, discuss and study matters that have particular interest to the City as a whole and to its citizens.

The Honorable Nick J. Mosby Chairman

PUBLIC HEARING

MONDAY, FEBRUARY 05, 2024 2:01 PM

COUNCIL CHAMBERS

Resolution 23-0205R

Investigative Hearing – Procurement in Baltimore City

CITY COUNCIL COMMITTEES

ECONOMIC AND COMMUNITY DEVELOPMENT

Sharon Green Middleton, Chair John Bullock - Vice Chair Mark Conway Ryan Dorsey Antonio Glover Odette Ramos Robert Stokes

Staff: Anthony Leva (410-396-1091)

WAYS AND MEANS (W&M)

Eric Costello. Chair Kristerfer Burnett Ryan Dorsey Danielle McCray Sharon Green Middleton Isaac "Yitzy" Schleifer Robert Stokes

Staff: Marguerite Currin (443-984-3485)

PUBLIC SAFETY AND GOVERNMENT **OPERATIONS (SGO)**

Mark Conway - Chair Kristerfer Burnett Zeke Cohen Erick Costello Antonio Glover Phylicia Porter Odette Ramos

Staff: Anthony Leva (410-396-1091)

FINANCE AND PERFORMANCE (FP)

John Bullock, Chair Eric Costello, Vice Chair Isaac "Yitzy" Schleifer Danielle McCray Phylicia Porter

Staff: Marguerite Currin (443-984-3485)

COMMITTEE OF THE WHOLE (COW)

President Nick Mosby, Chair All City Council Members

Staff: Larry Greene (410-396-7215)

EDUCATION, WORKFORCE, AND YOUTH (EWY)

Robert Stokes – Chair John Bullock Zeke Cohen Antonio Glover Sharon Green Middleton Phylicia Porter

James Torrence

Staff: Deontre Hayes (410-396-1260)

HEALTH, ENVIRONMENT, AND TECHNOLOGY (HET)

Danielle McCray - Chair John Bullock Mark Conway Ryan Dorsey Phylicia Porter James Torrence Isaac "Yitzy" Schleifer

Staff: Deontre Hayes (410-396-1260)

RULES AND LEGISLATIVE OVERSIGHT (OVERSIGHT)

Isaac "Yitzy" Schleifer, Chair Kristerfer Burnett Mark Conway Eric Costello Sharon Green Middleton Odette Ramos James Torrence

Staff: Richard Krummerich (410-396-1266)

LEGISLATIVE INVESTIGATIONS (LI)

Eric Costello, Chair Sharon Green Middleton, Vice Chair Isaac "Yitzy" Schleifer Robert Stokes Danielle McCray

Staff: Marguerite Currin (443-984-3485)

Effective: 08/21/23 Revised: 10/03/23

CITY OF BALTIMORE

VVEFFON M. SCOTT, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREGORE, Director 415 City Hall, 100 N. Holliday Street Baltimore, Maryland 21202 419-396-7215 / Fax: 410-545-7596 cmail: harry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee of the Whole

Resolution: 23-0205R

Investigative Hearing – Procurement in Baltimore City

Sponsor:

Councilmember Conway, et al

Introduced:

December 4, 2023

Purpose:

For the purpose of establishing the boundaries of the Council Districts for the election of members of the Baltimore City Council

Effective: On the date it is enacted.

Agency Reports

Law Department	None as of this writing
Department of Finance	None as of this writing

Analysis

Current Law

<u>Baltimore City Code</u>, Article 5, Section 7 – <u>Finance</u>, <u>Property & Procurement</u> - outlines the rules, regulations, and mandates for procurement.

Background

<u>The Department of Finance, Administration</u>, is responsible for the overall fiscal strategy and fiscal management of the City, which includes overseeing the City Budget process and holding the internal Bureaus - Budget and Management Research, Revenue Collections, Procurement, Accounting, Payroll Services, Treasury Management, and the Office of Risk Management - accountable for their performance. The Office also coordinates all human resources activities within the department; manages the combined charity management contract; performs management analysis; and executes initiatives with other City agencies to improve the efficiency and effectiveness of government.

The Bureau of Procurement (BOP) offers City agencies a professional procurement practice for the purchase of goods and services to be used in City operations and capital improvements. The use of a centralized purchasing system is mandated by the City Charter and includes the procurement of all goods and services required by City agencies, with the exception of public works and professional services. Each fiscal year, the service contracts for goods and services valued at approximately \$500 million.¹

<u>The Bureau of Procurement consists of three divisions</u> – Procurement, Property Disposal, and Printing & Reprographic Service – all of which report directly to the <u>City Purchasing Agent: Adam Manne (Chief Procurement Officer)</u>. The mission of the Bureau is to be the strategic partner of all City agencies, providing them with the best commodities and services at the best value, in order to meet their operational goal to serve the citizens, while advancing the City's objectives of transparency, fairness, social inclusion and sustainability.²

In order to bid on any solicitation with the Bureau of Procurement (BOP), potential bidders must register as a supplier in the Workday system.³

The BOP works closely with the <u>Mayor's Office of Small and Minority Business Advocacy & Development (baltimorecity.gov)</u> to ensure contracts include MBE/WBE participation.⁴

Procurement training for <u>city employees</u> is offered every **fourth Tuesday** of the month from 10 AM TO 12 PM; Procurement 101 training.⁵

See attached:

- History Bureau of Procurement
- Fiscal Year 2024 Budget Procurement, Surplus Property Disposal and Printing Services

On Monday, February 5, 2024, pertinent agency representatives will come before the Committee of the Whole to brief the Council on procurement practices with regard to the impact on the effectiveness of the City's overall procurement process; to include discussion of potential problems identified within these processes and solutions to improve the City's bidding and procurement.

Additional Information

Fiscal Note: None

Information Source(s): City Code, Bureau of Procurement website, and Resolution 23-0205R.

¹ Fiscal Year 2024 Budget Book

² Bureau of Procurement website and organization chart.

³ Ibid

⁴ Ibid

⁵ Ibid

Direct Inquiries to: (443) 984-3485

Analysis by: Larry Greene Analysis Date: February 1, 2024

History – Bureau of Procurement

Over the past two hundred years, the purchasing function of the City of Baltimore has been performed in many diverse ways, each agency originally having the authority to place their requirement orders as they saw fit.

In a special session of the Board of Estimates on September 4, 1913, the then Comptroller, Mr. James F. Thrift, received permission to appoint Mr. Charles Wilson to the position of Purchasing Agent.

An article appearing in the publication "MUNICIPAL JOURNAL" stated that: "The new Storekeeper's Department to be put into operation in 1914 has been established. This promises to be a money—saver to the City as the result of systematized and standardized buying of supplies in bulk instead of by individual departmental action. The establishment of such a bureau has been a hobby of the Mayor, he considers it - business-like."

A subsequent article describes an apparent "first inventory" in the City, conducted by Mr. Wilson, showing the various agencies having approximately \$162,815.00 worth of common items scattered throughout their warehouses, as of March 1, 1914.

An especially appointed committee had reported on the standardization of certain materials and that on and after May 15, 1914, all departments of the city would be required to purchase the following materials from the Storekeepers' supply:

Long-handled shovels; Short handled shovels; Picks; Pick handles; Lanterns and globes; Nails, all weights; Soap, all grades; Corn brooms; Mops and handles; Rattan Brooms, 16 inches; Toilet Paper

The first official request for sealed proposals for General Supplies by the Storekeeper was formally advertised to be opened on July 15, 1914, for paints, oils, soap, pipe and pipe fittings.

A subsequent article appeared in the Journal giving a summary of the last six month's activity for the City's Storekeeper's Department, which under an expansion role had saved the City approximately \$2,246.09 on purchases made in the last five months and with a new form introduced during this period, an additional \$432.89 saved in discounting of bills.

At that time the Storekeeping Department consisted of: the Storekeeper, one driver, and one laborer: the total annual salary was \$2,444.00.

In July 1913, the Mayor informed all department heads that he was having the Storekeeper report directly to him to assure their compliance with the new procedures.

In 1916, the Board of Estimates appointee Mr. Philip W. Tucker, City Purchasing Agent, reporting directly to the Board of Awards, and requiring that all contracts for \$500.00 and over be subject to the Board of Awards' approval and that they must be solicited competitively. The Board of Awards was to exercise supervisory control over smaller purchases which must be processed through the City Purchasing Agent.

In April, the City Purchasing Agent introduced the use of the Daily Bulletin System of posting prominently in the City Hall, the requirements of certain commodities, and the specific days of their purchase. In June of the same year, the Mayor appointed a select committee to standardize the City's common item requirements.

1918 saw the preparation and acceptance of the revisions to the City Charter including the formulation of the bidding procedures which for the most part, prevailed to date.

The purchasing functions continued under the aegis of the Board of Awards until 1927 when it was recreated as a separate agency titled "The Central Purchasing Bureau".

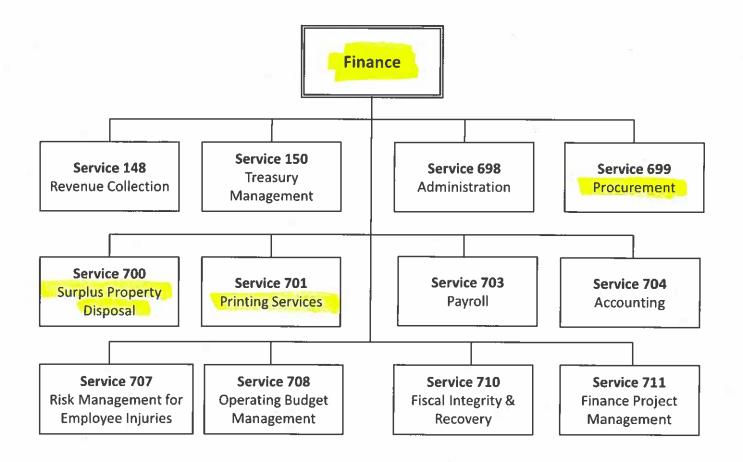
As a result of the 1964 revision of the City Charter, which redefined the City's General Powers (Art. I), it also created the Department of Finance.

The Bureau of Purchases was then made a responsibility of the Department of Finance, by empowering the Director — "to appoint such assistants and employees as may be provided for in the Ordinances of Estimates and shall perform the duties and exercise the powers which are herein or may hereafter be imposed or conferred upon the Department of Finance."

This has been the authority for the origin of the Bureau of Purchases as it now exists, through various Charter amendments.

The provisions of the City Charter Article VII, chapter 14, sub-paragraphs (a), (b), (c) and (d) which relate to Purchasing, in essence, conveys the authority (Laws of Agencies) that are now being exercised by the Department of Finance and the delegation of those powers and duties as outlined by the Director, were passed on to the Bureau of Purchases. It is under these that the Bureau of purchases now functions."

Excerpt from "A Brief Resume of the History of the Bureau of Purchases," Bureau of Purchases Manual, Systems and Procedures" 1988.



Service 699: Procurement

This service offers City agencies a professional procurement practice for the purchase of goods and services to be used in City operations and capital improvements. The use of a centralized purchasing system is mandated by the City Charter and includes the procurement of all goods and services required by City agencies, with the exception of public works and professional services. Each fiscal year, the service contracts for goods and services valued at approximately \$500 million.

	Fiscal 2022	2 Actual	Fiscal 2023	Budget	Fiscal 2024 Budget	
Fund Name	Dollars	Positions	Dollars	Positions	Dollars	Positions
General	3,230,515	28	4,363,093	28	4,154,949	29
Internal Service	170,345	3	212,486	3	208,472	3
Total	3,400,860	31	4,575,579	31	4,363,421	32

Performance Measures

		Fiscal 2019	Fiscal 2020	Fiscal 2021	Fiscal	2022	Fiscal 2023	Fiscal 2024
Туре	Measure	Actual	Actual	Actual	Target	Actual	Target	Target
Effectiveness	# of vendors registered	22,362	21.413	21,784	22,000	25,239	25,000	25,500
Effectiveness	% of purchase orders issued meeting benchmark timeframes	89%	91%	93%	90%	89%	90%	90%
Outcome	# of bids per formal solicitation	3	2	3	5	4	5	5
Output	# of employees and city vendors trained	209	673	314	300	138	300	300
Output	# of purchase orders issued	23,894	23,822	18,515	30,000	17,526	20,000	17,500

^{• &}quot;# of bids per formal solicitation" is a measure of the Bureau's success in generating competition on the City's contracts, with more bids generally leading to better pricing.

Major Operating Budget Items

- The budget assumes an additional \$150,000 in savings from staff turnover and vacancies based on recent trends.
- The recommended budget maintains the current level of service.

Change Table - General Fund

Changes or adjustments	Amount
Fiscal 2023 Adopted Budget	4,363,093
Changes without service impacts	
Increase in employee compensation and benefits	5,024
Change in active employee health benefit costs	34,611
Change in pension contributions	(12,275)
Change in allocation for workers' compensation expense	1,008
Change in cost transfers to capital budget, to/from other funds, and reimbursed expenses	(10,273)
Decrease in contractual services expenses	(119,189)
Decrease in operating supplies, equipment, software, and computer hardware	(15,635)
Increase the assumed savings from vacancies and staff turnover	(150,000)
Transfer Accounting Assistant II position from Service 702: Accounts Payable	` 58,585
Fiscal 2024 Recommended Budget	4,154,949

Service 699 Budget: Expenditures

	*	Actual	Bud	get
Object Object		Fiscal 2022	Fiscal 2023	Fiscal 2024
0 Transfers		(445,018)	(342,436)	(352,709)
1 Salaries		2,137,825	2,970,110	2,867,297
2 Other Personnel Costs		897.102	869,722	904.257
3 Contractual Services		770,010	1,007,655	888,466
4 Materials and Supplies		4,318	24,949	10,000
5 Equipment - \$4,999 or less		25,393	17,710	17,125
7 Grants, Subsidies and Contributions		11,230	27,869	28,985
Total		3,400,860	4,575,579	4,363,421

		Actual	Budget		
Activity	Fiscal 2022	Fiscal 2023	Fiscal 2024		
001 Procurement Total		3,400,860 3,400,860	4,575,579 4,575,579	4,363,421 4,363,42 1	

Service 699 Budget: Salaries and Wages for Permanent Full-Time Funded Positions

		Fiscal 2024 Budget			Changes	
Count	Amount	Count	Amount	Count	Amount	
3	340,208	3	369,453	0	29,245	
1	134,404	1		0	24,662	
1		1		0	(10,849)	
1	71,091	1	73,253	0	2,162	
1	104,868	1	105,938	0	1,070	
1	106,078	1	109,304	0	3,226	
1	77,544	1	79,903	0	2,359	
1	68.866	1	70.960	0	2,094	
2		2		_	(6,883)	
1		1		ŏ	182	
4		4		Ō	12,901	
6	564.231			0	18,812	
	337,093		•	0	7,851	
1		1		0	2,792	
1		1		0	49,95	
0	0	1		1_	34,750	
28	2,457,912	29	2,632,247	1	174,335	
1	37.389	1	36.834	0	(555)	
2		2			(2,905)	
3	148,826	3	145,366	0	(3,460)	
			- E			
31	2,606,738	32	2,777,613	1	170,875	
	3 1 1 1 1 1 1 2 1 4 6 3 1 1 0 28	3 340,208 1 134,404 1 162,321 1 71,091 1 104,868 1 106,078 1 77,544 1 68,866 2 82,111 1 37,389 4 242,661 6 564,231 3 337,093 1 91,841 1 37,206 0 0 28 2,457,912	3 340,208 3 1 134,404 1 1 162,321 1 1 71,091 1 1 104,868 1 1 106,078 1 1 77,544 1 1 68,866 1 2 82,111 2 1 37,389 1 4 242,661 4 6 564,231 6 3 337,093 3 1 91,841 1 1 37,206 1 0 0 1 28 2,457,912 29	3 340,208 3 369,453 1 134,404 1 159,066 1 162,321 1 151,472 1 71,091 1 73,253 1 104,868 1 105,938 1 106,078 1 109,304 1 77,544 1 79,903 1 68,866 1 70,960 2 82,111 2 75,228 1 37,389 1 37,571 4 242,661 4 255,562 6 564,231 6 583,043 3 337,093 3 344,944 1 91,841 1 94,633 1 37,206 1 87,161 0 0 1 34,756 28 2,457,912 29 2,632,247	3 340,208 3 369,453 0 1 134,404 1 159,066 0 1 162,321 1 151,472 0 1 71,091 1 73,253 0 1 104,868 1 105,938 0 1 106,078 1 109,304 0 1 77,544 1 79,903 0 1 68,866 1 70,960 0 2 82,111 2 75,228 0 1 37,389 1 37,571 0 4 242,661 4 255,562 0 6 564,231 6 583,043 0 3 337,093 3 344,944 0 1 91,841 1 94,633 0 1 37,206 1 87,161 0 0 0 1 34,756 1 28 2,457,912 29 2,632,247 1	

Service 700: Surplus Property Disposal

This service offers City agencies a professional service for the proper disposition of surplus property. The use of a centralized surplus property system is required by the City Charter.

Fund Name	Fiscal 2022	2 Actual	Fiscal 2023	Budget	Fiscal 2024 Budget		
	Dollars	Positions	Dollars	Positions	Dollars	Positions	
Special	137,389	2	163,120	2	166,701	2	
Total	137,389	2	163,120	2	166,701	2	

Performance Measures

		Fiscal 2019	Fiscal 2020	Fiscal 2021	Fiscal	2022	Fiscal 2023	Fiscal 2024
Туре	Measure	Actual	Actual	Actual	Target	Actual	Target	Target
Outcome Output	\$ generated annually # of auctions hosted	\$584,505 0	\$964,595 208	\$1,646,769 129	\$1,500,000 240	\$3,483,260 104	\$2,500,000 240	\$2,500,000 104

Auctions for City-owned vehicles were paused due to COVID-19 from March 2020 to April 2022. When auctions resumed, the City saw higher than anticipated receipts for "\$ generated annually" in Fiscal 2022.

Major Operating Budget Items

· The recommended budget maintains the current level of service.

Service 700 Budget: Expenditures

Object	Actual	Budget		
	Fiscal 2022	Fiscal 2023	Fiscal 2024	
1 Salaries	65,947	108,888	111,348	
2 Other Personnel Costs	56,585	47,800	48,685	
3 Contractual Services	11,739	2,427	2,524	
4 Materials and Supplies	. 0	1,213	1,213	
5 Equipment - \$4,999 or less	1,390	994	1,061	
7 Grants, Subsidies and Contributions	1.728	1,798	1.870	
Total	137,389	163,120	166,701	

Activity	Actual	Budget		
	Fiscal 2022	Fiscal 2023	Fiscal 2024	
001 Surplus Property Disposal Total	137,389 137,389	163,120 163,120	166,701 166,701	

Service 700 Budget: Salaries and Wages for Permanent Full-Time Funded Positions

Civilian Positions	Fiscal 2023 Budget		Fiscal 2024 Budget		Changes	
	Count	Amount	Count	Amount	Count	Amount
Special Revenue Fund						
31192 Program Coordinator	1	67,635	2	111,348	1	43,713
33541 Property Disposal Assistant	1	41,253	0	0	-1	(41,253
Fund Total	2	108,888	2	111,348	0	(41,253 2,46 6
Civilian Position Total Civilian Position Total	2	108,888	2	111,348	0	2,460

Service 701: Printing Services

This service is an Internal Service Fund operation supplying document services to the City of Baltimore government. The services offered to City agencies and the Baltimore City Public School System are professional graphic design, printing, copying, document scanning, data center printing, and forms distribution.

	Fiscal 2022	Actual Fiscal 2023 Bud		Budget	udget Fiscal 2024 Budget		
Fund Name	Dollars	Positions	Dollars	Positions	Dollars	Positions	
Internal Service	2,924,333	17	3,783,738	17	3,143,971	17	
Total	2,924,333	17	3,783,738	17	3,143,971	17	

Performance Measures

		Fiscal 2019	Fiscal 2020	Fiscal 2021	Fiscal	2022	Fiscal 2023	Fiscal 2024
Туре	Measure	Actual	Actual	Actual	Target	Actual	Target	Target
Efficiency Efficiency	% cost recovery Average # of days for print job	102% 4	91% 5	91% 3	100% 10	99% 3	100% 3	100%
Output	turnaround # of billable jobs	14,495	12,411	12,477	15,000	14,073	12,500	14,000

[•] This service exceeded the Fiscal 2022 target for "Average # of days for print job turnaround" due to newly-purchased digital equipment, which has reduced turnaround times for digital requests to only 1-2 days.

Major Operating Budget Items

The recommended budget maintains the current level of service.

Service 701 Budget: Expenditures

1 =	Actual	Budget		
Object	Fiscal 2022	Fiscal 2023	Fiscal 2024	
1 Salaries	804,578	880,542	888,438	
2 Other Personnel Costs	278,019	342,438	298,354	
3 Contractual Services	1,172,650	1,239,959	1,248,151	
4 Materials and Supplies	646,636	1,292,815	679,582	
5 Equipment - \$4,999 or less	11,588	12,701	13.551	
7 Grants, Subsidies and Contributions	10.862	15.283	15.895	
Total	2,924,333	3,783,738	3,143,971	

	Actual	Budget		
Activity	Fiscal 2022	Fiscal 2023	Fiscal 2024	
001 Printing Services	2,924,333	3,783,738	3,143,971	
Total	2,924,333	3,783,738	3,143,971	

Service 701 Budget: Salaries and Wages for Permanent Full-Time Funded Positions

	Fiscal 2023 Budget Fisca		Fiscal 2	iscal 2024 Budget		Changes	
Civilian Positions	Count	Amount	Count	Amount	Count	Amount	
iternal Service Fund				X.			
33188 Document Imaging Manager	1	64,545	1	63,587	0	(958	
33213 Office Support Specialist III	1	42,226	1	41,651	0	(575	
34133 Accounting Assistant III	1	41,456	1	42,311	0	85	
52514 Desktop Publishing Coordinator	1	62,719	1	61,788	0	(931	
52537 Print Shop Manager	1	91,659	1	94,409	0	2,750	
52542 Bindery Worker II	1	43,622	1	43,028	0	(594	
52543 Bindery Worker III	1	47,062	1	46,364	0	(698	
52551 Graphic Print Operator	4	147,803	4	159,243	0	11,44	
52553 Offset Press Operator II	1	68,285	1	67,272	0	(1,013	
52555 Copy Center Supervisor	1	66,373	1	65,387	0	(986	
52591 Printing Planner Estimator II	1	58,391	1	57,524	0	(867	
52941 Laborer	1	39,047	1	38,540	0	(507	
73112 Graphic Artist II	2	97,091	2	96,766	0	(325	
Fund Total	17	870,279	17	877,870	0	7,59 ⁻	
ivilian Position Total			///				
Civilian Position Total	17	870,279	17	877,870	0	7,59	

CITY OF BALTIMORE COUNCIL BILL 23-0205R (First Reader)

Introduced by: Councilmember Conway, President Mosby, and Councilmembers Ramos, Porter, Cohen, Burnett, Middleton, Bullock, and Costello Introduced and read first time: December 4, 2023

Assigned to: Finance and Performance Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance

A RESOLUTION ENTITLED

1	A COUNCIL RESOLUTION concerning
2	Investigative Hearing - Procurement in Baltimore City
3 4 5 6 7	FOR the purpose of inviting the Bureau of Procurement, the Department of Finance, and the Bureau of Budget and Management Research to brief the City Council on procurement practices in Baltimore City with regard to their impact on the effectiveness of the City's procurement process, including a discussion of potential problems identified within these processes, and solutions to improve City bidding and procurement.
8	Recitals
9 10	WHEREAS , Baltimore is a modern city which relies on the procurement of project vendors through bidding;
11 12 13	WHEREAS , procurement is the process by which a City agency identifies a need, publishes a solicitation for vendors, reviews bids, selects a vendor, negotiates and signs a contract with the selected vendor, and begins the project related to the original need;
14 15 16	WHEREAS , the City's procurement system is ineffective and presents several problems, such as the low-bidder system of selecting vendors, the length of time it takes to procure a vendor, and prioritization of procurement requests;
17 18	WHEREAS, Baltimore deserves a procurement system that allows for efficient projects, reasonable costs, and a variety of bidders to choose from;
19 20 21	WHEREAS , the City needs to engage in a discussion about its inefficient procurement process and the impact it has the value of projects procured in the City, and identify solutions for the problems within the system in order to adopt an updated approach to bidding and procurement
22 23 24 25 26 27	Now, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the City Council invites the Bureau of Procurement, the Department of Finance, and the Bureau of Budget and Management Research to brief the City Council on procurement practices in Baltimore City with regard to their impact on the effectiveness of the City's procurement process overall, including a discussion of potential problems identified within these processes, and solutions to improve City bidding and procurement.

EXPLANATION: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law.

Council Bill 23-0205R

1	AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Chief
2	Procurement Officer of the Bureau of Procurement, the Director of Finance, the Budget Director
3	of the Bureau of Budget and Management Research, and the Mayor's Legislative Liaison to the
4	City Council.