

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

June 4, 2010

Honorable President and Members
of the City Council of Baltimore
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Attn: Karen Randle
Executive Secretary

Re: City Council Bill No. 10-0499 – Charter Amendment - Procurement

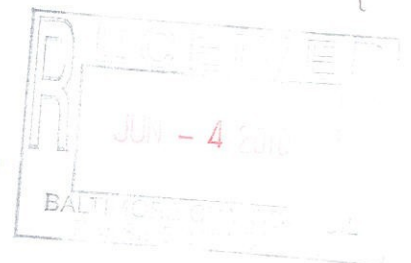
Dear President and City Council Members:

You have requested the advice of the Law Department regarding City Council Bill 10-0499. City Council Bill 499 establishes new procedures for establishing and modifying certain bid threshold amounts, bid and performance requirements, advertising requirements, award criteria, and other matters governing procurement. The bill provides for the City Council to set the bidding thresholds for contracts that must be formally advertised and contracts that must be approved by the Board of Estimates and provides for the initial thresholds to be set by the Board of Estimates pending action by the City Council. It alters the advertising requirements to allow for publication in one newspaper of general circulation and electronic publication. The bill clarifies the standard for awards pursuant to requests for proposals to the highest scoring responsive and responsible bidder. The bill modifies the procedures with regard to bid and performance bonds.

Article XI-A, Sec. 5 of the Maryland Constitution provides that an amendment to the Baltimore City Charter may be proposed by a resolution of the Mayor and City Council. Accordingly, City Council Bill 10-0499 is consistent with the authority of the City Council to initiate a Charter amendment. The Law Department, therefore, approves the City Council Bill 09-0499 for form and legal sufficiency.

Sincerely yours,

Elena R. DiPietro
Chief Solicitor



cc: Honorable Bernard C. Young
Angela Gibson
George Nilson, City Solicitor
Ashlea Brown
Hilary Ruley
Terese Brown