



BILL SYNOPSIS

Committee: Public Safety and Government Operations

Bill 21-0070

Required Market Research

Sponsor: Councilmember Burnett

Introduced: April 19, 2021

Purpose:

For the purpose of requiring contracting agencies to conduct market research investigations before determining that no qualified certified business enterprises are available to enter into leases or concession contracts...

Effective: On the 30th day after enactment.

Agency Reports

Department of Finance	Favorable
MWBOO - Law	
Department of Law	
MWOBD – Mayor’s Office	
Labor Commissioner	

Analysis

By adding:

Article V – Finance, Property, and Procurement; Section 28-1(k-1); Baltimore City Code (Edition 2000)

By repealing and re-ordaining, with amendments:

Article V – Finance, Property, and Procurement; Section 28 – 49(c), 28 – 61, and 28 – 64; Baltimore City Code (Edition 2000)

Background

“Market research” refers to examining relevant information to find available goods, services, construction and sources of supply, which may meet identified critical business requirements. During the market research phase of the procurement lifecycle is where the vast majority of decisions are made about the procurement, and where the key components necessary to manage the contract after award are incorporated prior to solicitation.

While an exhaustive review of information on a supply may not be feasible or practical, the goal of market research is to identify a variety of potential sources of that supply. During this process the members of a Procurement Team may have requisite knowledge of a particular area, but that should not be the only information used in the decision-making process. Procurement teams should conduct an appropriate level of market research by accessing informational resources such as the internet, industry organizations, consultant reviews, advertisements, cooperative procurement entities, or industrial publications, and their colleagues from other jurisdictions. Studying various offerings is essential to developing a solicitation that is not biased in favor of a single source of supply or otherwise reducing the pool of suppliers capable of meeting the city’s critical business requirements.

Understanding the Market Research Process:

1. Perform Market Research;
2. Issue a Request for Information (if required or useful);
3. Host an Industry Day (if needed);
4. Develop Internal Government Cost Estimate;
5. Determine Contract Type;
6. Update Procurement Strategy Plan;
7. Finalize Specifications/Statement of Work; and
8. Develop Proposal Evaluation Strategy (Request for Proposal only).

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports, Market Research – State Procurement Wizard

Analysis by: Samuel Johnson
Analysis Date: June 21, 2021

Direct Inquiries to: (410) 396-1091