File #: 06-0222R, **Version:** 0

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL R
(Resolution)

Introduced by: Councilmember Harris

A RESOLUTION ENTITLED

A COUNCIL RESOLUTION concerning
Informational Hearing - Baltimore City Public School System - Contracts

FOR the purpose of requesting the Chair, Baltimore City Board of School Commissioners and the CEO, Baltimore City Public School System to report to the City Council on the system's procurement process, the use of emergency contracts to conduct routine business, and the under-utilization of the competitive bidding process and other sound procurement practices that would contribute to the better allocation of limited fiscal resources.

Recitals

According to a recently published review by a major Baltimore newspaper, " the Baltimore school board is regularly resorting to the use of emergency contracts to conduct routine business, potentially costing taxpayers hundreds of thousands of dollars and raising new concerns about financial controls 2 1/2 years after a budget crisis."

The review led to allegations that while school officials claimed that the use of emergency contracts was needed to comply with state and federal mandates, including the downsizing of the system, the need for summer renovations to the receiving schools accounted for only 11 of 21 emergency contracts approved between March and September and only $6.6 million of the $19 million spent.

The school system's procurement director was quoted as saying that situations that fall under the emergency contracting policy are those that affect public health, safety, and welfare of the school system, such as delivery of special education services, the delivery of meals, but for the most part deal with acts of nature. The review alleges that none of the contracts let since last March fit that category but dealt instead with routine items such as setting up e-mail accounts for new teachers.

Under state law, in emergency situations, the school system is authorized to allow contractors to begin work before the school board approves the contract. In the 2 instances cited as not meeting that criteria, the board approved a emergency contract for $321,545 for a reading test that had already been administered to students despite meeting 4 times between the time of the March directive and the May testing. In the other instance, the board approved an emergency contract on July 27, for staff workshops at a charter school that had begun June 19.

Other instances of alleged improper procurement practice concern the practice of allowing regular contracts for items ranging from computer software, to school sports programs, to new teleconferencing systems, to proceed before being approved by the school board that under state law has the responsibility of overseeing the procurement of goods and services by the Baltimore City Public School system, notwithstanding any provisions of local law.

Although the State has taken over the management of the Baltimore City School System, our children continue to attend those schools. We have a vested interest in assuring that the limited resources allotted to our school system for the education of our children is used as much as is practicable for that very purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Chair, Baltimore City Board of School Commissioners and the CEO, Baltimore City Public School System are requested to report to the City Council on the system's procurement process, the use of emergency contracts to conduct routine business, and the under-utilization of the competitive bidding process and other sound procurement practices that would contribute to the better allocation of limited fiscal resources.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Honorable Chairs and Members of the Baltimore City Senate and House Delegations to the Maryland General Assembly, the Chair and Members of the Baltimore City Board of School Commissioners, the CEO of the Baltimore City Public School System, the Director of Finance, and the Mayor's Legislative Liaison to the City Council.

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