



Senate Bill 645

9-1-1 Board – Procurement Reform

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Education, Health, and Environmental
Affairs Committee

Date: February 17, 2021

From: Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS** SB 645 with **AMENDMENTS**. While well intentioned, the bill places unnecessary and administratively burdensome requirements on the local 9-1-1 procurement process that will delay the implementation of critical public safety enhancements.

The General Assembly has a recurring record of empowering and encouraging cooperative purchasing across governments, through legislation. These arrangements save counties time and resources, allow for purchasing in bulk to get better prices, and enable multiple jurisdictions to reap the benefits of a well-procured and fully vetted contract. All of these results translate into savings to taxpayers and more resources for vital public services. MACo values efforts to maximize use of this tool fairly and effectively.

Although the Maryland 9-1-1 Board oversees 9-1-1 services, county governments operate 9-1-1 systems and are responsible for making system enhancements required by the board. They may request reimbursement from the 9-1-1 Trust Fund for any costs related to these state-mandated enhancements to the 9-1-1 system.

This bill creates several new hurdles for substantial 9-1-1 contracts. It requires each major procurement contract for which reimbursement will be requested from the 9-1-1 Trust Fund to follow specified provisions of State procurement law, that are redundant with local procurement processes. The bill also mandates that these contracts be reviewed by a state procurement officer prior to consideration by the 9-1-1 Board.

County procurements for 9-1-1 enhancements are already subject to local procurement rules, which by law are open, transparent, and fair. In many counties, funding must be secured prior to entering contract negotiations with potential vendors. In other counties, funding must be secured prior to issuing a request for proposal from potential bidders. As such, subjecting these contracts to additional state oversight – which would delay the approval of state funds by at least two months – creates unnecessary uncertainty, and is simply untenable for county governments.

SB 645 would impede efforts to maximize use of intergovernmental purchasing so that counties can benefit from economies of scale, colleagues' procurement expertise, and improved efficiencies from piggybacking off of contracts procured using the same principles and factors relevant to multiple jurisdictions. In order to ensure timely upgrades to Maryland's 9-1-1 system, MACo suggests that the bill be amended to require a study on local 9-1-1 procurement processes.

For these reasons, MACo requests a **FAVORABLE WITH AMENDMENTS** report on SB 645.