

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: December 5, 2006

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **POLICY 7460 – NEW CONSTRUCTION: CONSTRUCTING – PURCHASES FROM MINORITY BUSINESSES**

ORIGINATOR: J. Robert Haines, Deputy Superintendent

RESOURCE PERSON(S): Barbara Burnopp, Chief Financial Officer

RECOMMENDATION

That the Board of Education approve revisions to Policy 7460 – NEW CONSTRUCTION: Constructing – Purchases from Minority Businesses. This is the first reading of this policy.

* * * * *

- Attachment I – Policy Analysis 7460
- Attachment II – Policy 7460

BOARD OF EDUCATION OF BALTIMORE COUNTY
Policy Analysis for Proposed Revised Policy 7460 –
NEW CONSTRUCTION: Constructing, Purchases from Minority Businesses

Statement of Issues Addressed By the Proposed Policy

The legal reference has been updated to correct a legal reference and remove a footnote that is no longer necessary. Unnecessary language was also removed.

Cost Analysis and Fiscal Impact on School System

No cost impact.

Relationship to Other Board of Education Policies

Policy 3200 should be updated concurrently.

Legal Requirement

§5-112 Bids, Education Article

§14-302, State Finance and Procurement Article

Similar Policies Adopted by Other School Systems

All Maryland LEA's must comply with state requirements for MBE participation on state-funded construction projects. Policy content was updated in 2001.

Draft of Proposed Policy and Rule (see attached)

Other Alternatives Considered by Staff

N/A

NEW CONSTRUCTION: Constructing

Purchases from Minority Businesses

The Board of Education of Baltimore County supports the economic and minority business development goals of the State of Maryland. Additionally, the Board believes that diversity in economic development supports the county's tax base while contributing to the overall strength of our community.

Therefore, the Board directs the Superintendent to implement procedures to facilitate the increase of minority business participation in all Board of Education/State-funded contracts [administered through designated staff, i.e., the Office of Purchasing, and the Department of Facilities, and Construction,] AND to require that State-funded school construction and/or renovation projects be contracted with an attempt to achieve the current State of Maryland's minority business procurement participation goal on each of the said contracts. The award of these contracts shall be in accordance with the law's competitive bidding procedures.

The Board directs the Superintendent to report annually on the progress toward increased participation of minority enterprises in State-funded contracts..

[All procedures shall be implemented in accordance with State law and current Board of Education policy and procedure, in particular: Section §14-302(a) of the State Finance and Procurement Article of the Annotated Code of Maryland; Section §5-110 of the Education Article of the Annotated Code of Maryland, and Board of Education policy 3210.]

[Related Policy: Policy 3200]

Legal References: *Annotated Code of Maryland*
Education Article, §5-11[0]2
State Finance and Procurement Article, §14-302[*]
COMAR 21.11.03.04

RELATED POLICIES: BOARD OF EDUCATION POLICY 3200,
PURCHASES FROM MINORITY AND SMALL
BUSINESS ENTERPRISES; 3210, PURCHASING
SERVICES, PURCHASING GUIDES

[* Statute will be abrogated on July 1, 2006.]

Policy
Adopted: 6/10/82
Revised: 9/10/96
Revised: 9/20/01
REVISED:

Board of Education of Baltimore County