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MAYOR

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HB 1353

March 8, 2022

TO: Members of the House Health and Government Operations Committee

FROM: Natasha Mehu, Director, Office of Government Relations

RE: House Bill 1353 – Omnibus Procurement Reform Act (“OPRA”) of 2022

POSITION: OPPOSE

Chair Pendergrass, Vice Chair Peña-Melnyk, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **opposes** House Bill (HB) 1353.

HB 1353 requires that local governments adhere to certain State managed procurement regulations involving contracts claims and protests when using State funds. This would significant logistical and financial hardships for the City and those who work through our procurement office.

The BCA is concerned that this bill puts restrictions on the Board of Estimates (BOE) who, per the City Charter, has the authority for all procurement in the City. This would further complicate an already complex but locally managed process with additional state-level bureaucracy. The record and reporting requirements alone would force a complete and unfunded overhaul of our local procurement system. Additionally, the new structure with Maryland State Board of Contract Appeals (MSBCA) oversight would open the City to additional legal liabilities and costs including the imposition of attorneys’ fees, expert witness fees, and consultant fees.

The bill attempts to impose a difficult to implement one-size-fits-all procurement process across all local jurisdictions in Maryland. We respectfully request an **unfavorable** report on House Bill 3235.