MEMORANDUM OF UNDERSTANDING
BETWEEN
OFFICE OF BUSINESS RELATIONS AND COMPLIANCE (OBRC)
AND
OFFICE OF HUMAN RESOURCES (OHR)

This MEMORANDUM OF UNDERSTANDING is hereby made and entered into by and between the Office of Business Relations and Compliance, hereinafter referred to as OBRC, and, Office of Human Resources, hereinafter referred to as OHR.

A. **PURPOSE**:

On February 2, 2009, the County Executive (CE) forwarded to the Council a bill to amend the Local Small Business Reserve Program (LSBRP) and establish a 20% minimum spending goal for the combined dollar value of contracts departments must award to local small businesses. The bill was one of four legislative proposals submitted by the CE to Council to implement the 1 1-point economic plan announced in December 2008.

The purpose of the legislation is to ease some of the difficulties experienced by local businesses as a result of the national economic downturn. The current economic climate impacts local small businesses disproportionately to other businesses. Increasing the percentage of contracts awarded to local small businesses, will encourage greater participation in the program and help retain existing jobs and create opportunities for new jobs.

Bill 3-09 was passed on April 28, 2009 and immediately implemented. Seven (7) of the 11 points in the CE's economic plan are LSBRP initiatives to be implemented by the departments with the assistance of the OBRC. The purpose of this MOU is to identify and document the procedural processes the OHR will implement to ensure compliance with the 20% spending goal for non exempted goods and services is achieved.

B. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:

Small businesses are the backbone of the County's economy. Contracting locally promotes increased employment, business retention, expansion, and attracts new businesses to the area. The benefits of a healthy and viable business community are; increased business and payroll taxes, business expansion and reduced social demands on the County to supply support to its citizens in the form of food stamps, subsidized medical care, transportation, housing, and crime prevention all of which results in higher taxes or reduced services. The County benefits from local contracting because the County's revenue base and the viability of local businesses are increased.

C. OFFICE OF HUMAN RESOURCES SHALL:

1. Review all contracts to identify additional contracting opportunities.
   A. **Identify** contracts under $10,000,000 for potential LSBRP solicitations:
      - Training, Developing, Customizing and Facilitation Services
      - Temporary Clerical and Administrative Support
      - Promotional Exams uniform ranks in county Public Safety Departments
      - Occupational Classification Studies
      - Individual Position classification Studies
      - Consultant and Training Services
      - Testing
      - Human Resource Consulting Services
      - Executive Search Services
      - Design and/or delivery of training in the areas of Leadership, Management, and Supervision; Professional and Personal Effectiveness; and Organizational Development Consulting and Leadership Coaching.
   B. **Review** bridge contracts for potential LSBRP solicitations (Public Entity)
   C. **Review** legacy contracts for potential LSBRP solicitations (Contracts repeatedly awarded to the same vendor)
   D. **Increase** the number of LSBRP solicitations
   E. **Remove** artificial barriers (Requirements that reduce competition)
   F. **Targeted** advertisement of solicitations through professional and trade publications
   G. **Review** contracts to determine the economic and fiscal impact that non LSBRP contracting has on the County and its businesses.

2. Submit a completed PMMD 184 exemption request form to the OBRC at least six months prior to contract expiration date for review of contracts under $10,000,000.

D. OFFICE OF BUSINESSES RELATIONS AND COMPLIANCE SHALL:

1. Provide a computerized listing of all contracts annually to the OHR for determining LSBRP contracting opportunities.
2. Review and process all PMMD's 184 judiciously.

E. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

1. PARTICIPATION IN SIMILAR ACTIVITIES. This instrument in no way restricts the OHR from participating in similar activities with other public or private agencies, organizations, and individuals to increase local business opportunities.

2. COMMENCEMENT/EXPIRATION/TERMINATION. This MOU takes effect upon the signature of the OHR and OBRC and shall remain in effect from the date of execution. This MOU may be extended or amended upon written request of either the OHR or OBRC.

3. RESPONSIBILITIES OF PARTIES. The OHR and OBRC and their respective agencies and office will handle their own activities and utilize their own resources in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.

4. PRINCIPAL CONTACTS. The principal contacts for this instrument are:

OHR Contact	*OBRC Contact*
Kaye Beckley, CCP, SPHR	Ken Taylor
Business Operations and Performance Division Manager	
Phone: 240-777-	Phone:
FAX:	FAX:
E-mail: kaye.beckley@montgomerycountymd.gov	E-mail: ken.taylor@montgomerycountymd.gov

THE PARTIES HERETO have executed this instrument.

9/13/10 9/14/2

Departmental Director Date OBRC Manager Date