

award is made, and thereafter shall be filed with the papers relating to the transaction.

(6) The purchasing agent shall have the authority to reject all bids, parts of all bids, or bids for any one or more supplies or contractual services included in the proposed contract when in his judgment the public interest will be served thereby. If two or more bidders shall be tied for the lowest bid, quality and service being equal, the contract shall be awarded to a local bidder. If there be no local bidder, or more than one local bidder, the agent shall award the contract to one of the tie bidders by drawing lots in public; or, the purchasing agent may purchase the supplies or contractual services in the open market, as provided in this subtitle, except that the price paid in the open market shall not exceed the lowest contract price submitted for the same supplies or contractual services.

(7) The purchasing agent shall award all contracts to the lowest responsible bidder not earlier than a period of seven (7) calendar days following the public opening of bids. In determining "lowest responsible bidder," in addition to price, the purchasing agent shall consider:

(a) The ability, capacity and skill of the bidder to perform the contract or provide the service required.

(b) Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.

(c) The character, integrity, reputation, judgment, experience and efficiency of the bidder.

(d) Quality of performance of previous contracts or services.

(e) The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.

(f) Whether the bidder is in arrears to the County on debt or contract or is a defaulter on surety to the County or whether the bidder's County taxes or assessments are delinquent.

(g) Such other information as may be secured by the purchasing agent having a bearing on the decision to award the contract.

(h) If the contract is not awarded to the lowest bidder in price, the purchasing agent shall make a written statement of his reasons therefor and maintain a copy of such statement in his file.

(8) Contracts for personal property sales shall be awarded by the purchasing agent to the highest responsible bidder and shall be subject to all other applicable requirements of this Section.

(9) All contracts shall be signed on behalf of the County by the County Executive or his designee. A copy of each signed contract shall be forwarded promptly to the Director of Finance. All contract forms shall be approved by the Office of Law as to form and legal sufficiency.

(10) All contracts shall contain a clause, signed by the individual, or if a corporation, an officer thereof, entering into said contract with Howard County, stating that the person signing has read and understands the provisions of Section 901(a) of the Howard County Charter dealing with Conflicts of Interest.

(11) The purchasing agent, with the approval of the County Executive, may waive formalities in bids as the interest of the County may require.