

THAT THE MONTGOMERY COMMISSION HAS COMPLIED WITH §§ 16-404 AND 16-405 OF THIS SUBTITLE.

16-404.

(A) THE EXECUTIVE DIRECTOR MAY NOT CERTIFY THAT THE MONTGOMERY COMMISSION HAS COMPLIED WITH THE REQUIREMENTS OF THIS SUBTITLE UNLESS THE MONTGOMERY COMMISSION:

(1) HAS TAKEN STEPS TO CONSIDER ALTERNATIVES TO THE SERVICE CONTRACT, INCLUDING REORGANIZATION, REEVALUATION OF SERVICE, AND REEVALUATION OF PERFORMANCE;

(2) HAS CONSULTED WITH THE CERTIFIED REPRESENTATIVE OF ANY MONTGOMERY COMMISSION EMPLOYEES WHO WILL BE ADVERSELY AFFECTED IF THE MONTGOMERY COMMISSION ENTERS INTO THE SERVICE CONTRACT; AND

(3) HAS DEMONSTRATED, BASED ON A COST COMPARISON ANALYSIS UTILIZING GOOD FAITH ESTIMATES, THAT THE MONTGOMERY COMMISSION WILL SAVE, BY ENTERING INTO A SERVICE CONTRACT, AT LEAST AN AMOUNT EQUAL TO THE LESSER OF \$200,000 OR 20% OF THE ESTIMATED NET PRESENT VALUE OF THE COST OF THE SERVICE CONTRACT.

(B) THE MONTGOMERY COMMISSION SHALL ESTIMATE AND COMPARE AT LEAST THE FOLLOWING IN THE COST COMPARISON ANALYSIS:

(1) DIRECT COSTS, INCLUDING FRINGE BENEFITS AND THE ASSUMPTION THAT THE CONTRACTOR WILL PAY EMPLOYEES WHO PERFORM WORK UNDER THE SERVICE CONTRACT, AT A MINIMUM, THE COUNTY LIVING WAGE RATE FOR MONTGOMERY COUNTY;

(2) INDIRECT OVERHEAD COSTS PROPERLY ALLOCABLE TO THE BARGAINING UNIT WORK OR SERVICE CONTRACT ACCORDING TO GENERALLY ACCEPTED ACCOUNTING PRINCIPLES; AND

(3) ANY COSTS ASSOCIATED WITH UNEMPLOYMENT COMPENSATION OR OUTPLACEMENT ASSISTANCE FOR DISPLACED EMPLOYEES.

16-405.