

(ii) The bid from the Maryland firm does not exceed the bid from the nonresident firm by more than 2 percent.

(3) A Maryland firm desiring the preference provided by this subsection shall claim the preference when the Maryland firm submits its bid.]

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "MARYLAND FIRM" MEANS A BUSINESS ENTITY THAT HAS ITS PRINCIPAL OFFICE IN THE STATE.

(3) "NONRESIDENT FIRM" MEANS A BUSINESS ENTITY THAT HAS ITS PRINCIPAL OFFICE OUT OF THE STATE.

~~(B) WHEN--A--STATE--AGENCY--AWARDS--A--CONTRACT--BASED---ON COMPETITIVE--BIDDING,--THE--STATE--AGENCY--SHALL--ACCEPT--THE--LOWEST RESPONSIVE--AND--RESPONSIBLE--BID--FROM--A--MARYLAND--FIRM--OVER--A--BID FROM--A--NONRESIDENT--FIRM--IF--THE--BID--FROM--THE--MARYLAND--FIRM--DOES NOT--EXCEED--THE--BID--FROM--THE--NONRESIDENT--FIRM--BY--MORE--THAN--5 PERCENT--IN--THE--AWARD--OF--A--COMPETITIVE--BIDDING--CONTRACT--BY--A--STATE AGENCY,--IF--THE--LAWS--OF--ANOTHER--STATE--IN--WHICH--A--NONRESIDENT--FIRM HAS--ITS--PRINCIPAL--OFFICE--ALLOW--THE--NONRESIDENT--FIRM--OF--THAT--STATE A--PREFERENCE--MEASURED--BY--A--PERCENTAGE--OF--THE--DIFFERENCE--OF--THE BID--SUBMITTED--BY--SUCH--A--NONRESIDENT--FIRM,--A--LIKE--PREFERENCE--MAY BE--ALLOWED--TO--THE--LOWEST--RESPONSIBLE--AND--RESPONSIVE--BID--OF--A MARYLAND--FIRM.~~

(1) WHEN AWARDING A CONTRACT BY COMPETITIVE BIDDING, A PROCUREMENT AGENCY SHALL GIVE A PERCENTAGE PREFERENCE TO THE LOWEST RESPONSIVE AND RESPONSIBLE BID FROM A MARYLAND FIRM OVER THAT OF A NONRESIDENT FIRM IF THE STATE IN WHICH THE NONRESIDENT FIRM IS LOCATED GIVES A RESIDENT BUSINESS PREFERENCE.

(2) THE PERCENTAGE OF PREFERENCE AWARDED UNDER THIS SECTION SHALL BE THE SAME AS THAT AWARDED BY THE STATE IN WHICH THE NONRESIDENT FIRM IS LOCATED.

[(4)] (C) If in conflict with any federal grant or regulation affecting the contract, the provisions of this [subsection] SECTION do not apply.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1983.

Approved May 24, 1983.

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