

(B) THE FUND IS A CONTINUING, NONLAPSING, REVOLVING FUND THAT CONSISTS OF MONEY APPROPRIATED TO THE FUND:

(1) IN THE ANNUAL BUDGET;

(2) IN THE ANNUAL GENERAL CONSTRUCTION LOAN ACT; OR

(3) AS UNSPENT PROCEEDS OF AN ENABLING ACT ALLOCATED TO THE FUND BY THE GOVERNOR UNDER § 8-129 OF THIS ARTICLE.

(C) AN APPROPRIATION OR ALLOCATION TO THE FUND MAY NOT BE MADE IF IT WOULD CAUSE THE TOTAL BALANCE IN THE FUND TO EXCEED \$4,000,000.

~~(E)~~ (D) WITH THE ADVICE AND ASSISTANCE OF THE DEPARTMENTS OF STATE PLANNING AND GENERAL SERVICES, THE FUND SHALL BE ADMINISTERED BY THE BOARD OF PUBLIC WORKS.

~~(D)~~ (E) WITH THE APPROVAL OF THE GOVERNOR, THE SECRETARIES OF STATE PLANNING AND GENERAL SERVICES MAY REQUEST THE BOARD OF PUBLIC WORKS TO AUTHORIZE AN EXPENDITURE FROM THE FUND TO SUPPLEMENT ANY CAPITAL APPROPRIATION THAT:

(1) IS FOR A CAPITAL PROJECT TO BE OWNED BY THE STATE OR A UNIT OF THE STATE GOVERNMENT;

(2) WAS CONTAINED IN A CAPITAL APPROPRIATION OF AN ANNUAL BUDGET OR IN AN ANNUAL GENERAL CONSTRUCTION LOAN; AND

(3) IS INSUFFICIENT IN AMOUNT TO PERMIT THE INITIAL AWARD OF A CONTRACT FOR THE PROJECT TO THE BIDDER OR OFFEROR SELECTED IN ACCORDANCE WITH APPLICABLE STATE LAW.

~~(E)~~ (F) THE SECRETARIES OF STATE PLANNING AND GENERAL SERVICES SHALL EVALUATE ANY PROJECT FOR ADDITIONAL FUNDING AND CERTIFY IN WRITING, BY AFFIDAVIT, IN WRITING THAT THE PROJECT MEETS THE CRITERIA IN SUBSECTION ~~(D)~~ (E) OF THIS SECTION AND THAT:

(1) AS DETERMINED BY THE BID OR PROPOSAL, THE REQUESTED ADDITIONAL FUNDING DOES NOT EXCEED THE LESSER OF 7 PERCENT OF THE TOTAL PROJECT COST OR \$1,000,000;

~~(1) -- THE REQUESTED ADDITIONAL FUNDING DOES NOT EXCEED 7 PERCENT OF THE PROJECT COST, AS DETERMINED BY THE BID OR PROPOSAL;~~

~~(1) -- AS DETERMINED BY THE BID OR PROPOSAL, THE REQUESTED ADDITIONAL FUNDING DOES NOT EXCEED;~~

~~(1) -- 7% OF THE TOTAL PROJECT COST, IF THE TOTAL PROJECT COST IS LESS THAN OR EQUAL TO \$500,000; OR~~