

(c) If a provision of this Division II is inconsistent with a federal law, regulation, or grant agreement or other federal requirement that governs procurement or a procurement contract or with the terms of a gift, as defined in Article 1, § 22 of the Code, the federal requirement or the terms of the gift control the procurement or procurement contract.

13-205.

(A) A unit:

(1) shall draft specifications to encourage maximum practicable competition without modifying the requirements of the State; and

(2) may not draft specifications to favor a single prospective bidder or offeror.

(B) A UNIT SHALL REQUIRE A PROSPECTIVE BIDDER OR OFFEROR OF SUPPLIES OR CONSTRUCTION TO STATE IN THE BID OR OFFER:

(1) WHETHER THE PROCUREMENT WILL OR MAY INCLUDE RECYCLED MATERIALS; AND

(2) THE TYPES, AMOUNTS, AND APPLICATION OF RECYCLED MATERIALS THAT THE BIDDER OR OFFEROR INTENDS TO INCLUDE IN THE PROCUREMENT.

14-402.

(G) NO LATER THAN SEPTEMBER 1 OF EACH YEAR, EACH STATE UNIT SHALL REPORT TO THE DEPARTMENT OF THE ENVIRONMENT ON THE UNIT'S PROCUREMENT OF RECYCLED MATERIALS AND ON THE UNIT'S USE OF THE PERCENTAGE PRICE PREFERENCE UNDER § 14-405 OF THIS SUBTITLE DURING THE PRECEDING FISCAL YEAR, INCLUDING THE TYPES AND QUANTITIES OF MATERIALS PROCURED AND THE PERCENTAGE OF RECYCLED MATERIALS IN THE UNIT'S GROSS PURCHASES.

14-405.

(b) [The] NO LATER THAN JANUARY 1, 1994, THE Board shall adopt regulations that require the Secretary of General Services, the Secretary of Transportation, and the Chancellor of the University of Maryland System to establish a percentage price preference, not to exceed 5%, for the purchase of products made from recycled materials.

SECTION 2. AND BE IT FURTHER ENACTED, That no later than July 1, 1994 the State Highway Administration, by revising its material specifications for road construction procurement, shall provide in its road construction standards for the incorporation of crushed glass and recycled aggregate materials to be appropriately used in asphalt layers and aggregate layers of road construction.

SECTION 3. AND BE IT FURTHER ENACTED, That the Office of Recycling shall, in cooperation with the Department of General Services, the University of Maryland System, the Department of Transportation, the Department of Natural Resources, other State and local procuring agencies, the Maryland Association of