

WILLIAM DONALD SCHAEFER, Governor

[6. Pacific islanders;

7.] ~~4.~~ 5. women; or

[8.] ~~5.~~ 6. physically or mentally disabled individuals.

(2) "Minority business enterprise" includes a not for profit entity organized to promote the interests of physically or mentally disabled individuals.

14-302.

(a) Except for leases of real property, each unit shall structure procurement procedures to:

(1) encourage participation in the process by certified minority business enterprises; and

(2) try to provide a fair share of procurement contracts to certified minority business enterprises.

(b) (1) Except for leases of real property and except as provided in paragraph (2) of this subsection, each designated unit shall structure procurement procedures, consistent with the purposes of this subtitle, to try to achieve the result that a minimum of 10% of the designated unit's total dollar value of procurement contracts is made directly or indirectly from certified minority business enterprises.

(2) In procurement for construction, the Department of Transportation shall:

(i) structure procurement procedures, consistent with the purposes of this subtitle, to try to achieve participation by certified minority business enterprises in the amount of at least 10% of the dollar value of procurement contracts in excess of \$100,000 on the prime or subcontract level; and

(ii) consider the practical severability of the construction projects.

(c) (1) The provisions of [§] §§ 14-301(E) AND 14-303 of this subtitle and subsections (a) and (b) of this section are inapplicable to the extent that any of the primary procurement units determines the provisions to be in conflict with any applicable federal program requirement.

(2) The determination under this subsection shall be included with the report required under § 14-305 of this subtitle.

14-303.

(a) (1) In accordance with Title 10, Subtitle 1 of the State Government Article, the Board shall adopt regulations consistent with the purposes of this Division II to carry out the requirements of this subtitle.

(2) The regulations shall establish procedures to be followed by units, prospective contractors, and successful bidders or offerors to maximize notice to, and