

Administration under Title I of the Local Public Works Capital Development and Investment Act of 1976 (Title 42, U.S.C., Section 6701) will be made, and the project has been designated as a top priority of the State; and

WHEREAS, That Act requires that actual construction of all projects to be funded by the Economic Development Administration thereunder be commenced within 90 days after the award of the grant funds; and

WHEREAS, In order to assure compliance with that requirement, the Economic Development Administration requires that applications for funding include either final architectural drawings or a finalized contract with an architect, which may be contingent upon the federal funding, and a certification by the architect that construction can be commenced with the 90 day period; and

WHEREAS, This condition cannot be met, and therefore the federal funding cannot be obtained, if the procedures set forth in Article 41, §231-0 of the Code are followed in the selection of an architect for this project; and

WHEREAS, Upon the advice of the Secretary of General Services and by Special Assistant for Criminal Justice Matters, and from my own knowledge of the critical overcrowding problem, I am convinced that a delay, in this instance and the consequent loss of possible Federal Funding, is not only unwarranted but would be harmful to the health and general welfare of the citizens of this State; and

WHEREAS, §231Q of Article 41 of the Code authorizes the General Professional Services Selection Board to waive the requirements of §231-0 when a state of emergency is declared by the Governor; and

WHEREAS, I have been assured that, if the provisions of §231-0 are waived, the Department of General Services intends to solicit proposals from at least four competent architects, it will consider both price and technical considerations in making its selection, and the process can be completed within two weeks; and

WHEREAS, Upon these assurances, I believe that an emergency as contemplated by §231Q does exist, and that the waiver of the requirements of §213-0, in this instance, will not be detrimental to the State or its citizens;

NOW, THEREFORE, I, MARVIN MANDEL, GOVERNOR OF MARYLAND,