

Annotated Code of Maryland
(1977 Volume and 1979 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland (as enacted by Chapter 1 of the Acts of the General Assembly of 1980) be repealed, amended, or enacted to read as follows:

Article 78A - Public Works

7.

(1) The Board of Public Works shall in like manner supervise the expenditure of all sums appropriated for the acquisition of land, buildings, equipment, new construction and other capital expenditures, except in connection with State roads, bridges and highways, whether made through the medium of a budget bill, a supplementary appropriation bill or a State bond issue bill, and all contracts for the expenditure of sums so appropriated shall be subject to the approval of the Board before they are executed, after review by the Secretary of General Services. HOWEVER, WITH THE APPROVAL OF THE GOVERNOR, IN THE EVENT OF AN EMERGENCY CAUSED BY AN ACT OF GOD, NATURAL DISASTER, CATASTROPHE, OR OTHER SIMILAR NATURAL EVENT OR PUBLIC DISORDER, WHEN THE HEALTH, SAFETY, OR WELFARE OF THE CITIZENS OF THE STATE WOULD BE JEOPARDIZED BY A DELAY CAUSED BY THE REQUIREMENT OF PRIOR APPROVAL, SUCH CONTRACTS MAY BE EXECUTED WITHOUT PRIOR APPROVAL OF THE BOARD; THE CONTRACTING AGENCY SHALL REPORT THE EXECUTION OF SUCH EMERGENCY CONTRACTS TO THE BOARD NO LATER THAN 20 DAYS AFTER THE EXECUTION OF THE CONTRACT OR THE NEXT MEETING OF THE BOARD, WHICHEVER FIRST OCCURS. The Board of Public Works may adopt regulations, subject to approval by the Joint Standing Committee on Administrative, Executive and Legislative Review, by which State departments, boards, commissions, institutions, or other agencies may enter into capital project related contracts and change orders prior to or without Board of Public Works approval, provided (i) that the subject matter of each contract falls within an expenditure classification established for this purpose by the Board of Public Works, (ii) that the aggregate annual dollar value of each contract and its attendant change orders is less than a monetary threshold established for the applicable expenditure classification by the Board of Public Works, (iii) that the monetary thresholds be sufficiently high to free the Board from direct review of relatively insignificant items while not impairing the strong public policy in favor of direct Board review of items having a substantial fiscal impact, and (iv) that an accountability or reporting system approved by the Board is established to inform the Board with respect to actions taken by agencies under authorities granted them by the Board. Except as may be otherwise permitted by other provisions of law regarding emergencies, all State construction contracts in excess of \$10,000 shall be awarded