

on a competitive basis. However, the Board of Public Works may approve the award of such contracts to other than the lowest bidder if the Board determines that to be in the best interest of the State.

SECTION 2. AND BE IT FURTHER ENACTED, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Transportation

2-108.

(A) ON BEHALF OF EACH UNIT IN THE DEPARTMENT, THE SECRETARY, WITH THE APPROVAL OF THE GOVERNOR, MAY WAIVE THE PROVISIONS OF THIS ARTICLE AND ARTICLE 78A, § 7 REQUIRING COMPETITIVE BIDS IF:

(1) THE PURCHASE IS TO BE MADE FROM OR THE CONTRACT IS TO BE MADE WITH THE FEDERAL OR ANY STATE GOVERNMENT OR ANY OF THEIR AGENCIES OR POLITICAL SUBDIVISIONS ~~OR UNDER ANY OPEN END BULK PURCHASE CONTRACT OF ANY OF THEM;~~

(2) THE PUBLIC EXIGENCY REQUIRES THE IMMEDIATE DELIVERY OR USE OF THE SUPPLIES OR SERVICES; OR

(3) ONLY ONE SOURCE OF SUPPLY IS AVAILABLE, ~~OR~~

~~(4) -- IN THE JUDGMENT OF THE SECRETARY, IT IS TO THE BENEFIT OF THE DEPARTMENT OR ANY OF ITS UNITS TO USE THE SERVICES OF STATE PURCHASING OFFICERS.~~

(B) FOR PURPOSES OF THIS SECTION, PUBLIC EXIGENCY MEANS 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 REQUIREMENTS OF COMPETITIVE BIDDING.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1980.

Approved May 20, 1980.

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CHAPTER 584

(Senate Bill 1010)

AN ACT concerning

Overtime - State Employees