

(2) "CONTRACT" DOES NOT INCLUDE:

(I) COLLECTIVE BARGAINING AGREEMENTS WITH EMPLOYEE ORGANIZATIONS; OR

(II) MEDICAID, JUDICARE, OR SIMILAR REIMBURSEMENT CONTRACTS FOR WHICH USER ELIGIBILITY AND COST ARE SET BY LAW OR BY RULES AND REGULATIONS.

(G) "CONTRACT MODIFICATION" MEANS ANY WRITTEN ALTERATION IN THE SPECIFICATIONS, DELIVERY POINT, DATE OF DELIVERY, CONTRACT PERIOD, PRICE, QUANTITY, OR OTHER PROVISION OF ANY EXISTING CONTRACT, WHETHER ACCOMPLISHED BY UNILATERAL ACTION IN ACCORDANCE WITH A CONTRACT PROVISION, OR BY MUTUAL ACTION OF THE PARTIES TO THE CONTRACT. IT INCLUDES BILATERAL ACTIONS SUCH AS SUPPLEMENTAL AGREEMENTS, AND UNILATERAL ACTIONS SUCH AS CHANGE ORDERS, ADMINISTRATIVE CHANGES, NOTICES OF TERMINATION, AND NOTICES OF THE EXERCISE OF A CONTRACT OPTION.

(H) "CONTRACTOR" MEANS ANY PERSON HAVING A CONTRACT WITH A STATE AGENCY. CONTRACTOR DOES NOT INCLUDE EMPLOYEES WITH LABOR CONTRACTS.

(I) "DEPARTMENT" MEANS THE DEPARTMENTS OF GENERAL SERVICES, TRANSPORTATION, BUDGET AND FISCAL PLANNING, AND THE UNIVERSITY OF MARYLAND.

(J) "PERSON" MEANS ANY INDIVIDUAL, BUSINESS, UNION, COMMITTEE, CLUB, OR OTHER ORGANIZATION.

(K) "PROCURE" MEANS BUYING, RENTING, LEASING, PURCHASING, OR OTHERWISE OBTAINING ANY SUPPLIES, SERVICES, OR CONSTRUCTION. "PROCURE" INCLUDES ALL FUNCTIONS THAT PERTAIN TO THE OBTAINING OF ANY PUBLIC PROCUREMENT, INCLUDING DESCRIPTION OF REQUIREMENTS, SELECTION, AND SOLICITATION OF SOURCES, PREPARATION AND AWARD OF CONTRACT, AND ALL PHASES OF CONTRACT ADMINISTRATION.

(L) "PROCUREMENT AGENCY" MEANS ANY STATE AGENCY WHICH IS AUTHORIZED BY LAW OR REGULATIONS TO PROCURE OR CONTRACT.

(M) "PROCUREMENT OFFICER" MEANS ANY PERSON AUTHORIZED BY A STATE AGENCY IN ACCORDANCE WITH LAW OR REGULATIONS TO ENTER INTO OR ADMINISTER CONTRACTS OR MAKE WRITTEN DETERMINATIONS AND FINDINGS WITH RESPECT TO THEM. THE TERM ALSO INCLUDES AN AUTHORIZED REPRESENTATIVE ACTING WITHIN THE LIMITS OF AUTHORITY.

(N) "REGULATION" HAS THE SAME DEFINITION AS "RULE" IN THE ADMINISTRATIVE PROCEDURE ACT OF THE CODE.

(O) "SERVICES" MEANS THE RENDERING, BY A CONTRACTOR, OF ITS TIME AND EFFORT RATHER THAN THE FURNISHING OF A SPECIFIC PHYSICAL PRODUCT OTHER THAN REPORTS INCIDENTAL TO THE REQUIRED PERFORMANCE OF SERVICES. THIS INCLUDES BUT IS NOT LIMITED TO THE CONTRACTUAL SERVICES PROVIDED BY