

WHEREAS, A determination has been made under COMAR Title 21 that purchase of service agreements, which previously have been processed administratively under internal, informal grant procedures of State human service agencies, are now classified as procurements or acquisitions subject to the applicability of the new procurement law; and

WHEREAS, A question has arisen as to the necessity and benefit of processing human service agreements under this new Act, particularly with respect to the preservation of the public health, safety and stability of clients currently receiving habilitative or rehabilitative services under human service agreements awarded by the State to eligible providers; and

WHEREAS, The Board of Public Works has authorized the establishment of an ad hoc subcommittee to review and study these issues and to make appropriate recommendations to the Board of Public Works and the General Assembly by September 30, 1982; and

WHEREAS, An appropriate mechanism is required in the statute that will clearly permit some degree of discretion and flexibility to be exercised by the Board of Public Works and the affected State agencies in awarding these human service contracts; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland read(s) as follows:

Article 21 - Procurement

1-101-

~~{f} - {1} -- "Contract" means every agreement entered into by a State agency for the procurement of supplies, services, construction, or any other item and includes:~~

~~{i} -- Awards and notices of award;~~

~~{ii} -- Contracts of a fixed price, cost reimbursement, cost plus a fixed fee, fixed price incentive, or cost plus incentive fee type;~~

~~{iii} -- Contracts providing for the issuance of job or task orders;~~

~~{iv} -- Leases;~~

~~{v} -- Letter contracts;~~

~~{vi} -- Purchase orders;~~