

ADMINISTRATIVE DECISION OF THE STATE SUBJECT TO JUDICIAL REVIEW AS PROVIDED FOR IN A CONTESTED CASE UNDER § 10-222 OF THE STATE GOVERNMENT ARTICLE.

(C) ON ISSUANCE OF A FINAL DECISION, THE ~~ATTORNEY GENERAL COMMISSION~~ OR THE ADMINISTRATIVE LAW JUDGE MAY ENTER ANY ORDER REASONABLY NECESSARY OR CONVENIENT TO GOVERN THE CONDUCT OF THE STATE AND THE PARTIES SO THAT THE PURPOSES OF THIS TITLE ARE ACHIEVED.

19-113.

ANY PARTY WHO, AFTER HAVING EXHAUSTED ALL ADMINISTRATIVE REMEDIES AVAILABLE, IS AGGRIEVED BY A FINAL DECISION OF THE ~~ATTORNEY GENERAL COMMISSION~~ OR THE ADMINISTRATIVE LAW JUDGE MAY SEEK JUDICIAL REVIEW OF SUCH DECISION UNDER § 10-222 OF THE STATE GOVERNMENT ARTICLE.

19-114.

EVERY CONTRACT AND SUBCONTRACT SHALL CONTAIN A NONDISCRIMINATION CLAUSE THAT READS AS FOLLOWS:

"AS A CONDITION OF ENTERING INTO THIS AGREEMENT, THE COMPANY REPRESENTS AND WARRANTS THAT IT WILL FULLY COMPLY WITH THE STATE'S COMMERCIAL NONDISCRIMINATION POLICY, AS DESCRIBED UNDER TITLE 19 OF THE STATE FINANCE AND PROCUREMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, ~~AND CONSENTS TO BE BOUND BY ANY FINAL DECISION RENDERED THEREUNDER.~~ AS PART OF SUCH COMPLIANCE, THE COMPANY MAY NOT DISCRIMINATE ON THE BASIS OF ~~SEX, RACE, AGE, COLOR, CREED, OR NATIONAL ORIGIN,~~ RACE, COLOR, RELIGION, ANCESTRY OR NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, SEXUAL ORIENTATION, OR ON THE BASIS OF DISABILITY OR OTHER UNLAWFUL FORMS OF DISCRIMINATION IN THE SOLICITATION, SELECTION, HIRING, OR COMMERCIAL TREATMENT OF SUBCONTRACTORS, VENDORS, SUPPLIERS, OR COMMERCIAL CUSTOMERS, NOR SHALL THE COMPANY RETALIATE AGAINST ANY PERSON FOR REPORTING INSTANCES OF SUCH DISCRIMINATION. THE COMPANY SHALL PROVIDE EQUAL OPPORTUNITY FOR SUBCONTRACTORS, VENDORS, AND SUPPLIERS TO PARTICIPATE IN ALL OF ITS PUBLIC SECTOR AND PRIVATE SECTOR SUBCONTRACTING AND SUPPLY OPPORTUNITIES, PROVIDED THAT NOTHING CONTAINED IN THIS CLAUSE SHALL PROHIBIT OR LIMIT OTHERWISE LAWFUL EFFORTS TO REMEDY THE EFFECTS OF MARKETPLACE DISCRIMINATION THAT HAVE OCCURRED OR ARE OCCURRING IN THE MARKETPLACE. THE COMPANY UNDERSTANDS AND AGREES THAT A MATERIAL VIOLATION OF THIS CLAUSE SHALL BE CONSIDERED A MATERIAL BREACH OF THIS AGREEMENT AND MAY RESULT IN TERMINATION OF THIS AGREEMENT, DISQUALIFICATION OF THE COMPANY FROM PARTICIPATING IN STATE CONTRACTS, OR OTHER SANCTIONS. THIS CLAUSE IS NOT ENFORCEABLE BY OR FOR THE BENEFIT OF, AND CREATES NO OBLIGATION TO, ANY THIRD PARTY."

19-115.

ALL REQUESTS FOR BIDS OR PROPOSALS ISSUED FOR STATE CONTRACTS SHALL INCLUDE THE FOLLOWING CERTIFICATION TO BE COMPLETED BY THE BIDDER: