

Section 8-801 through 8-807, to be under the new subtitle
"Subtitle 8. Procurement of Services"
 Annotated Code of Maryland
 (1981 Replacement Volume and 1983 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 21 - Procurement

~~10-101.~~ SUBTITLE 8. PROCUREMENT OF SERVICES

~~10-101.~~ 8-801.

(A) IN THIS ~~10-101.~~ SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "DEPARTMENTS" MEANS THE DEPARTMENT OF BUDGET AND FISCAL PLANNING AND THE DEPARTMENT OF PERSONNEL.

(C) "SERVICE CONTRACT" MEANS A CONTRACT FOR THE PROCUREMENT OF SERVICES PROVIDED WITHIN STATE OPERATED FACILITIES ESTIMATED BY THE PROCUREMENT OFFICER TO EXCEED \$100,000 IN ANNUAL COST.

~~10-102.~~ 8-802.

IT IS THE POLICY OF THIS STATE THAT STATE EMPLOYEES SHALL PERFORM ALL STATE FUNCTIONS WITHIN STATE OPERATED FACILITIES IN PREFERENCE TO CONTRACTING WITH THE PRIVATE SECTOR FOR THE PERFORMANCE OF THOSE FUNCTIONS. SERVICE CONTRACTS MAY BE ENTERED INTO ONLY AS PROVIDED IN THIS ~~10-102.~~ SUBTITLE.

~~10-103.~~ 8-803.

~~{A}--EACH--PROSPECTIVE--SERVICE--CONTRACT--MUST--BE--APPROVED--BY--THE--BOARD--PRIOR--TO--THE--SOLICITATION--OF--BIDS--OR--OFFERS--BY--THE--PROCUREMENT--AGENCY.~~

~~{B}~~ BEFORE GRANTING APPROVAL FOR A SERVICE CONTRACT, THE BOARD SHALL RECEIVE CERTIFICATION FROM EACH OF THE DEPARTMENTS THAT:

(1) THE SERVICE CONTRACT IS IN AN EXEMPTED CLASS AS PROVIDED IN ~~§ 10-104~~ 8-804 OF THIS ~~10-103.~~ SUBTITLE; OR

(2) THE CONDITIONS OF ~~§§ 10-105~~ 8-805 THROUGH ~~10-107~~ 8-807 OF THIS ~~10-103.~~ SUBTITLE HAVE BEEN, OR ARE BEING, FULFILLED.

~~10-104.~~ 8-804.

~~A--SERVICE--CONTRACT--MAY--BE--CERTIFIED--BY--THE--DEPARTMENTS--AS--EXEMPT--FROM--THE--PREFERENCE--STATED--IN--§--10-102--8-802--OF--THIS--TITLE--SUBTITLE--IF--IT--FALLS--WITHIN--1--OR--MORE--OF--THE--FOLLOWING--CLASSES:~~