

(2) "Secretary" means the Secretary of General Services, the Secretary of [the Department of] Transportation, or the President of the University of Maryland.

(3) "Small business" has the meaning established by the Secretary in rules and regulations, subject to the criteria set forth in subsection (b) of this section.

(4) "Small business [set-aside] PREFERENCE" means a purchase request for which the Secretary invites bids from a list of qualified bidders including small businesses.

(5) "Predetermined percentage preference" means the percentage, not to exceed 5 percent, set by a Secretary, by which the bid [or offer] of the lowest responsive and responsible small business may exceed the bid [or offer] of the lowest responsive and responsible bidder [or offeror] that is not a small business.

(b) (1) Each Secretary shall adopt rules and regulations specifying the criteria for qualification as a small business.

(2) The criteria for qualification may vary from industry to industry to reflect different industry characteristics.

(3) One of the criteria to be used in establishing qualifications shall be a maximum number of employees for each class of businesses.

(c) (1) Each Secretary shall adopt rules and regulations specifying procedures for:

(i) [Compiling] COMPILING and maintaining a comprehensive bidder's list of small businesses;

(ii) [Locating] LOCATING potential sources for various products and services and affirmatively seeking to locate potential minority business enterprise sources for various products and services;

(iii) [Assisting] ASSISTING small businesses in complying with the procedures for bidding on State contracts;

(iv) [Examining] EXAMINING requests from using authorities for purchase of products or services to help determine which invitations to bid are to be designated small business [set-asides] PREFERENCES;

(v) [Simplifying] SIMPLIFYING procurement specifications and terms in order to increase the opportunities for small business participation;

(vi) [Investigating] INVESTIGATING the responsibility of bidders on small business [set-asides] PREFERENCES; and