

(vii) [Providing] PROVIDING to a small business the reason for which any bid by the small business for a small business [set-aside] PREFERENCE was rejected.

(2) The Secretary shall be provided assistance from the Department of Economic and Community Development in specifying procedures for paragraphs (1)(i) and (ii) of this subsection.

(d) Each Secretary may designate [purchase requests for specified] CERTAIN PURCHASES OF supplies, [or] services, [which] OR CONSTRUCTION RELATED SERVICES AS SMALL BUSINESS PREFERENCES. THE DESIGNATED PURCHASES SHALL have been requested through or with the approval of the Secretary[, as small business set-asides]. The invitation [to bid] FOR BIDS shall indicate purchases that have been designated small business [set-asides] PREFERENCES.

(e) Each small business [set-aside] PREFERENCE purchase shall be made through bidding procedures established by the Secretary. Invitations to bid shall be sent to small businesses in addition to regular bidders to establish a reasonable price range commensurate with current market conditions. Subject to subsection (f) of this section, the purchase, contract, or expenditure of funds shall be awarded in accordance with this Division II of this article.

(f) (1) Each Secretary shall establish, for each class of businesses, a predetermined percentage preference for the purposes of paragraph (2) of this subsection. The predetermined percentage preferences may vary from industry to industry to reflect different industry characteristics. The percentage is subject to the approval of the Board of Public Works.

(2) The Secretary shall accept the lowest responsive and responsible bid from a small business for a small business [set-aside] PREFERENCE, if the bid does not exceed by the predetermined percentage preference the bid received from the lowest responsive and responsible bidder which is not a small business for the small business [set-aside] PREFERENCE.

(g) Each Secretary shall make a report annually within 90 days following the close of the fiscal year to the Board and the Legislative Policy Committee of the Maryland General Assembly about the operation and effectiveness of the small business [set-aside] PREFERENCE program.

[Subtitle 2. Disadvantaged Business Preference.]

[18-201.] 11-141. SHELTERED WORKSHOPS.

(a) Notwithstanding other provisions of this [article] SUBTITLE, supplies and services of the handicapped shall be purchased by the State in accordance with the provisions of this section.