

(b) "Person" means a natural person, corporation, partnership, or other business unit or association.

(c) "Public agency" means:

(1) [The] THE State of Maryland, its departments, agencies, boards, commissions, and institutions; and

(2) [County] COUNTY, city, school or conservation districts, or other governmental units or districts that let public bids for construction or other public works under Maryland law.

(d) "Steel products" means products rolled, formed, shaped, drawn, extruded, forged, cast, fabricated, or otherwise similarly processed, or processed by a combination of two or more of such operations, from steel made in the United States by the open hearth, basic oxygen, electric furnace, Bessemer, or other steel making process.

(e) "United States" means the United States of America and includes all territory, continental or insular, subject to the jurisdiction of the United States.

[18-702.] 12-402. REQUIREMENT IN BID; REASONABLENESS OF BID.

(a) Each public agency shall require that every contract advertised for bid or proposal for the construction or maintenance of public works or for the purchase or manufacture of any item of machinery or equipment of at least 10,000 pounds of steel products to be installed at sites of public works shall require use or supply of steel products only as defined by this subtitle in the performance of the contract or any of the subcontracts, unless the head of the public agency determines in writing that the cost of steel products is unreasonable or inconsistent with the public interest.

(b) The [Department] BOARD OF PUBLIC WORKS shall issue rules which provide that, for purposes of subsection (a) of this section, the bid or offered price of any steel products of domestic origin is not unreasonable if it does not exceed the sum of:

(1) [The] THE bid or offered price of like steel products of foreign origin (including any applicable duty); plus

(2) [A] A differential of 20 percent of the bid or offered price of the steel products of foreign origin. However, if the steel products are produced in a "substantial labor surplus area" as defined by the United States Department of Labor, the differential applied under this paragraph shall be 30 percent.

[18-703.] 12-403. PAYMENTS.