

contractors and successful bidders to maximize notice to, and the opportunity to participate in the procurement process by, a broad range of minority business enterprises. The regulations shall include, but not be limited to:

(i) A requirement that the solicitation document accompanying each request for bids set forth the degree of minority business enterprise participation expected based, in part, upon the potential subcontract opportunities available in the prime contract and the availability of certified minority business enterprises to competitively respond to the potential subcontract opportunities;

(ii) A requirement that the department or agency make available a current list of certified minority business enterprises to each prospective contractor;

(iii) Provisions assuring the uniformity of requests for bids on subcontracts;

(iv) Provisions relating to the timing of requests for bids on subcontracts and of submission of bids thereon;

(v) Provisions designed to assure that a fiscal disadvantage to the State does not result from an inadequate response by minority business enterprises to a request for bids;

(vi) Provisions relating to any circumstances under which obligations of the contractor relating to minority business enterprise participation may be waived by the department or agency; and

(vii) Such other provisions as the Board considers necessary or appropriate to encourage participation by minority business enterprises, and to protect the integrity of the procurement process.

(c) (1) Subject to § 2-1312 of the State Government Article, each department shall make a report annually within 90 days following the close of the fiscal year to the Board, the Legislative Policy Committee, and the Governor's Office of Minority Affairs of the total number and value of its purchases from certified minority business enterprises, and the percentage which those purchases represent of its total number and value of its purchases for the preceding fiscal year.

(2) Each procurement agency, other than the departments, shall compile, to the extent available, the information specified in paragraph (1) of this subsection. Not later than 90 days following the close of each fiscal year, each procurement agency shall transmit that information to the Governor's Office of Minority Affairs and additionally shall