

FOR A PROCUREMENT CONTRACT OR A CLASS OF PROCUREMENT CONTRACTS THAT IS TO BE PERFORMED ENTIRELY OUTSIDE THE UNITED STATES TO THE EXTENT THAT:

(1) THE PURPOSES STATED IN § 11-201(A) OF THIS ARTICLE ARE FOSTERED;

(2) THE CIRCUMSTANCES REQUIRE THE MODIFICATION OR WAIVER; AND

(3) FOREIGN CONTRACTORS ARE EXPECTED TO BE INVOLVED IN THE PROCUREMENT.

(B) EXCEPTIONS.

THE BOARD MAY NOT MODIFY OR WAIVE THE FOLLOWING REQUIREMENTS:

(1) § 14-404 OF THIS ARTICLE ("COAL IN HEATING SYSTEMS");

(2) TITLE 14, SUBTITLE 5 OF THIS ARTICLE ("PURCHASES FROM THE REPUBLIC OF SOUTH AFRICA");

(3) TITLE 16, SUBTITLE 2 OF THIS ARTICLE ("DEBARMENT FROM STATE AND LOCAL CONTRACTS -- BRIBERY"); AND

(4) TITLE 17 OF THIS ARTICLE ("SPECIAL PROVISIONS -- STATE AND LOCAL SUBDIVISIONS").

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from former SF § 11-103(f).

Subsection (b) of this section is new language added to accommodate the substitution, in subsection (a) of this section, of the reference to "this Division II" for the former reference to "this subtitle and Subtitle 2 of this title". The referenced subtitles comprised former Title 11, which now appears throughout this Division II. However, provisions that are derived from former Title 12 and that were not within the former reference "this subtitle and Subtitle 2 of this title" would be included within the broad reference "this Division II". Thus, subsection (b) is added to avoid incorporating these provisions inadvertently.

In subsection (a)(1) of this section, the word "fostered" is substituted for the former word "maintained", for clarity.

Defined terms: "Board" § 11-101