

the former enumeration omitted leases of real property. The Procurement Revision Review Committee notes, however, subsection (a)(1) of this section, which is carried over from the former law, does not except leases of real property. The General Assembly may wish to amend the law to allow a cost reimbursement contract for leases of real property in either situation described in subsection (a) or to prohibit a cost reimbursement contract for leases of real property in both situations.

In the introductory language of subsection (d) of this section, the reference to "procurement officer" is added for clarity.

In subsection (d)(2)(ii) of this section, the word "procurement" is substituted for the word "prime", which formerly modified "contract", for clarity.

Defined terms: "Board" § 11-101
 "Cost-reimbursement contract" § 13-201
 "Procurement" § 11-101
 "Procurement contract" § 11-101
 "Procurement officer" § 11-101 "Unit" § 11-101

13-216. SECURITY FOR PAYMENT; PERFORMANCE.

(A) PRICE OF \$50,000 OR LESS.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PROCUREMENT OFFICER MAY NOT REQUIRE A CONTRACTOR TO PROVIDE A PERFORMANCE BOND, PAYMENT BOND, OR OTHER SECURITY ON A PROCUREMENT CONTRACT FOR CONSTRUCTION, CONSTRUCTION RELATED SERVICES, SERVICES, OR SUPPLIES IF THE PRICE OF THE PROCUREMENT CONTRACT IS \$50,000 OR LESS.

(B) EXCEPTION.

A PROCUREMENT OFFICER SHALL REQUIRE A CONTRACTOR TO PROVIDE A PERFORMANCE BOND, PAYMENT BOND, OR OTHER SECURITY IF THE ~~SECURITY IS REQUIRED BY~~ FEDERAL LAW OR AS A CONDITION OF FEDERAL ASSISTANCE REQUIRES THE SECURITY.

(C) CONSTRUCTION CONTRACTS EXCEEDING \$50,000.

IF THE PRICE OF A PROCUREMENT CONTRACT FOR CONSTRUCTION EXCEEDS \$50,000, A PROCUREMENT OFFICER SHALL REQUIRE A CONTRACTOR TO PROVIDE SECURITY AS REQUIRED UNDER TITLE 17, SUBTITLE 1 OF THIS ARTICLE.

(D) OTHER CONTRACTS EXCEEDING \$50,000.