

REVISOR'S NOTE: This section is new language derived without substantive change from former SF § 11-140(c)(2).

14-206. PERCENTAGE PREFERENCE ESTABLISHED.

(A) "PERCENTAGE PREFERENCE" DEFINED.

IN THIS SECTION, "PERCENTAGE PREFERENCE" MEANS THE PERCENT OF THE LOWEST RESPONSIVE BID SUBMITTED BY A RESPONSIBLE BIDDER WHO IS NOT A SMALL BUSINESS BY WHICH A RESPONSIVE BID BY A SMALL BUSINESS MAY:

(1) EXCEED THE LOWEST BID; AND

(2) BE AWARDED A PROCUREMENT CONTRACT UNDER THIS SUBTITLE.

(B) ESTABLISHED.

SUBJECT TO THE APPROVAL OF THE BOARD, THE SECRETARY OF GENERAL SERVICES, THE SECRETARY OF TRANSPORTATION, AND THE PRESIDENT OF THE UNIVERSITY OF MARYLAND EACH:

(1) SHALL ESTABLISH A PERCENTAGE PREFERENCE, NOT TO EXCEED 5%, FOR EACH CLASS-OF-BUSINESSES INDUSTRY; AND

(2) MAY VARY THE PERCENTAGE PREFERENCE AMONG INDUSTRIES TO ACCOUNT FOR THEIR PARTICULAR CHARACTERISTICS.

REVISOR'S NOTE: Subsections (a)(1) and (b) of this section are new language derived without substantive change from former SF § 11-140(a)(2) and (5) and (f)(1).

Subsection (a)(2) of this section is new language added to state expressly the purpose for which the percentage preference is to be used. In light of this addition, in subsection (b)(1) of this section, the former reference to establishment of the percentage preference "for the purposes of paragraph (2) of [former § 11-140(f)]" is deleted. The referenced paragraph now appears in § 14-207(c) of this subtitle.

As to the substitution, in the introductory language of subsection (b) of this section, of the reference to the "Secretary of General Services, the Secretary of Transportation, and the President of the University of Maryland" for the former word "Secretary", see revisor's note to § 14-203 of this subtitle.

Defined terms: "Bid" § 11-101
"Board" § 11-101 "Procurement contract" § 11-101
"Responsible bidder" § 11-101