

"Responsive bid" § 11-101
"Small business" § 14-201

14-207. SPECIAL PROCEDURES FOR SOURCE SELECTION.

(A) DESIGNATED PROCUREMENTS.

THE SECRETARY OF GENERAL SERVICES, THE SECRETARY OF TRANSPORTATION, AND THE PRESIDENT OF THE UNIVERSITY OF MARYLAND EACH MAY DESIGNATE, FOR THE SMALL BUSINESS PREFERENCE PROGRAM, PROCUREMENT OF CERTAIN SUPPLIES, SERVICES, OR CONSTRUCTION RELATED SERVICES THAT HAVE BEEN REQUESTED THROUGH OR WITH THE APPROVAL OF THE SECRETARY OR PRESIDENT.

(B) INVITATION FOR BIDS.

THE INVITATION FOR BIDS ON A PROCUREMENT THAT HAS BEEN DESIGNATED FOR A SMALL BUSINESS PREFERENCE SHALL BE SENT TO SMALL BUSINESSES AND REGULAR BIDDERS TO ESTABLISH A REASONABLE PRICE RANGE COMMENSURATE WITH CURRENT MARKET CONDITIONS.

(C) AWARD OF PROCUREMENT CONTRACT.

THE SECRETARY OF GENERAL SERVICES, THE SECRETARY OF TRANSPORTATION, OR THE PRESIDENT OF THE UNIVERSITY OF MARYLAND SHALL AWARD A PROCUREMENT CONTRACT DESIGNATED FOR A SMALL BUSINESS PREFERENCE TO THE SMALL BUSINESS THAT:

(1) IS A RESPONSIBLE BIDDER; AND

(2) SUBMITS THE LOWEST RESPONSIVE BID FROM A SMALL BUSINESS IF THE DIFFERENCE BETWEEN THAT BID AND THE LOWEST RESPONSIVE BID SUBMITTED BY A RESPONSIBLE BIDDER WHO IS NOT A SMALL BUSINESS DOES NOT EXCEED THE PERCENTAGE PREFERENCE ESTABLISHED UNDER § 14-206 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former SF § 11-140(f)(2), the first and second sentences of (d), and the second sentence of (e).

As to the substitution, in subsections (a) and (c) of this section, of the references 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.

The third sentence of former SF § 11-140(e), which required the award of "the purchase ... or expenditure of funds ... in accordance with this Division II", is deleted as surplusage.