

## Article - State Finance and Procurement

4-402.

(a) (1) Except as provided in ~~§ 4-409~~ ~~§§ 4-409 AND 4-410~~ of this subtitle, this subtitle does not apply to any public improvement made by:

[(1)](I) the Department of Transportation or a unit in that Department;

[(2)](II) any housing authority created under Article 44A of the Code;

[(3)](III) the Maryland-National Capital Park and Planning Commission;

[(4)](IV) the Washington Suburban Sanitary Commission;

[(5)](V) the Baltimore County Metropolitan District; or

[(6)](VI) a county, municipal corporation, or unit of a county or municipal corporation.

(2) EXCEPT AS PROVIDED IN ~~§ 4-410~~ ~~§§ 4-406, 4-410, AND 4-410.1~~ OF THIS SUBTITLE OR AS OTHERWISE PROVIDED BY LAW, THE UNIVERSITY OF MARYLAND SYSTEM ~~IS~~ AND ST. MARY'S COLLEGE OF MARYLAND ARE SUBJECT TO THE PROVISIONS OF THIS SUBTITLE.

(b) The Board of Public Works may exempt specific projects of a unit of the State government from the provisions of this subtitle.

(c) The Board of Public Works shall adopt regulations in accordance with Title 10, Subtitle 1 of the State Government Article establishing procedures for the exemption of specific projects of units of State government under subsection (b) of this section.

4-406.

(a) (1) ~~The~~ EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE Department shall advise the Board of Public Works and any unit of the State government, ~~[including] EXCEPT the University of Maryland System,~~ in connection with any engineering question or matter concerning a public improvement.

(2) The Department shall supervise any engineering question or matter concerning a public improvement.

(3) Any contract, plan, or specification for any public improvement that involves an engineering question:

(i) shall be submitted to the Department; and

(ii) is subject to the approval of the Department.

~~(4) THE DEPARTMENT SHALL ADVISE THE UNIVERSITY OF MARYLAND SYSTEM WITH RESPECT TO AN ENGINEERING QUESTION OR A MATTER CONCERNING A PUBLIC IMPROVEMENT IN ACCORDANCE WITH § 4-410 OF THIS SUBTITLE.~~