

Sincerely,
William Donald Schaefer
Governor

House Bill No. 897

AN ACT concerning

Procurement Law – Sole Source Contracts – Notice

FOR the purpose of requiring that a unit of State government give certain prior notice before entering into a certain sole source procurement ~~contract~~ contracts; requiring that the unit give certain justification for its determination to award a contract by the sole source method under certain circumstances; and generally relating to sole source procurement.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 13-107

Annotated Code of Maryland

(1988 Replacement Volume and 1993 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

13-107.

(a) (1) Whenever a procurement officer determines that there is only one available source for the subject of a procurement contract, the procurement officer may award the procurement contract without competition to that source.

(2) Before awarding a procurement contract to a sole source, the procurement officer shall obtain:

- (i) the approval of the head of the unit; and
- (ii) any other approval required by law.

(b) (1) Subject to paragraphs (2) and (3) of this subsection, with the prior written approval of the Attorney General, a unit may enter into a sole source contract to obtain the services of a contractor in connection with:

- (i) threatened or pending litigation;
- (ii) appraisal of real property for acquisition by the State; or
- (iii) collective bargaining.

(2) This subsection applies only to a procurement in which: