(I)   PROVIDE INDEPENDENT LEGAL ADVICE TO THE BOARD;

(II)   EXAMINE ALL PROCUREMENTS THAT ARE SUBJECT TO REVIEW BY THE BOARD AND MAKE RECOMMENDATIONS TO THE BOARD AS TO THE LEGAL SUFFICIENCY OF THE PROCUREMENTS, WITH AN EMPHASIS ON WHETHER THE PROPOSED PROCUREMENT HAS BEEN COMPETITIVELY CONDUCTED;

(III)   ASSIST THE PROCUREMENT ADVISOR IN INVESTIGATIONS UNDERTAKEN BY THE PROCUREMENT ADVISOR;

(IV)   ASSIST THE PROCUREMENT ADVISOR IN RESPONDING TO COMPLAINTS MADE BY STATE EMPLOYEES, CONTRACTORS, AND OTHER INTERESTED PARTIES CONCERNING FRAUD, WASTE, AND ABUSE IN THE PROCUREMENT PROCESS OR ANY ALLEGED VIOLATION OF THE PROCUREMENT LAW AND REGULATIONS; AND

(V)   COMPILE INFORMATION FOR DISTRIBUTION TO STATE PROCUREMENT OFFICIALS RELATING TO RECENT DECISIONS OF THE MARYLAND STATE BOARD OF CONTRACT APPEALS AND STATE AND FEDERAL COURTS CONCERNING PROCUREMENT, INCLUDING ANY POLICY OR LEGAL GUIDANCE TO THE PROCUREMENT OFFICIALS BASED ON THESE DECISIONS.

(3)   THE GENERAL COUNSEL SHALL:

(I)   HAVE ACCESS TO ALL BOOKS, ACCOUNTS, RECORDS, ANY MATERIAL RELATED TO CONTRACTS AND PROCUREMENT, AND ALL OTHER PAPERS AND EQUIPMENT NECESSARY TO CARRY OUT ITS RESPONSIBILITIES; AND

(II)   HAVE DIRECT AND PROMPT ACCESS TO ALL HEADS OF AGENCIES INVOLVED IN THE EXPENDITURE OF PUBLIC FUNDS.

(C)   In accordance with the State budget, the Board may appoint any additional staff necessary to carry out its responsibilities under this Division II.

SECTION 3. 2.   AND BE IT FURTHER ENACTED, That the Board of Public Works, in exercising its authority under § 7–236 of the State Finance and Procurement Article, may authorize during Fiscal Year 1995 no more than five positions as a result of the enactment of Section 1 of this Act.

SECTION 2. 4. 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 1994.

SECTION 5.   AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 1995.

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May 26, 1994

The Honorable Casper R. Taylor, Jr.
Speaker of the House of Delegates
State House
Annapolis, Maryland   21401