

~~(H) organized to promote the interests of physically or mentally disabled individuals; OR~~

~~(H) CONTROLLED BY INDIVIDUALS WHO ARE MEMBERS OF A GROUP THAT IS SOCIALLY OR ECONOMICALLY DISADVANTAGED, AS DEFINED IN PARAGRAPH (1) (II) OF THIS SUBSECTION.~~

~~(3) IN PARAGRAPH (2) OF THIS SUBSECTION, "CONTROLLED" MEANS THAT AT LEAST 51% OF THE MEMBERS OF THE BOARD OF DIRECTORS, OR AT LEAST 51% OF THE FULL TIME EMPLOYEES ARE MEMBERS OF A GROUP THAT IS SOCIALLY OR ECONOMICALLY DISADVANTAGED.~~

14-302.

(a) [Except for leases of real property, each unit shall structure procurement procedures to:

(1) encourage participation in the process by certified minority business enterprises; and

(2) try to provide a fair share of procurement contracts to certified minority business enterprises.

(b) (1) Except for leases of real property and except as provided in [paragraph] PARAGRAPHS (2) AND (3) of this subsection, each [designated] unit shall structure procurement procedures, consistent with the purposes of this subtitle, to try to achieve the result that a minimum of [10%] ~~18%~~ ~~12%~~ ~~14%~~ of the [designated] unit's total dollar value of procurement contracts is made directly or indirectly from certified minority business enterprises.

(2) [In] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, IN procurement for construction, [the Department of Transportation] EACH UNIT shall:

(i) structure procurement procedures, consistent with the purposes of this subtitle, to try to achieve [participation by certified minority business enterprises in the amount of at least 10% of the dollar value of procurement contracts in excess of \$100,000 on the prime or subcontract level; and] THE RESULT THAT A MINIMUM OF ~~5%~~ ~~12%~~ ~~14%~~ OF THE UNIT'S TOTAL DOLLAR VALUE OF CONSTRUCTION CONTRACTS IS MADE DIRECTLY OR INDIRECTLY FROM CERTIFIED MINORITY BUSINESS ENTERPRISES OWNED BY WOMEN AND 13% OF THE UNIT'S TOTAL DOLLAR VALUE OF CONSTRUCTION CONTRACTS IS MADE DIRECTLY OR INDIRECTLY FROM CERTIFIED MINORITY BUSINESS ENTERPRISES OWNED BY OTHER MINORITIES; AND

(ii) consider the practical severability of the construction projects.

(3) WITH RESPECT TO THE MARYLAND DEPARTMENT OF TRANSPORTATION, THE PROVISIONS OF ~~SUBSECTION (A)(2)(I) PARAGRAPH (2)(I) OF THIS SUBSECTION~~ SHALL APPLY ONLY TO CONSTRUCTION CONTRACTS IN EXCESS OF \$100,000.

(4) TO ACHIEVE THE RESULT SPECIFIED IN PARAGRAPH (1) OR (2) OF THIS SUBSECTION, A CONTRACTOR SHALL: