

(I) IDENTIFY SPECIFIC WORK CATEGORIES APPROPRIATE FOR SUBCONTRACTING;

(II) AT LEAST 10 DAYS BEFORE BID OPENING, SOLICIT MINORITY BUSINESS ENTERPRISES, THROUGH WRITTEN NOTICE THAT:

1. DESCRIBES THE CATEGORIES OF WORK UNDER ITEM (I) OF THIS SUBPARAGRAPH; AND

2. PROVIDES INFORMATION REGARDING THE TYPE OF WORK BEING SOLICITED AND SPECIFIC INSTRUCTIONS ON HOW TO SUBMIT A BID;

(III) ATTEMPT TO MAKE PERSONAL CONTACT WITH THE FIRMS IN ITEM (II) OF THIS PARAGRAPH;

(IV) ASSIST MINORITY BUSINESS ENTERPRISES TO FULFILL BONDING REQUIREMENTS OR TO OBTAIN A WAIVER OF THOSE REQUIREMENTS;

(V) IN ORDER TO PUBLICIZE CONTRACTING OPPORTUNITIES TO MINORITY BUSINESS ENTERPRISES, ATTEND PREBID MEETINGS OR OTHER MEETINGS SCHEDULED BY THE UNIT; AND

(VI) UPON ACCEPTANCE OF A BID, PROVIDE THE UNIT WITH A LIST OF MINORITY BUSINESSES WITH WHOM THE CONTRACTOR NEGOTIATED, INCLUDING PRICE QUOTES FROM MINORITY AND NONMINORITY FIRMS; AND

(VII) UTILIZE QUALIFIED MINORITY BUSINESSES THAT SUBMIT LOW BIDS.

(5) (I) THE UNIT SHALL MAKE A FINDING WHETHER THE CONTRACTOR COMPLIED, IN GOOD FAITH, WITH PARAGRAPH (4) OF THIS SUBSECTION.

(II) IF THE UNIT FINDS THE CONTRACTOR COMPLIED WITH PARAGRAPH (4) OF THIS SUBSECTION, THE UNIT MAY NOT REQUIRE THE CONTRACTOR TO RENEGOTIATE ANY SUBCONTRACT IN ORDER TO ACHIEVE A DIFFERENT RESULT.

[(c)](B) (1) The provisions of §§ 14-301[(f)] (E) and 14-303 of this subtitle and [subsections (a) and (b)] SUBSECTION (A) of this section are inapplicable to the extent that any [of the primary procurement units] UNIT determines the provisions to be in conflict with any applicable federal program requirement.

(2) The determination under this subsection shall be included with the report required under § 14-305 of this subtitle.

14-303.

(a) (1) In accordance with Title 10, Subtitle 1 of the State Government Article, the Board shall adopt regulations consistent with the purposes of this Division II to carry out the requirements of this subtitle.