

(1992 Replacement Volume and 1995 Supplement)

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

Article - Education

5-110.

(a) This section does not apply to:

- (1) Baltimore City;
- (2) Contracts for the purchase of books and other materials of instruction as defined in the State Department of Education Financial Reporting Manual; and
- (3) Emergency repairs [required during the regular school year].

(b) (1) If the cost of any school building, improvement, supplies, or equipment is more than \$15,000, the county board, at least 2 weeks before bids are to be filed, shall advertise for bids in at least one newspaper of general circulation in the county.

(2) The county board may name in the specifications and advertisements for bids the particular make, kind, or brand of article to be contracted for or purchased.

(c) (1) A contract for the school building, improvements, supplies, or other equipment shall be awarded to the lowest responsible bidder who conforms to specifications with consideration given to:

- (i) The quantities involved;
- (ii) The time required for delivery;
- (iii) The purpose for which required;
- (iv) The competency and responsibility of the bidder; and
- (v) The ability of the bidder to perform satisfactory service.

(2) The county board may reject any and all bids and readvertise for other bids.

(d) (1) In this subsection, the term "minority business enterprise" has the meaning stated in § 14-301 of the State Finance and Procurement Article.

(2) In Montgomery County, by resolution and by implementing regulations, the Montgomery County Board of Education shall establish a minority business utilization program to facilitate the participation of responsible certified minority business enterprises in contracts awarded by the Montgomery County Board of Education in accordance with competitive bidding procedures.

(e) A contract entered into or purchase made in violation of this section is void.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.