

EXPECTED TO ACHIEVE A BETTER PRICE AS THE RESULT OF ECONOMIES OF SCALE OR TO OTHERWISE BENEFIT BY PURCHASING IN COOPERATION WITH ANOTHER GOVERNMENTAL ENTITY.

13-110.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "GOVERNMENTAL ENTITY" MEANS:

(I) THE FEDERAL GOVERNMENT OR AN AGENCY OR OTHER INSTRUMENTALITY OF THE FEDERAL GOVERNMENT;

(II) ANOTHER STATE OR AN AGENCY OR OTHER INSTRUMENTALITY OF ANOTHER STATE;

(III) A BISTATE OR MULTISTATE AGENCY;

(IV) A COUNTY, MUNICIPAL CORPORATION, OR OTHER POLITICAL SUBDIVISION OF THE STATE OR OF ANOTHER STATE, OR AN AGENCY OR OTHER INSTRUMENTALITY OF THE POLITICAL SUBDIVISION;

(V) A BICOUNTY OR MULTICOUNTY AGENCY; OR

(VI) A PRIMARY PROCUREMENT UNIT.

(3) "INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT" MEANS A CONTRACT:

(I) 1. ENTERED INTO BY AT LEAST ONE GOVERNMENTAL ENTITY AND A PERSON SELECTED IN A MANNER THAT IS CONSISTENT WITH THE PURPOSES SET FORTH UNDER § 11-201 OF THIS ARTICLE;

2. THAT IS AVAILABLE FOR USE BY THE GOVERNMENTAL ENTITY ENTERING THE CONTRACT AND AT LEAST ONE ADDITIONAL GOVERNMENTAL ENTITY WHICH MAY, BUT NEED NOT BE, AN ORIGINAL PARTY TO THE CONTRACT; AND

3. THAT IS INTENDED TO PROMOTE EFFICIENCY AND SAVINGS THAT CAN RESULT FROM INTERGOVERNMENTAL COOPERATIVE PURCHASING; OR

(II) BETWEEN A PRIMARY PROCUREMENT UNIT AND A PERSON WHO, AT THE TIME THE INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT IS AWARDED, HAS A CONTRACT WITH THE FEDERAL GOVERNMENT OR AN AGENCY OR OTHER INSTRUMENTALITY OF THE FEDERAL GOVERNMENT, AND WHO AGREES TO PROVIDE THE UNIT WITH IDENTICAL PRICES, TERMS, AND CONDITIONS AS STIPULATED IN THE FEDERAL CONTRACT.

(B) (1) SUBJECT TO § 12-107 OF THIS ARTICLE AND PARAGRAPH (3) OF THIS SUBSECTION, WHENEVER A PRIMARY PROCUREMENT UNIT PROCUREMENT OFFICER DETERMINES THAT IT IS IN THE BEST INTEREST OF THE STATE TO SPONSOR