

(II) A MINIMUM OF 10% OF THE UNIT'S TOTAL DOLLAR VALUE OF PROCUREMENT CONTRACTS IS TO BE MADE DIRECTLY OR INDIRECTLY FROM CERTIFIED MINORITY BUSINESS ENTERPRISES CLASSIFIED BY THE CERTIFICATION AGENCY AS WOMEN-OWNED BUSINESSES; AND

(III) AN OVERALL MINIMUM OF 25% OF THE UNIT'S TOTAL DOLLAR VALUE OF PROCUREMENT CONTRACTS IS TO BE MADE DIRECTLY OR INDIRECTLY FROM ALL CERTIFIED MINORITY BUSINESS ENTERPRISES.

(2) (I) Except as provided in paragraph (3) of this subsection, in procurement for construction, each unit shall[:

(i) structure procurement procedures, consistent with the purposes of this subtitle, to try to achieve the [result that a minimum of 14% of the unit's total dollar value of construction contracts is made directly or indirectly from certified minority business enterprises; and] FOLLOWING RESULTS:

1. A MINIMUM OF 7% OF THE UNIT'S TOTAL DOLLAR VALUE OF CONSTRUCTION CONTRACTS IS TO BE MADE DIRECTLY OR INDIRECTLY FROM CERTIFIED MINORITY BUSINESS ENTERPRISES CLASSIFIED BY THE CERTIFICATION AGENCY AS AFRICAN AMERICAN-OWNED BUSINESSES;

2. A MINIMUM OF 10% OF THE UNIT'S TOTAL DOLLAR VALUE OF CONSTRUCTION CONTRACTS IS TO BE MADE DIRECTLY OR INDIRECTLY FROM CERTIFIED MINORITY BUSINESS ENTERPRISES CLASSIFIED BY THE CERTIFICATION AGENCY AS WOMEN-OWNED BUSINESSES; AND

3. AN OVERALL MINIMUM OF 25% OF THE UNIT'S TOTAL DOLLAR VALUE OF CONSTRUCTION CONTRACTS IS TO BE MADE DIRECTLY OR INDIRECTLY FROM ALL CERTIFIED MINORITY BUSINESS ENTERPRISES.

(ii) THE UNIT SHALL:

1. consider the practical severability of the construction projects; AND

2. IMPLEMENT A PROGRAM THAT WILL ENABLE THE UNIT TO EVALUATE EACH CONTRACT TO DETERMINE THE APPROPRIATENESS OF THE GOAL.

(3) With respect to the Maryland Department of Transportation, the provisions of paragraph (2)(i) of this subsection shall apply only to construction contracts in excess of \$50,000.

(4) EACH UNIT SHALL MEET THE MAXIMUM FEASIBLE PORTION OF THE GOALS STATED IN PARAGRAPHS (1), (2), AND (3) OF THIS SUBSECTION BY USING RACE-NEUTRAL MEASURES TO FACILITATE MINORITY BUSINESS ENTERPRISE PARTICIPATION IN THE PROCUREMENT PROCESS.

(5) To achieve the result specified in paragraph (1) or (2) of this subsection, a contractor, INCLUDING A CONTRACTOR THAT IS A CERTIFIED MINORITY BUSINESS ENTERPRISE, shall: