

ON BARGAINING UNIT EMPLOYEES THAN EXISTED PRIOR TO ITS RENEWAL OR REBIDDING;

(XII) SOLICITATION OF A SERVICE CONTRACT FOR A CAPITAL IMPROVEMENT PROJECT OR ASSET MANAGEMENT PROJECT;

(XIII) SOLICITATION OF ANY CLASS, TYPE, CATEGORY, OR PARTICULAR SERVICE CONTRACT THAT THE COMMISSION REASONABLY BELIEVES SHOULD BE PERFORMED BY AN INDEPENDENT CONTRACTOR TO ELIMINATE A CONFLICT OF INTEREST OTHERWISE APPARENT IF THE SERVICES ARE PERFORMED BY A BARGAINING UNIT EMPLOYEE;

(XIV) SOLICITATION OF ANY CLASS, TYPE, CATEGORY, OR PARTICULAR SERVICE CONTRACT WHEN THE NEED FOR THE SERVICE OR ACTIVITY IS SUCH THAT THE TIME NECESSARY FOR THE ANALYSIS REQUIRED UNDER SUBSECTION (D) OF THIS SECTION WOULD:

1. RESULT IN DAMAGE TO COMMISSION PROPERTY;
2. RESULT IN INJURY TO INDIVIDUALS; OR
3. SUBSTANTIALLY HINDER THE OBJECTIVE OF CONSTRUCTING OR MAINTAINING SAFE, SANITARY, AND DECENT PROPERTIES AND FACILITIES; OR

(XV) A SERVICE CONTRACT THAT EITHER THE MONTGOMERY COUNTY COUNCIL OR THE PRINCE GEORGE'S COUNTY COUNCIL AUTHORIZES OR REQUIRES BE PROVIDED BY AN INDEPENDENT CONTRACTOR.

(4) THIS SECTION DOES NOT APPLY TO OR LIMIT THE AUTHORITY OF THE COMMISSION TO ABOLISH A BARGAINING UNIT POSITION OR CONDUCT A REDUCTION IN FORCE.

~~(C) THE COMMISSION MAY NOT SOLICIT A SERVICE CONTRACT UNDER THIS SUBTITLE UNLESS THE EXECUTIVE DIRECTOR HAS CERTIFIED THAT THE SERVICE CONTRACT COMPLIES WITH SUBSECTIONS (D) AND (E) OF THIS SECTION.~~

(C) BEFORE THE COMMISSION SOLICITS ANY SERVICE CONTRACT UNDER THIS SECTION, THE SECRETARY-TREASURER MUST CERTIFY THAT THE COMMISSION HAS COMPLIED WITH SUBSECTIONS (D) AND (E) OF THIS SECTION.