

(4) "OFFICE" MEANS THE OFFICE OF SMALL, LOCAL, AND MINORITY BUSINESS ENTERPRISE ESTABLISHED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(B) (1) BY RESOLUTION AND BY ADOPTING REGULATIONS, THE WSSC SHALL ESTABLISH A MINORITY BUSINESS UTILIZATION PROGRAM TO FACILITATE THE PARTICIPATION OF RESPONSIBLE CERTIFIED MINORITY BUSINESS ENTERPRISES IN CONTRACTS AWARDED BY THE WSSC FOR GOODS AND SERVICES NOT COVERED BY § 3-102 OF THIS SUBTITLE IF:

(I) THE WSSC DETERMINES THAT MINORITY BUSINESS ENTERPRISES ARE UNDERREPRESENTED IN THE AWARD OF THESE CONTRACTS DUE TO THE EFFECTS OF PAST DISCRIMINATION; AND

(II) THE WSSC DETERMINES THAT SUCH A PROGRAM IS NECESSARY TO REMEDY THE EFFECTS OF PAST DISCRIMINATION AGAINST MINORITY BUSINESS ENTERPRISES IN CONTRACTING WITH THE WSSC.

(2) (I) THERE IS AN OFFICE OF SMALL, LOCAL, AND MINORITY BUSINESS ENTERPRISE IN THE WSSC.

(II) THE OFFICE SHALL ADMINISTER THE PROGRAMS THE WSSC IS REQUIRED TO ESTABLISH UNDER PARAGRAPH (1) OF THIS SUBSECTION AND §§ 3-102(F) AND 3-110 OF THIS SUBTITLE.

(III) THERE IS A DIRECTOR WHO SHALL BE IN CHARGE OF THE OFFICE.

(C) THE REGULATIONS THAT ESTABLISH THE PROGRAM UNDER SUBSECTION (B) OF THIS SECTION SHALL INCLUDE PROVISIONS THAT:

(1) RECOGNIZE THE CERTIFICATION OF MINORITY BUSINESS ENTERPRISES BY THE STATE CERTIFICATION AGENCY DESIGNATED UNDER § 14-303(B) OF THE STATE FINANCE AND PROCUREMENT ARTICLE;

(2) RECOGNIZE ANY OTHER CERTIFICATION PROGRAM THAT IN THE JUDGMENT OF THE WSSC SUBSTANTIALLY DUPLICATES THE REQUIREMENTS OF THE STATE CERTIFICATION AGENCY;

(3) PROVIDE FOR MINORITY BUSINESS PARTICIPATION THROUGH SUBCONTRACTING;