

Occurred: As a result of Ch. 273, Acts of 2004. The obsolete provision is related to the jurisdiction of Morgan State University over its procurement system. Ch. 273, Acts of 2004 established that, with specific exceptions, Division II of the State Finance and Procurement Article does not apply to Morgan State University. Thus, that Act made § 12-107(b)(7) of the State Finance and Procurement Article obsolete.

15-221.2.

(b) The Appeals Board may award to a contractor the reasonable costs of filing and pursuing a claim, including reasonable [attorney] **ATTORNEY'S** fees, if the Appeals Board finds that the conduct of unit personnel in processing a contract claim is in bad faith or without substantial justification.

**DRAFTER'S NOTE:**

Error: Incorrect word usage in § 15-221.2(b) of the State Finance and Procurement Article. Correction is consistent with the use of the term "attorney's fees" throughout the State Finance and Procurement Article.

Occurred: Ch. 682, Acts of 1996.

19-115.

All requests for bids or proposals issued for State contracts shall include the following certification to be completed by the bidder:

"The undersigned bidder hereby certifies and agrees that the following information is correct:

In preparing its bid on this project, the bidder has considered all proposals submitted from qualified, potential subcontractors and suppliers, and has not engaged in "discrimination" as defined in § 19-103 of the [State Government Article] **STATE FINANCE AND PROCUREMENT ARTICLE** of the Annotated Code of Maryland; to wit: discrimination in the solicitation, selection, or [commercial] **COMMERCIAL** treatment of any subcontractor, vendor, supplier, or commercial customer on the basis of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, or on the basis of disability or other unlawful forms of discrimination. Without limiting the foregoing, "discrimination" also includes retaliating against any person or other entity for reporting any incident of "discrimination". Without limiting any other provision of the solicitation for bids on this project, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for the State to reject the bid submitted by the bidder on this project, and terminate any contract awarded based on the bid. As part of its bid or proposal, the bidder shall provide to the State a list of all instances within the immediate past 4 years where there has been a final adjudicated determination in a legal or administrative proceeding in the State of