

CHAPTER 342

(House Bill 94)

AN ACT concerning

State Procurement Contracts – Leasing of Real Property

FOR the purpose of expanding the conditions under which a procurement officer may obtain ~~additional~~ offers to lease certain property without republication of notice; specifying a certain exception in the terms of a procurement contract for certain property; and generally relating to State procurement contracts and the leasing of real property.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 13-105(f) and 13-218(a)
Annotated Code of Maryland
(1988 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

13-105.

(f) By direct solicitation and without republication of notice, the procurement officer may acquire ~~additional~~ OTHER offers if:

(1) ~~THE PUBLIC NOTICE OF REQUESTS FOR PROPOSALS OR~~ (I) negotiations and best and final offers fail to produce a lease for real property with terms comparable to market rental rates in the boundaries in which the unit must obtain the lease; and

(2) (II) the final offeror did not accept a lease with terms comparable to the market rental rates; OR

(2) THE PUBLIC NOTICE OF REQUESTS FOR PROPOSALS FAILS TO PRODUCE A RESPONSE OR OFFER OF A LEASE FOR REAL PROPERTY.

13-218.

(a) Each procurement contract shall include clauses covering:

(1) termination for default;

(2) termination wholly or partly by the State for its convenience if the head of the primary procurement unit determines that termination is appropriate;

(3) [the unilateral right of the State to order in writing: