

(iii) any other provision that favors a resident over a nonresident.

(3) "Resident bidder" means a bidder whose principal office is located in the State.

(b) ~~{When}~~ ~~SUBJECT TO THE PROVISIONS OF § 14 401.1 OF THIS SUBTITLE, WHEN~~ a unit uses competitive sealed bidding to award a procurement contract, the unit may give a preference to the resident bidder who submits the lowest responsive bid from a resident bidder if:

(1) the resident bidder is a responsible bidder;

(2) a responsible bidder whose principal office is in another state submits the lowest responsive bid;

(3) the other state gives a preference to its residents; and

(4) a preference does not conflict with a federal law or grant affecting the procurement contract.

(c) (1) A NONRESIDENT BIDDER SUBMITTING A PROPOSAL FOR A STATE PROJECT SHALL ATTACH TO THE PROPOSAL A COPY OF THE CURRENT STATUTE, RESOLUTION, POLICY, PROCEDURE, OR EXECUTIVE ORDER OF THE RESIDENT STATE OF THE NONRESIDENT BIDDER THAT PERTAINS TO THAT STATE'S TREATMENT OF NONRESIDENT BIDDERS.

(2) A preference under this section shall be identical to the preference that the other state gives to its residents.

~~14 401.1.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) "PERCENTAGE PREFERENCE" MEANS THE PERCENT OF THE LOWEST RESPONSIVE BID SUBMITTED BY A RESPONSIBLE BIDDER WHO DOES NOT MEET THE PAYROLL REQUIREMENTS OF SUBSECTION (C)(1) OF THIS SECTION BY WHICH A RESPONSIVE BID BY A RESPONSIBLE BIDDER WHO MEETS THE PAYROLL REQUIREMENTS OF SUBSECTION (C)(1) OF THIS SECTION MAY:~~

~~(I) EXCEED THE LOWEST BID; AND~~

~~(II) BE AWARDED A PUBLIC WORK CONTRACT UNDER THIS SECTION.~~

~~(3) "PUBLIC WORK CONTRACT" HAS THE MEANING PROVIDED IN § 17 201 OF THIS ARTICLE.~~

~~(B) (1) THIS SECTION IS IN ADDITION TO THE PROVISIONS OF § 14 401 OF THIS SUBTITLE.~~