

1. A PERSON WHO WAS NOT PREQUALIFIED AT THE TIME OF BID OPENING OR RECEIPT OF PROPOSALS IS A RESPONSIBLE BIDDER; OR

2. A PREQUALIFIED PERSON IS NOT A RESPONSIBLE BIDDER.

[(c)](D) (1) Except as provided in subsection [(d)] (E) of this section, the contract shall be awarded to the lowest responsible bidder, who conforms to the specifications, with consideration given to:

- (i) The quantities involved;
- (ii) The time required for delivery;
- (iii) The purpose for which required;
- (iv) The competence and responsibility of the bidder; and
- (v) The ability of the bidder to perform the contract satisfactorily.

(2) The board of trustees may reject any and all bids and readvertise for other bids.

[(d)](E) (1) In this subsection, the terms "minority business enterprise" and "minority individual" have the meanings stated in § 14-301(e) of the State Finance and Procurement Article.

(2) In Montgomery County, by resolution and by implementing rules and regulations, the Board of Trustees of Montgomery Community College shall establish a mandatory minority business utilization program to facilitate the participation of responsible certified minority business enterprises in contracts awarded by the Board of Trustees of Montgomery Community College in accordance with competitive bidding requirements.

[(e)](F) In Montgomery County, the Board of Trustees of Montgomery Community College may:

(1) Provide in its bid specifications that a product grown, mined, or manufactured in the Republic of South Africa may be rejected; and

(2) Reject a bid for a product grown, mined, or manufactured in the Republic of South Africa.

[(f)](G) A contract entered into or purchase made in violation of this section is void.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.