

(I) THE INFORMATION TECHNOLOGY IS NOT AVAILABLE WITH NONVISUAL ACCESS BECAUSE THE ESSENTIAL ELEMENTS OF THE INFORMATION TECHNOLOGY ARE VISUAL AND NONVISUAL EQUIVALENCE CANNOT BE DEVELOPED; OR

(H) THE COST OF MODIFYING THE INFORMATION TECHNOLOGY TO SUPPORT NONVISUAL ACCESS WOULD INCREASE THE COST OF THE PROCUREMENT BY MORE THAN 5%.

(II) THE COST OF MODIFYING THE INFORMATION TECHNOLOGY FOR COMPATIBILITY WITH SOFTWARE AND HARDWARE FOR NONVISUAL ACCESS WOULD INCREASE THE PRICE OF THE PROCUREMENT BY MORE THAN 5 PERCENT.

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) variations that occur between estimated and actual quantities of work in a procurement contract;

(4) liquidated damages, as appropriate;

(5) specified excuses for nonperformance;

(6) except for real property leases, the unilateral right of the State to order in writing:

(i) changes in the work, if the changes are within the scope of the procurement contract; and

(ii) a temporary stop or delay in performance; [and]

(7) the obligation of the contractor to comply with the political contribution reporting requirements under Subtitle 30 of Article 33 of the Code, to which the contractor may be subject as required under § 17-402 of this article; AND

(8) NONVISUAL ACCESS FOR INFORMATION TECHNOLOGY AS REQUIRED UNDER § 3-412 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to each invitation for bids and request for proposals issued after December 31, 1998 for award under a State procurement contract for the purchase of new or upgraded information technology.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.

Approved May 21, 1998.