

(E) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE MONTGOMERY COMMISSION.

(F) "SERVICE CONTRACT" MEANS A PROCUREMENT CONTRACT FOR SERVICES THAT WILL BE PROVIDED TO THE MONTGOMERY COMMISSION.

16-402.

(A) (1) THIS SUBTITLE APPLIES TO A SERVICE CONTRACT THAT:

(I) IS SOLICITED BY THE MONTGOMERY COMMISSION AS A MANAGEMENT PLAN INTENDED TO ADVERSELY AFFECT MONTGOMERY COMMISSION EMPLOYEES REPRESENTED BY A CERTIFIED REPRESENTATIVE; AND

(II) IN THE ESTIMATION OF THE MONTGOMERY COMMISSION PROCUREMENT OFFICER, WILL EXCEED AN ANNUAL COST OF \$75,000 AS CALCULATED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(2) THE MONTGOMERY COMMISSION SHALL ADJUST THE ANNUAL COST ESTIMATION DESCRIBED IN PARAGRAPH (1)(II) OF THIS SUBSECTION TO THE NEAREST \$100 EVERY 2 YEARS, BEGINNING ON OCTOBER 1, 2008, TO REFLECT ANY AGGREGATE INCREASE IN THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, FOR THE WASHINGTON-BALTIMORE METROPOLITAN AREA, OR ANY SUCCESSOR INDEX, FOR THE PREVIOUS 2 YEARS.

(B) THIS SUBTITLE DOES NOT APPLY TO:

(1) SOLICITATION OF A SERVICE CONTRACT AS PART OF A MANAGEMENT PLAN AND NOT FOR A PRESENT OR EVENTUAL PURPOSE OF ADVERSELY AFFECTING MONTGOMERY COMMISSION EMPLOYEES REPRESENTED BY THE CERTIFIED REPRESENTATIVE;

(2) SOLICITATION OF A SERVICE CONTRACT FOR WHICH THE PRIMARY PURPOSE IS TO OBTAIN GOODS OR CONSTRUCTION SERVICES;

(3) SOLICITATION OF A SERVICE CONTRACT THAT THE MONTGOMERY COMMISSION'S PURCHASING OFFICIALS REASONABLY BELIEVE AND EXPRESS IN WRITING MAY NEGATIVELY AFFECT THE POTENTIAL FOR PARTICIPATION BY A MINORITY, FEMALE, OR DISABLED OWNED BUSINESS IN