

ON BARGAINING UNIT EMPLOYEES THAN EXISTED PRIOR TO ITS RENEWAL OR REBIDDING;

(12) SOLICITATION OF A SERVICE CONTRACT FOR A CAPITAL IMPROVEMENT PROJECT, A U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT 236 PROPERTY, A NEWLY-ACQUIRED OR DEVELOPED PROPERTY, UNLESS THAT PROPERTY IS BOTH OWNED AND MANAGED BY THE MONTGOMERY COMMISSION, OR AN ASSET MANAGEMENT PROJECT;

(13) SOLICITATION OF ANY CLASS, TYPE, CATEGORY, OR PARTICULAR SERVICE CONTRACT THAT THE MONTGOMERY COMMISSION REASONABLY BELIEVES SHOULD BE PERFORMED BY AN INDEPENDENT CONTRACTOR TO ELIMINATE A CONFLICT OF INTEREST OTHERWISE APPARENT IF THE SERVICES ARE PERFORMED BY A BARGAINING UNIT EMPLOYEE;

(14) SOLICITATION OF ANY CLASS, TYPE, CATEGORY, OR PARTICULAR SERVICE CONTRACT WHEN THE NEED FOR THE SERVICE OR ACTIVITY IS SUCH THAT THE TIME NECESSARY FOR THE ANALYSIS REQUIRED UNDER § 16-403 OF THIS SUBTITLE WOULD:

(I) RESULT IN DAMAGE TO MONTGOMERY COMMISSION PROPERTY;

(II) RESULT IN INJURY TO INDIVIDUALS; OR

(III) SUBSTANTIALLY HINDER THE OBJECTIVE OF CONSTRUCTING OR MAINTAINING SAFE, SANITARY, AND DECENT PROPERTIES AND FACILITIES; OR

(15) A SERVICE CONTRACT REQUIRED TO COMPLY WITH AN APPLICABLE RULE, REGULATION, OR GUIDELINE ESTABLISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(C) THIS SUBTITLE DOES NOT APPLY TO OR LIMIT THE AUTHORITY OF THE MONTGOMERY COMMISSION TO ABOLISH A BARGAINING UNIT POSITION OR CONDUCT A REDUCTION IN FORCE.

16-403.

BEFORE THE MONTGOMERY COMMISSION SOLICITS ANY SERVICE CONTRACT UNDER THIS SUBTITLE, THE EXECUTIVE DIRECTOR SHALL CERTIFY