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Livingston's Maryland Procurement

Law Alert

January 31, 2017

Please find below new Bills that were introduced by the Procurement Commission created by Governor Hogan last year:

HB No. 390 (Crossfile **SB 310**) – Improving the State Procurement Oversight Structure

Renaming the Procurement Advisory Council and altering the membership and duties of the Council; repealing a specified provision of law relating to prequalification of bidders and offerors; increasing from \$100,000 to \$200,000 the total value of specified contracts, leases, or other agreements that require a business to file a specified disclosure with the Secretary of State; providing that a decision not to pay a contract claim is a final action for the purpose of a specified appeal; etc.

House Status: First Reading Health and Government Operations (1/26)

Senate Status: Hearing 2/16 at 1:00 p.m. (1/27)

HB No. 426 (Crossfile **SB 311**) – Promoting Efficiencies in State Procurement

Altering provisions of State procurement law; altering the dollar value threshold that triggers the requirement to publish notice in eMaryland Marketplace regarding specified procurements; expanding the list of the types of procurement methods available to a procurement officer for specified procurements; specifying a preferred procurement method for human, social, cultural, or educational services; establishing qualification based selection as the method of procurement for specified procurements; etc.

House Status: First Reading Health and Government Operations (1/26)

Senate Status: Hearing 2/16 at 1:00 p.m. (1/27)

HB No. 433 (Crossfile **SB 309**) – State Finance and Procurement – Small and Minority Business Participation

Clarifying what constitutes good cause for the purposes of removal of a certified minority business enterprise after the execution of a contract; repealing the definition of "designated procurement unit" in the Small Business Reserve Program; altering a requirement that specified units structure specified procurement procedures to achieve a specified minimum percentage of the unit's total dollar value of specified contracts to be made directly to small businesses; etc.

House Status: First Reading Health and Government Operations (1/26)

Senate Status: Hearing 2/16 at 1:00 p.m. (1/27)

Additional Procurement Bills:

HB No. 283 (Crossfile **SB 109**) – Procurement – Prohibitions on Participations

Providing that specified prohibitions on participation in procurement apply only for a specified period of time following the issuance of an invitation for bids or a request for proposals; providing that specified prohibitions on participation in procurement do not apply to a subsequent invitation for bids or request for proposals for which the spe...

House Status: Hearing 2/01 at 3:00 p.m. (1/25)

Senate Status: Hearing 2/09 at 1:00 p.m. (1/25)

New Procurement Bill:

HB No. 468 – Procurement – Prevailing Wage – Application to Leased Properties

Applying the prevailing wage law to specified construction contracts on property where the State or a political subdivision of the State is the owner and the State or political subdivision leases, or plans to lease, the property or a portion of the property; and applying the Act prospectively.

Please click on the following link for further details on all bills:

<http://mgaleg.maryland.gov/webmga/frmStatutes.aspx?pid=statpage&tab=subject5>