## **HOUSE BILL 1107**

P2 7lr2866

By: Delegate Rosenberg

Introduced and read first time: February 9, 2017 Assigned to: Health and Government Operations

## A BILL ENTITLED

•	A TAT		•
ı	AN	ACT	concerning
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## Procurement - Intergovernmental Cooperative Purchasing Agreements

- 3 FOR the purpose of requiring a certain procurement officer to make a certain determination 4 before a primary procurement unit is authorized to take certain action regarding an 5 intergovernmental cooperative purchasing agreement; requiring a certain 6 determination to include certain evidence and a certain statement; requiring a 7 primary procurement unit to post certain determinations on the primary 8 procurement unit's Web site; clarifying that a certain contract be awarded in a 9 certain manner, including compliance with certain notice requirements; and generally relating to intergovernmental cooperative purchasing agreements. 10
- 11 BY repealing and reenacting, without amendments,
- 12 Article State Finance and Procurement
- 13 Section 13–110(a)(1) and (4)
- 14 Annotated Code of Maryland
- 15 (2015 Replacement Volume and 2016 Supplement)
- 16 BY repealing and reenacting, with amendments,
- 17 Article State Finance and Procurement
- 18 Section 13–110(b)
- 19 Annotated Code of Maryland
- 20 (2015 Replacement Volume and 2016 Supplement)
- 21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 22 That the Laws of Maryland read as follows:

## Article - State Finance and Procurement

24 13–110.

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25 (a) (1) In this section the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

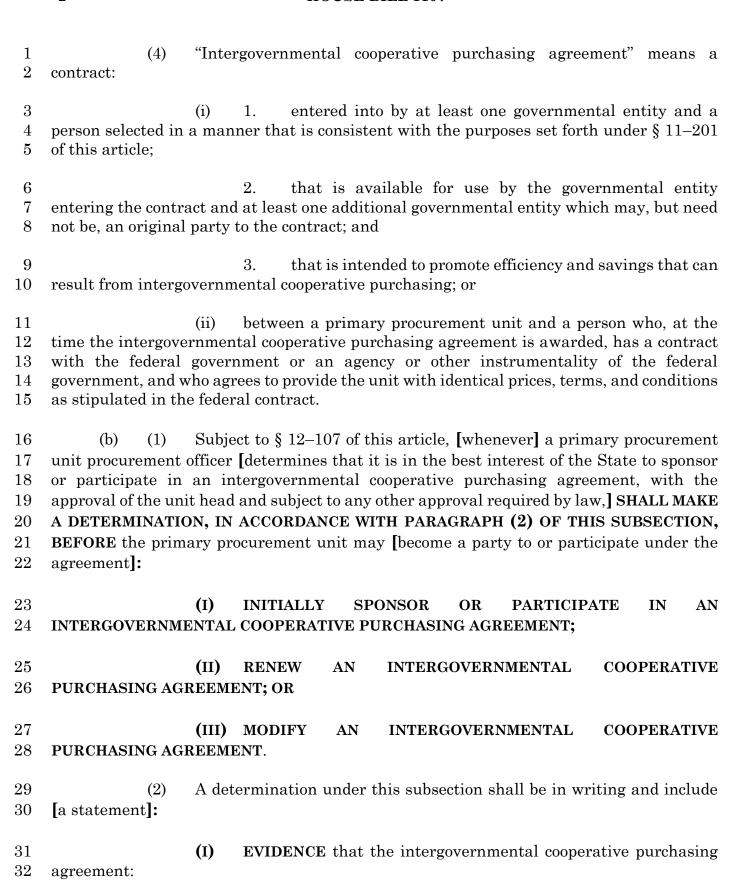
[Brackets] indicate matter deleted from existing law.



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[(i)]

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will provide cost benefits to the State[,]; AND

1 2	2. WILL promote administrative efficiencies, or promote intergovernmental cooperation; and			
3 4	(ii) A STATEMENT THAT THE INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT:			
5	1. IS IN THE BEST INTEREST OF THE STATE; AND			
6	2. is not intended to evade the purposes of this Division II.			
7 8 9	(3) A PRIMARY PROCUREMENT UNIT SHALL POST EACH DETERMINATION REQUIRED UNDER THIS SUBSECTION ON THE PRIMARY PROCUREMENT UNIT'S WEB SITE.			
10 11	[(3)] <b>(4)</b> If a primary procurement unit sponsors an intergovernmental cooperative purchasing agreement:			
12 13 14	(I) THE INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT SHALL BE APPROVED BY THE UNIT HEAD AND IS SUBJECT TO ANY OTHER APPROVAL REQUIRED BY LAW;			
15 16 17	[(i)] (II) the contract shall be awarded in the same manner as the contract would be awarded under this Division II if the unit was the sole participant under the contract, INCLUDING COMPLIANCE WITH ALL NOTICE REQUIREMENTS; and			
18 19	[(ii)] (III) all procedures under this Division II, including procedures governing contract claims and protests, shall apply.			
20 21 22	[(4)] (5) If a primary procurement unit participates in an intergovernmental cooperative purchasing agreement, any protest or contract claim involving the agreement shall be handled in accordance with the terms of the agreement.			
23 24	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.			