



February 20, 2024

Delegate Peña-Melnyk, Chair
Health and Government Operations Committee
Room 241 House Office Building
Annapolis, MD 21401

RE: HB 852 – UNFAVORABLE – State Procurement – Leases and Construction Contracts – Performance Suspension Pending Audit

Dear Chair Peña-Melnyk and Members of the Committee:

The Maryland Transportation Builders and Materials Association (“MTBMA”) has been and continues to serve as the voice for Maryland’s construction transportation industry since 1932. Our association is comprised of 200 members. MTBMA encourages, develops, and protects the prestige of the transportation construction and materials industry in Maryland by establishing and maintaining respected relationships with federal, state, and local public officials. We proactively work with regulatory agencies and governing bodies to represent the interests of the transportation industry and advocate for adequate state and federal funding for Maryland’s multimodal transportation system.

House Bill 852 would require that all units within the Executive Branch suspend any construction contracts that under investigation by the Department of Legislative Audits.

MTBMA opposes this legislation, as it raises significant concerns regarding its potential impact on ongoing infrastructure projects. While we understand the importance of ensuring transparency and accountability in state procurement processes, suspending projects at the onset of an investigation could lead to substantial delays, hindering the progress of critical infrastructure projects. Moreover, suspending projects solely based on allegations before findings are made undermines principles of fairness and creates a situation where contractors are unfairly penalized without the opportunity to defend themselves or address any concerns raised during the investigation.

We appreciate you taking the time to consider our request for an **UNFAVORABLE** report on HB 852.

Thank you,

Michael Sakata
President and CEO
Maryland Transportation Builders and Materials Association