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26 single contract.

1998 Regular Session 8lr0436

By: **Prince George's County and Montgomery County Delegations**Introduced and read first time: February 12, 1998
Assigned to: Commerce and Government Matters

	A BILL ENTITLED								
1	AN ACT concerning								
2 3 4	Washington Suburban Sanitary Commission - Design/Build Construction Contracts PG/MC 22-98								
5 6 7 8	FOR the purpose of repealing the prohibition against the Washington Suburban Sanitary Commission (WSSC) using design/build contracts for pipeline contracts or for facilities construction contracts that cost less than \$2 million; and generally relating to the use of design/build contracts by the WSSC.								
9 0 1 2	Section 3-102(a) and (b) Annotated Code of Maryland								
14 15 16 17	Section 3-102(c) Annotated Code of Maryland								
9	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:								
21	Article 29 - Washington Suburban Sanitary District								
22	3-102.								
23	(a) (1) In this section the following words have the meanings indicated.								
24 25	(2) "Design/build contract" means a contract that provides for both								

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1 2		(3) "Facilities construction contract" means a contract that provides ervices for the construction of:						
3			(i)	Water or wastewater treatment plants;				
4 5	within the pu	mping st		Water or wastewater pumping stations and related force mains limits;				
6			(iii)	Water storage facilities; and				
7			(iv)	Wastewater storage facilities or buildings.				
8 9	construction ((4) of a pipe	"Pipeline contract" means a contract that provides services for the pipeline.					
10 11	(b) contracts.	This section only applies to design/build contracts and construction						
	been given, t		d with the	er the WSSC decides, after an opportunity for a hearing has e design or construction of a water supply or sanitary comply with the requirements of this section.				
			onsiders p	SC shall advertise, by notice in newspapers and technical proper, for bids or proposals for the design and parts or as a whole, as the WSSC considers advisable.				
	Design/build contracts [shall] MAY be used [only] for facilities construction contracts [with costs exceeding \$2 million] and [may not be used] for pipeline contracts.							
21		(4)	The WS	SC:				
22 23		at the pric		May readvertise the work or any part of the work if the WSSC d are unreasonable; or				
24 25	all of the wor	rk by day		Subject to paragraph (5) of this subsection, may do any part or				
	Notwithstanding paragraph (6) of this subsection, at any time the WSSC may expend \$15,000 or less by day labor for construction work without advertising or receiving bids or proposals.							
29		(6)	The WS	SC shall award contracts by:				
30 31	section; or		(i)	Competitive sealed bids in accordance with subsection (d) of this				
32 33	of this sectio	n.	(ii)	Competitive sealed proposals in accordance with subsection (e)				
34		(7)	The WS	SC may reject any bid or proposal.				

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1	(8)	The WS	e WSSC:					
2 3	for bidders or offerors;		May ado	pt regulations to establish a prequalification process				
4 5	subsection (e)(3) of thi	(ii) s section		opt regulations to govern discussions held under				
	(9) (i) Except as prohibited under subparagraph (ii) of this paragraph, the WSSC may enter into any type of contract under this section that promotes the best interest of the WSSC.							
9	((ii)	The WS	SC:				
10 11	and		1.	May not enter a cost-plus-percentage-of-cost contract;				
12 13	under a WSSC contrac	et.	2.	Shall prohibit a cost-plus-percentage-of-cost subcontract				
14 15	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.							