

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 280

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Procurement - Competitive Sealed Proposals - Use”; strike beginning with “authorizing” in line 4 down through “Act” in line 14 and substitute “repealing the requirement that a head of a unit of State government make a certain determination before using the competitive sealed proposal method of procurement under certain circumstances; and generally relating to the use of competitive sealed proposals in procurement”; and in line 17, strike “13-102” and substitute “13-104(a)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 20 on page 1 through line 26 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 8, strike in their entirety the lines beginning with line 30 on page 2 through line 29 on page 8, inclusive, and substitute:

“13-104.

(a) Competitive sealed proposals may be used if:

(1) the procurement is for human, social, cultural, or educational services;

(2) with the approval of the head of a unit, the procurement officer determines that specifications cannot be prepared that allow an award based on the lowest bid price, the lowest evaluated bid price or, if the procurement is subject to § 11-202(3) of this article, the bid most favorable to the State; or

(3) the head of the unit determines [that:

(Over)

(i) the need to use a method other than competitive sealed bids is sufficiently compelling to override the general public policy that favors awarding procurement contracts on the basis of competitive sealed bids; and

(ii) THAT the use of competitive sealed bidding for that procurement contract is not practicable or not advantageous to the State.”.