Unofficial Copy L2 2004 Regular Session 4lr3247 CF SB 160

By: **Delegate Smigiel**Rules suspended

Introduced and read first time: March 17, 2004 Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

2	Cecil County - Bridge or Road Construction or Repair Contracts

- 3 FOR the purpose of altering the threshold amount of certain expenditures that are
- 4 required to be made by competitively bid contracts in Cecil County; repealing a
- 5 limitation on the amount of certain contracts that a contractor may be awarded
- during a certain period; providing for the termination of this Act; and generally
- 7 relating to bridge or road construction or repair contracts in Cecil County.
- 8 BY repealing and reenacting, with amendments,
- 9 Article 25 County Commissioners
- 10 Section 37A

1 AN ACT concerning

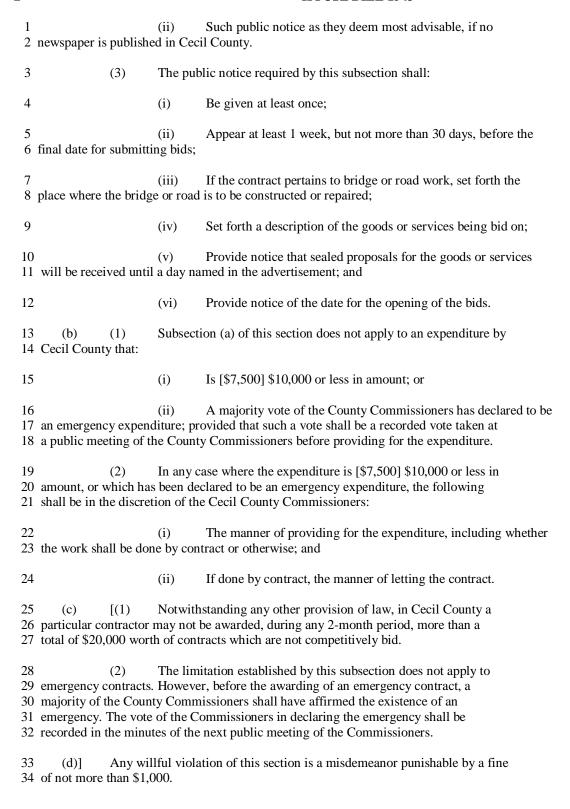
- 11 Annotated Code of Maryland
- 12 (2001 Replacement Volume and 2003 Supplement)
- 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 14 MARYLAND, That the Laws of Maryland read as follows:

## 15 Article 25 - County Commissioners

16 37A.

- 17 (a) Except as provided in subsection (b) of this section, in Cecil County
- 18 the following purchases of goods and services shall be by competitively bid contract
- 19 awarded to the lowest responsive and responsible bidder:
- 20 (i) Any construction or repair of any bridge or road; and
- 21 (ii) Any purchase or lease of any road or construction equipment or
- 22 machinery.
- 23 (2) Except as provided in subsection (b) of this section, the County
- 24 Commissioners of Cecil County shall advertise for bids on any such contract in:
- 25 (i) 1 or more newspapers published in Cecil County; or

## **HOUSE BILL 1543**



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3		struction	The County Commissioners of Cecil County may not enter into on or repair of any bridge or road or the purchase or equipment or machinery except in accordance with the		
5 6	(2) subsection (a) of this		act that is entered into in violation of the provisions of void, unless:		
7 8	has been shown by al	(i) l parties;	It is determined in a subsequent judicial review that good faith and		
9 10	subsection (a) of this	(ii) section.	There has been substantial compliance with the provisions of		
11 12	(3) compensated for cos		ract is void under this subsection, the contractor shall be vincurred if the contractor:		
13		(i)	Acted in good faith;		
14		(ii)	Did not directly contribute to the violation; and		
15		(iii)	Did not have knowledge of the violation.		
18	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004. It shall remain in effect for a period of 2 years and, at the end of September 30, 2006, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.				