

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL NO. 1087
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 8 down through “Director;” in line 9; in line 14, after “participation” insert “, based on certain factors,”; in line 17, after “circumstances;” insert “requiring certain WSSC rules and regulations to include provisions that require general contractors to submit certain monthly reports to the WSSC, provide certain notification to the WSSC if a contract with a minority business enterprise is terminated, and maintain a certain participation level from minority business enterprises;”; and in line 20, after “terms;” insert “making certain conforming changes;”.

AMENDMENT NO. 2

On page 4, in line 29, after “THAT” insert “AT THE TIME OF SUBMISSION”; strike line 32 in its entirety and substitute “BY STATING:”

1. THE POTENTIAL SUBCONTRACT OPPORTUNITIES AVAILABLE IN THE PRIME PROCUREMENT CONTRACT; AND

2. THE NUMBER OF MINORITY BUSINESS ENTERPRISES THAT HAVE CERTIFIED, UNDER THE PENALTIES OF PERJURY, THAT THE MINORITY BUSINESS ENTERPRISE HAS ENTERED INTO AN AGREEMENT WITH THE BIDDER TO PROVIDE GOODS OR SERVICES UNDER SPECIFIC TERMS OUTLINED IN THE CERTIFICATION BEFORE THE BID IS ACCEPTED;

(VII) REQUIRE EACH GENERAL CONTRACTOR TO SUBMIT MONTHLY REPORTS OF THE NUMBER OF MINORITY BUSINESS ENTERPRISES EMPLOYED BY THE GENERAL CONTRACTOR TO THE WSSC;

(VIII) REQUIRE THAT EACH GENERAL CONTRACTOR PROVIDE

(Over)

PROMPT NOTIFICATION TO THE WSSC IF A CONTRACT WITH A MINORITY BUSINESS ENTERPRISE IS TERMINATED; AND

(IX) REQUIRE THAT EACH GENERAL CONTRACTOR MAINTAIN A PARTICIPATION LEVEL FROM MINORITY BUSINESS ENTERPRISES THAT IS CONSISTENT WITH THE PARTICIPATION LEVEL REFERENCED UNDER SUBPARAGRAPH (VI)2 OF THIS PARAGRAPH OR PROVIDE JUSTIFICATION FOR THE GENERAL CONTRACTOR’S INABILITY TO MAINTAIN THAT PARTICIPATION LEVEL”.

AMENDMENT NO. 3

On page 6, in line 27, strike “2011” and substitute “2010”.

On page 11, in line 8, strike “2011” and substitute “2010”.

AMENDMENT NO. 4

On page 7, strike lines 22 through 25 in their entirety.

AMENDMENT NO. 5

On page 8, in line 32, strike “AND”; in line 33, after “REQUIRE” insert “THAT AT THE TIME OF SUBMISSION”; in line 36 strike “AT THE TIME OF SUBMISSION” and substitute “BY STATING:”

(I) THE POTENTIAL SUBCONTRACT OPPORTUNITIES AVAILABLE IN THE PRIME PROCUREMENT CONTRACT; AND

(II) THE NUMBER OF MINORITY BUSINESS ENTERPRISES THAT HAVE CERTIFIED, UNDER THE PENALTIES OF PERJURY, THAT THE MINORITY BUSINESS ENTERPRISE HAS ENTERED INTO AN AGREEMENT WITH THE BIDDER TO PROVIDE GOODS OR SERVICES UNDER SPECIFIC TERMS OUTLINED IN THE CERTIFICATION BEFORE THE BID IS ACCEPTED;

(12) REQUIRE EACH GENERAL CONTRACTOR TO SUBMIT MONTHLY REPORTS OF THE NUMBER OF MINORITY BUSINESS ENTERPRISES EMPLOYED BY THE GENERAL CONTRACTOR TO THE WSSC;

(13) REQUIRE THAT EACH GENERAL CONTRACTOR PROVIDE PROMPT NOTIFICATION TO THE WSSC IF A CONTRACT WITH A MINORITY BUSINESS ENTERPRISE IS TERMINATED; AND

(14) REQUIRE THAT EACH GENERAL CONTRACTOR MAINTAIN A PARTICIPATION LEVEL FROM MINORITY BUSINESS ENTERPRISES THAT IS CONSISTENT WITH THE PARTICIPATION LEVEL REFERENCED UNDER PARAGRAPH (11)(II) OF THIS SUBSECTION OR PROVIDE JUSTIFICATION FOR THE GENERAL CONTRACTOR'S INABILITY TO MAINTAIN THAT PARTICIPATION LEVEL".

AMENDMENT NO. 6

On page 10, in line 6, after "SUBCONTRACTORS" insert ":

1.";

and strike beginning with "WITHIN" in line 7 down through "AND" in line 8 and substitute "AS PROVIDED UNDER § 15-226 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND

2.".

AMENDMENT NO. 7

On page 11, in line 28, strike "25%" and substitute "30%".