

HB0426/496682/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 426

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and West” and substitute “West, Pendergrass, Bromwell, Angel, Cullison, Hayes, Hill, Kelly, Krebs, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young”; in line 11, strike “requiring” and substitute “authorizing”; in line 13, after “goods;” insert “providing that, under certain circumstances, certain requirements for master contracts do not apply to master contracts for construction;”; in line 17, after “Services;” insert “increasing, to at least a certain percentage, the amount of payment security a contractor is required to provide before a public body is authorized to award a construction contract; authorizing the head of a public body to reduce the amount of payment security required for certain construction contracts if a certain determination is made;”; and in line 22, after “services;” insert “requiring the Maryland Higher Education Commission to conduct a certain study in consultation with certain associations and report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 21, in line 8, strike “shall” and substitute “MAY”.

On page 22, after line 20, insert:

**“(F) THE REQUIREMENTS OF SUBSECTIONS (C)(2), (D), AND (E) OF THIS SECTION DO NOT APPLY TO A MASTER CONTRACT FOR CONSTRUCTION IF THE MASTER CONTRACT:**

**(1) IS AWARDED THROUGH A COMPETITIVE PROCESS IN ACCORDANCE WITH THIS SUBTITLE; AND**

(Over)

(2) STATES HOW TASK ORDERS WILL BE AWARDED AND THE MAXIMUM NUMBER OF QUALIFIED CONTRACTORS THAT WILL BE AWARDED A MASTER CONTRACT FOR CONSTRUCTION.”.

AMENDMENT NO. 3

On page 36, in line 10, strike “The” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE”; in line 13, strike “50%” and substitute “100%”; and after line 14, insert:

“(3) BEFORE ISSUING AN INVITATION FOR BIDS FOR A CONSTRUCTION CONTRACT REQUIRING PAYMENT SECURITY, THE HEAD OF THE PUBLIC BODY MAY REDUCE THE AMOUNT OF PAYMENT SECURITY REQUIRED TO NOT LESS THAN 50% OF THE TOTAL AMOUNT PAYABLE UNDER THE CONTRACT IF A DETERMINATION IS MADE IN WRITING THAT INCLUDES:

(I) A STATEMENT THAT REDUCING THE AMOUNT IS IN THE BEST INTEREST OF THE STATE; AND

(II) INFORMATION ON:

1. THE VALUE AND NUMBER OF SUBCONTRACTS TO BE AWARDED BY THE CONTRACTOR; AND

2. THE VALUE OF THE CONTRACT.”.

AMENDMENT NO. 4

On page 40, after line 27, insert:

**HB0426/496682/1 Health and Government Operations Committee**  
**Amendments to HB 426**  
**Page 3 of 3**

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2017, the Maryland Higher Education Commission, in consultation with the Maryland-Delaware-District of Columbia Press Association and the Maryland Association of Community Colleges, shall:

(1) study the use and cost of advertising for bids in at least one newspaper published in the county as required under § 16-311 of the Education Article; and

(2) report to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee, in accordance with § 2-1246 of the State Government Article, on the findings of the study conducted under item (1) of this section.”;

and in line 28, strike “2.” and substitute “3.”.