P2 4lr2186

By: Delegate Embry

Introduced and read first time: January 31, 2024 Assigned to: Health and Government Operations

A BILL ENTITLED

	A DILL ENTITLED				
1	AN ACT concerning				
2	Competitive Sealed Proposals - Private Security Contracts				
3 4 5	FOR the purpose of requiring competitive sealed proposals to be used as the procuremen method for certain private security contracts; and generally relating to competitive sealed proposals and procurement.				
6 7 8 9 10	BY repealing and reenacting, with amendments, Article – State Finance and Procurement Section 13–104 Annotated Code of Maryland (2021 Replacement Volume and 2023 Supplement)				
11 12	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND That the Laws of Maryland read as follows:				
13	Article - State Finance and Procurement				
14	13–104.				
15 16	(a) (1) Competitive sealed proposals is the preferred method for human, social cultural, or educational services.				
17 18 19	(2) COMPETITIVE SEALED PROPOSALS SHALL BE USED FOR A CONTRACT FOR PRIVATE SECURITY SERVICES WITH AN EXPECTED VALUE THAT IS GREATER THAN \$100,000.				
20 21	(b) (1) Whenever procurement is based on competitive sealed proposals, a procurement officer shall seek proposals by issuing a request for proposals.				

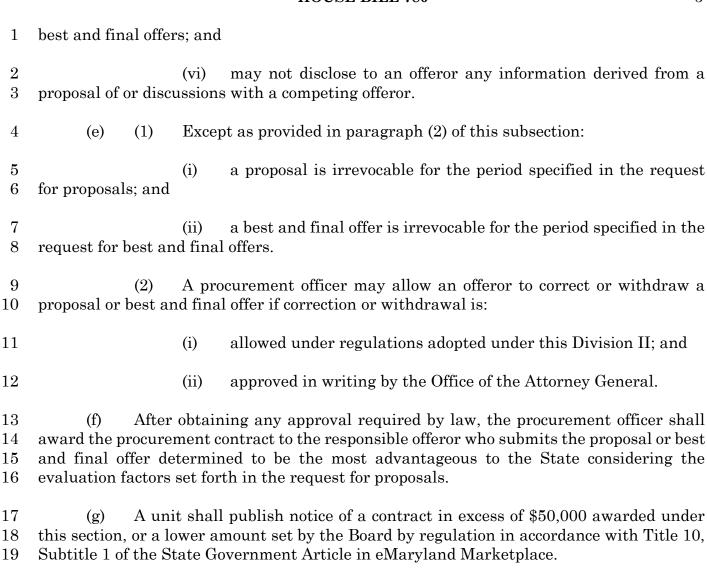
A request for proposals shall include a statement of:

(2)

22



1 2 3	degree of minority article;	(i) y busin		ontract, including the expected provided in § 14–303(b) of this	
4 5 6 7 8	(ii) a summary of the factors used to determine the expected degree of minority business enterprise participation for the procurement contract, including subcontracting opportunities identified for the project, any applicable North American Industry Classification System codes linked to the subcontracting opportunities, and the number of certified minority business enterprises in those industries;				
9 10	proposals; and	(iii)	e factors, including price, th	at will be used in evaluating	
11		(iv)	e relative importance of each f	actor.	
12 13	(c) A unifor an invitation for		ıblish a request for proposals i	n the same manner as required	
14 15	(d) (1) procurement contr		eipt of proposals but before the t may conduct discussions witl	e procurement officer awards the an offeror to:	
16		(i)	tain the best price for the Stat	e; and	
17		(ii)	sure full understanding of:		
18 19	for proposals; and		the requirements of the S	tate, as set forth in the request	
20			the proposal submitted by	the offeror.	
21	(2)	If disc	sions are conducted, the unit:		
22 23	adopted under this	(i) s Divis		n accordance with regulations	
24 25 26	(ii) shall provide an opportunity to participate to each responsible offeror who submits a proposal that, in the judgment of the procurement officer, is reasonably susceptible of being selected for award;				
27		(iii)	all treat all of those responsib	le offerors fairly and equally;	
28 29 30	proposals by subm best interests of th		t and final offers, if discussions	le offerors to revise their initial s indicate that it would be in the	
31		(v)	ay conduct more than 1 series	of discussions and requests for	



SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

 $\frac{20}{21}$

October 1, 2024.