

# HOUSE BILL 662

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By: **Delegates Tomlinson, Boaf, Cardin, Edelson, Embry, Hornberger,  
Hutchinson, Spiegel, and Stonko**

Introduced and read first time: January 24, 2025

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Procurement – Master Contracting – Authorization**

3 FOR the purpose of increasing the number of units that are authorized to adopt the master  
4 contracting method of procurement; and generally relating to the use of master  
5 contracting for State procurement.

6 BY repealing and reenacting, with amendments,  
7 Article – State Finance and Procurement  
8 Section 13–101, 13–113, and 13–114  
9 Annotated Code of Maryland  
10 (2021 Replacement Volume and 2024 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
12 That the Laws of Maryland read as follows:

13 **Article – State Finance and Procurement**

14 13–101.

15 (a) In this subtitle the following words have the meanings indicated.

16 (b) [“Designated procurement unit” means:

17 (1) the Department of General Services;

18 (2) the Department of Transportation; or

19 (3) the Department of Information Technology, only with respect to an  
20 information technology master contract executed before July 1, 2022, until the earlier of:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) the expiration date of all information technology master  
2 contracts; or

3 (ii) June 30, 2027.

4 (c) “eMaryland Marketplace” or “eMaryland Marketplace Advantage” means the  
5 Internet-based procurement system managed by the Department of General Services.

6 [(d)] (C) “Evaluated bid price” means the price of a bid after adjustment in  
7 accordance with objective measurable criteria.

8 [(e)] (D) “Master contracting” means a streamlined procurement method that  
9 provides for the qualification of bidders and offerors for the procurement of services,  
10 supplies, or commodities.

11 [(f)] (E) (1) “Objective measurable criteria” means standards that enable the  
12 State to compare the economy, effectiveness, or value of the subject of the bids.

13 (2) “Objective measurable criteria” includes standards of reliability,  
14 operational costs, maintainability, useful life, and residual value.

15 [(g)] (F) “Pay-for-success contracting” means a performance-based  
16 procurement method through which a unit contracts with an organization to deliver  
17 services or commodities in exchange for payment based on the achievement of outcomes.

18 [(h)] (G) “Person” includes, unless the context requires otherwise:

19 (1) the State;

20 (2) a county, a municipal corporation, or any other political subdivision;  
21 and

22 (3) any unit of the State government or a political subdivision.

23 [(i)] (H) “Task order” means a procurement process in which only those vendors  
24 with master contracts may compete to provide the services, supplies, or commodities under  
25 the procurement.

26 13–113.

27 (a) [The designated procurement units] A UNIT may adopt master contracting, a  
28 streamlined procurement method, to provide for the qualification of an offeror in one or  
29 more categories of services, supplies, or commodities.

1 (b) If a [designated procurement] unit adopts master contracting, the master  
2 contracting method shall include:

3 (1) the categories of services, supplies, or commodities in which an offeror  
4 may submit a proposal for qualification;

5 (2) a procedure for the consideration and approval of proposals for  
6 qualification of multiple offerors in each category of services, supplies, or commodities;

7 (3) the execution of a standard contract for a specified period of time  
8 between the State and an offeror approved as a master contractor; and

9 (4) a performance evaluation procedure to be used by a unit [of the  
10 Executive Branch] to evaluate the performance of a qualified offeror that has completed  
11 work on a task order.

12 (c) (1) A unit [of the Executive Branch] that requires services, supplies, or  
13 commodities covered under a master contract may issue a solicitation for a task order to a  
14 master contractor consistent with the regulations adopted under § 13–114 of this subtitle.

15 (2) Except as provided in subsection (f) of this section, the solicitation for a  
16 task order shall include a statement of the:

17 (i) factors that will be used in evaluating a master contractor's  
18 response; and

19 (ii) relative importance of each factor.

20 (d) (1) Except as provided in subsection (f) of this section, if the unit [of the  
21 Executive Branch] expects that the total cost of the services, supplies, or commodities will  
22 exceed \$100,000, the unit shall issue a solicitation for a task order to all master contractors  
23 in the appropriate category established by the [designated procurement] unit.

24 (2) If the unit [of the Executive Branch] expects that the total cost of the  
25 services, supplies, or commodities will be \$100,000 or less, the unit shall issue a solicitation  
26 for a task order to a minimum of six qualified master contractors or all master contractors,  
27 whichever is less, in the appropriate category established by the [designated procurement]  
28 unit.

29 (e) Except as provided in subsection (f) of this section, after a unit [of the  
30 Executive Branch] receives responses from master contractors to a solicitation for a task  
31 order, the unit shall evaluate the responses and may select a master contractor based on  
32 the response that is determined to be the most advantageous to the State considering the  
33 evaluation factors set forth in the task order.

1 (f) The requirements of subsections (c)(2), (d), and (e) of this section do not apply  
2 to a master contract for construction if the master contract:

3 (1) is awarded through a competitive process in accordance with this  
4 subtitle; and

5 (2) states:

6 (i) how task orders will be awarded; and

7 (ii) the maximum number of qualified contractors that will be  
8 awarded a master contract for construction.

9 13–114.

10 (a) The Board shall adopt regulations in accordance with Title 10, Subtitle 1 of  
11 the State Government Article to establish a uniform process for the solicitation of master  
12 contracts and task orders.

13 (b) Each [designated procurement] unit shall ensure compliance with the  
14 regulations set forth in subsection (a) of this section.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2025.