Article - State Finance and Procurement

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§13–109.

(a) In this section, "small procurement" means a procurement for which:

(1) a unit spends $100,000 or less;

(2) a contractor provides services subject to § 11–202(3) of this article for expected annual revenues of $100,000 or less;

(3) the Department of General Services or the Department of Transportation is seeking to award a procurement contract for a construction with a value that is $200,000 or less;

(4) the Department of Natural Resources is seeking to award a procurement contract for capital projects or maintenance with a value that is $200,000 or less; or

(5) for purposes of administering Title 29, Subtitle 1 of the State Personnel and Pensions Article, the State Retirement Agency spends $100,000 or less during a fiscal year for:

(i) expenses related to independent medical evaluations by a physician; and

(ii) any expenses related to testimony by the physician at administrative hearings on behalf of the Agency.

(b) A unit may make small procurements in accordance with the regulations of primary procurement units.

(c) A primary procurement unit may not create a small procurement by artificial division of a procurement.

(d) Any regulation of a primary procurement unit to govern small procurements:

(1) shall provide for a simplified administrative procedure;

(2) shall be consistent with the basic intent of this Division II; and

(3) may not be disadvantageous economically to the State.

(e) At least every 3 years, the Board shall:

(1) review the prevailing costs of labor and materials; and

(2) if warranted by changes in cost, recommend to the General Assembly appropriate adjustments in the ceiling for a small procurement.

(f) If a primary procurement unit determines that a unit does not adhere to the established small procurement regulations, the primary procurement unit may limit or revoke a unit's ability to conduct small procurements.

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