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OFFICE OF THE SECRETARY

Ellington E. Churchill, Jr.
Secretary

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Deputy Secretary

BILL: House Bill 1244 – State Procurement – Concrete – Preference
COMMITTEE: Senate Education, Health and Environmental Affairs
DATE: March 31, 2021
POSITION: Letter of Information

Upon review of House Bill 1244 – State Procurement – Concrete – Preference, the Department of General Services (DGS) provides these comments for your consideration.

Originally, House Bill 1244 required each State agency responsible for the sole procurement of concrete to give a preference to the procurement of a concrete mix that is more environmentally friendly and less carbon intensive. As amended, House Bill 1244 applies to all contracts that include the purchase or use of concrete within a contract and the application of a 5% price preference for the concrete portion.

The DGS Design and Construction division supervises and coordinates the design and construction of a wide range of state public improvements totaling hundreds of millions of dollars annually. DGS is committed to the fair and competitive selection of design consultants and construction contractors for capital improvement and maintenance projects. Once awarded, the department manages each contract to deliver quality projects that are on time and within budget.

Within the DGS Design and Construction division approximately 50% of the projects have a concrete component. This component is not significant to the whole project and a price preference will accomplish little. In addition, the application of this preference will impose an administrative and operational challenge not only for the agency but also for the prime contractor. DGS currently does not require a breakdown of materials prices in our bid documents. This bill would require that we alter our bid documents to include the materials prices breakdown for concrete. The prime contractor would then be responsible for providing, on multimillion-dollar projects, a breakdown of the concrete cost in their bid. DGS respectfully suggests incorporating the concrete component requirement as a part of the “High Performance Green Building Program”. DGS is the supporting agency for the Maryland Green Building Council (Council). The Council was created in 2007 to guide [Maryland’s High-Performance Building Program](#). The Council makes recommendations regarding implementation of the High-Performance Building Program to the Department of General Services, the Maryland Governor and General Assembly. It assists the Governor and General Assembly on reviews and recommendations regarding green building legislation and promotes green building throughout Maryland’s government and private sector.



All new and renovated State of Maryland facilities larger than 7,500 gross square feet which are fully funded by the state, kindergarten through 12th grade (K -12) public schools and new community college buildings are required to comply with the [Maryland High Performance Green Building Program](#). A High-Performance Building is one which achieves either a Silver rating or better under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system, a two Green Globes rating or better under the Green Building Initiative's Green Globes rating system, or which complies with the Maryland Green Building Council's supplement to the International Green Construction Code (IgCC) enacted in November 2014.

For additional information, contact Ellen Robertson at 410-260-2908.