



**MTBMA**  
MARYLAND TRANSPORTATION BUILDERS  
AND MATERIALS ASSOCIATION

March 3<sup>rd</sup>, 2021

Delegate Shane Pendergrass, Chair  
Health and Government Operations Committee  
241 House Office Building  
Annapolis, MD 21401

**RE: HB 1212 – UNFAVORABLE – Procurement – Socially and Economically Disadvantaged Workers’ Protection Preference**

Dear Chairman Pendergrass and Committee Members:

The Maryland Transportation Builders and Materials Association (“MTBMA”) has been and continues to serve as the voice for Maryland’s construction transportation industry since 1932. Our association is comprised of 200 members. MTBMA encourages, develops, and protects the prestige of the transportation construction and materials industry in Maryland by establishing and maintaining respected relationships with federal, state, and local public officials.

While we recognize the Sponsor’s intent of this legislation, we must oppose HB 1212. As a principle, we appreciate and recognize the value that a diverse workforce brings to our trade, and are strong supporters of anti-discriminatory employment practices to ensure socially and economically disadvantaged individuals have a seat at our table. However, this bill raises concerns for us as it seeks to establish a percentage preference for specific bids, essentially awarding contracts based on merit rather than need or quality, amongst other important factors. The procurement process is essential to our State and industry, but we fall into troublesome territory when we subject the awarding of contracts to ambiguous factors rather than assessing based on a level approach. We believe preference for contracts should be a decision made by the authority of the awarding entity in order to maintain a fair marketplace for all, and it is for these reasons we ask for an UNFAVORABLE report on House Bill 1212.

We thank you for your time and consideration.

Thank you,

Michael Sakata  
President and CEO  
Maryland Transportation Builders and Materials Association