



THE MARYLAND HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401

Testimony for HB 47 **Health & Government Operations**

Good Afternoon Madame Chair, Vice– Chair, and esteemed members of the committee,
I am Delegate C.T Wilson and it's a privilege to be here to present:

House Bill 389: Procurement - Minority Business Enterprises - Revisions

Bill Overview:

Requiring a procurement officer, in an invitation for bids or a request for proposals, to include a certain summary of the factors used to determine the expected degree of minority business enterprise participation for the contract; authorizing certain entities to retain certification as a minority business enterprise if the entity participates as a mentor in a certain mentorship program and under certain circumstances; etc.

Outline:

- Requiring the Special Secretary for the Office of Small, Minority, and Women Business Affairs to establish certain statewide minority business enterprise participation goals by industry type in a certain manner; establishing that certain statewide goals by industry type apply under certain circumstances;
- Requiring each unit of the Executive Branch of State government to annually report the results of certain compliance assessments to the Office; authorizing the Special Secretary to waive the requirement for a unit to report certain information under certain circumstances;
- Requiring the Office to maintain and publish on its website a list of prime contractors who, based on the results of the compliance assessments, persistently fail to meet contract goals;
- Requiring certain units of the Executive Branch of State government to designate certain procurements for the small business reserve under certain circumstances; establishing that certain procurements may be exempt from designation for the small business reserve under certain circumstances; making certain provisions of law relating to the prompt payment of subcontractors apply to all State contracts, rather than only State contracts for construction;

- Creating the position of Minority Business Enterprise Ombudsman in the Office; establishing certain duties and authority of the Ombudsman; altering the definition of “responsible bidder or offeror” to exclude contractors who persistently fail to meet contract goals, based on the results of certain compliance assessments; and generally relating to procurement and minority business enterprises.

Thank you for your time and I request a favorable report for **HB 389**.