



March 6, 2023

Delegate Joseline Pena-Melnyk, Chair  
House Health and Government Operations Committee  
241 House Office Building  
Annapolis, Maryland 21401

**RE: HB 1166 – FAVORABLE – Omnibus Procurement Reform Act (“OPRA”) of 2022**

Dear Chair Pena-Melnyk and Members of the Committee:

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. We proactively work with regulatory agencies and governing bodies to represent the interests of the transportation industry and advocate for adequate state and federal funding for Maryland’s multimodal transportation system.

House Bill 1166 seeks to reform procurement law in Maryland to increase transparency by requiring certain information be disclosed, among other changes. MTBMA appreciates the Sponsor’s reintroduction of this extremely important piece of legislation and strongly agrees that it is time for changes in procurement law. In counties and municipalities where there are often little to no procurement regulations, this bill would establish a transparent process for protests and claims. It would also provide more insight to bidders by requiring disclosure by an agency of why they decide a certain way in bids. The bill also makes it a requirement that the Appeals Board must reimburse costs to a prospective bidder when it finds there was a violation of law, instead of making it discretionary as the law currently states. Lastly, the bill allows for equitable adjustment on contracts when the costs to a contractor are affected by a change in law or regulation or in work required under the contract. Given the unstable times we are in, this is crucial to our members.

We appreciate you taking the time to address this important issue and for the reasons stated above, we respectfully urge a favorable report on House Bill 1166.

Thank you,

Michael Sakata  
President and CEO  
Maryland Transportation Builders and Materials Association