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February 18, 2026

Legislative Position: Unfavorable  
Senate Bill 116  
Board of Public Works - Contract Review - Climate and Sustainability  
Information  
Senate Budget & Taxation Committee

Dear Chair Guzzone and members of the committee:

Established in 1950, the Associated Utility Contractors of Maryland, Inc. (AUC) is dedicated to advancing the utility contracting industry across the state. Our mission is to foster strong relationships between utility contractors and their clients, uphold the highest professional standards within the industry, and elevate the reputation of utility professionals within the business community. We actively advocate for public policies that address industry challenges and contribute to improving Maryland's overall business environment.

SB 116 requires State agencies to submit climate and sustainability information to the Board of Public Works (BPW) before approval of certain contracts, including construction contracts. Agencies must describe whether a contract advances greenhouse gas reduction goals, incorporates climate resilience, aligns with environmentally preferable purchasing, and is consistent with Maryland Green Building Council and high-performance building standards.

Underground utility contractors perform critical public health and safety work, installing and repairing water, sewer, stormwater, electric, and communications infrastructure. By nature, this work involves excavation and heavy equipment and is not primarily designed as a climate-mitigation activity. Requiring agencies to characterize whether such contracts "advance climate goals" risks creating a perception that essential infrastructure projects, and the contractors who perform them, are not climate friendly. This reputational implication would be both misleading and unfair, particularly when contractors are simply executing the scope of work directed by the State.

Additionally, SB 116 would add another layer of review to the BPW approval process. The bill's fiscal and policy note acknowledges that agencies will require additional staff resources and that procurement timelines may be affected by the added reporting requirements. For

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time-sensitive infrastructure projects, delays increase costs, disrupt project schedules, and postpone critical repairs and upgrades that Maryland communities depend upon.

Of particular concern is the lack of clarity regarding emergency procurements. Underground utility contractors are frequently called upon to respond to water main breaks, sewer collapses, and other urgent public safety events. The bill does not clearly exempt emergency procurements from the climate reporting requirements. Imposing additional documentation requirements in emergency situations could delay response times and undermine the very purpose of expedited procurement authority.

For these reasons, we respectfully request an unfavorable report on SB 116.

Sincerely,

The Associated Utility Contractors of Maryland (AUC)