

HOUSE BILL 1203

P2

2lr1290

By: **Delegates Kramer and Valderrama**
Introduced and read first time: February 10, 2012
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Procurement – Preference – Local Supplies – Matching Bids**

3 FOR the purpose of requiring a unit of State government to allow a certain bidder to
4 resubmit the bid to match the lowest bid, under certain circumstances, if the
5 bidder's bid indicates, of all the bids submitted, the use of the highest
6 percentage of supplies to be purchased or used in the procurement that are local
7 supplies; defining a certain term; and generally relating to preferences for
8 businesses using local supplies in procurement contracts.

9 BY adding to
10 Article – State Finance and Procurement
11 Section 14–413
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – State Finance and Procurement**

17 **14–413.**

18 (A) IN THIS SECTION, “LOCAL SUPPLIES” MEANS SUPPLIES WHOSE
19 VALUE, EITHER IN WHOLE OR IN PART, IS DERIVED FROM GROWING,
20 PRODUCING, PROCESSING, ASSEMBLING, OR MANUFACTURING ACTIVITIES THAT
21 OCCUR WITHIN A FACILITY LOCATED IN THE STATE.

22 (B) WHEN A UNIT USES COMPETITIVE SEALED BIDDING TO AWARD A
23 PROCUREMENT CONTRACT, THE UNIT SHALL ALLOW A BIDDER TO RESUBMIT
24 THE BID IN ORDER TO MATCH THE LOWEST BID IF:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **(1) THE BID IS WITHIN 10% OF THE LOWEST BID;**
- 2 **(2) THE BID INDICATES, OF ALL THE BIDS SUBMITTED, THE USE**
3 **OF THE HIGHEST PERCENTAGE OF SUPPLIES TO BE PURCHASED OR USED IN**
4 **THE PROCUREMENT THAT ARE LOCAL SUPPLIES;**
- 5 **(3) THE BIDDER IS A RESPONSIBLE BIDDER; AND**
- 6 **(4) THE RESUBMISSION OF THE BID DOES NOT CONFLICT WITH A**
7 **FEDERAL LAW OR GRANT AFFECTING THE PROCUREMENT CONTRACT.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2012.