

HOUSE BILL 1289

P2

3lr2760

By: **Delegates Tarrant and Mitchell**

Introduced and read first time: February 8, 2013

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Board of School Commissioners – Transportation Services –**
3 **Preference for In-State Contractors**

4 FOR the purpose of requiring the Baltimore City Board of School Commissioners of
5 the Baltimore City Public School System to give a resident bidder a certain
6 preference on procurements for certain school transportation services; defining
7 certain terms; and generally relating to a preference by the Baltimore City
8 Board of School Commissioners for businesses located in the State that provide
9 certain transportation services.

10 BY adding to

11 Article – State Finance and Procurement

12 Section 14-401.1

13 Annotated Code of Maryland

14 (2009 Replacement Volume and 2012 Supplement)

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

17 **Article – State Finance and Procurement**

18 **14-401.1.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
20 **MEANINGS INDICATED.**

21 **(2) “BOARD” MEANS THE BALTIMORE CITY BOARD OF SCHOOL**
22 **COMMISSIONERS OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “PERCENTAGE PREFERENCE” MEANS THE PERCENT OF THE**
2 **LOWEST RESPONSIVE BID SUBMITTED BY A RESPONSIBLE BIDDER WHO IS NOT A**
3 **RESIDENT OF THIS STATE BY WHICH A RESPONSIVE BID BY A RESIDENT BIDDER**
4 **MAY:**

5 **(I) EXCEED THE LOWEST BID; AND**

6 **(II) BE AWARDED A PROCUREMENT CONTRACT FOR**
7 **TRANSPORTATION SERVICES.**

8 **(4) “RESIDENT BIDDER” MEANS A BIDDER WHOSE PRINCIPAL**
9 **OFFICE IS LOCATED IN THE STATE.**

10 **(5) “TRANSPORTATION SERVICES” MEANS TRANSPORTATION**
11 **SERVICES FOR PUBLIC SCHOOL STUDENTS AND DISABLED CHILDREN FOR**
12 **WHOM TRANSPORTATION IS PROVIDED UNDER § 8-410 OF THE EDUCATION**
13 **ARTICLE.**

14 **(B) THIS SECTION APPLIES TO THE EXPENDITURE OF GRANTS**
15 **RECEIVED BY THE BOARD FROM THE STATE TO PROVIDE TRANSPORTATION**
16 **SERVICES.**

17 **(C) WHENEVER THE BOARD USES COMPETITIVE SEALED BIDDING TO**
18 **AWARD A PROCUREMENT CONTRACT, THE BOARD SHALL GIVE A PREFERENCE**
19 **OF 10% TO THE RESIDENT BIDDER WHO SUBMITS THE LOWEST RESPONSIVE BID**
20 **FROM AMONG THE RESIDENT BIDDERS IF:**

21 **(1) THE RESIDENT BIDDER IS A RESPONSIBLE BIDDER;**

22 **(2) A RESPONSIBLE BIDDER WHOSE PRINCIPAL OFFICE OR**
23 **OPERATION IS IN ANOTHER STATE SUBMITS THE LOWEST RESPONSIVE BID; AND**

24 **(3) A PREFERENCE DOES NOT CONFLICT WITH A FEDERAL LAW**
25 **OR GRANT AFFECTING THE PROCUREMENT CONTRACT.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2013.