

SB0773/773226/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 773  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, strike “maintain certain documentation” and substitute “obtain the approval of the head of the unit”; and in line 18, after the first “to” insert “obtain the approval of the head of the unit and”.

AMENDMENT NO. 2

On page 6, in line 3, after “**BOARD**” insert “**, IN CONSULTATION WITH THE PROCUREMENT IMPROVEMENT COUNCIL,**”.

On pages 8 and 9, strike in their entirety the lines beginning with line 26 on page 8 through line 7 on page 9, inclusive, and substitute:

**“(D) A UNIT SHALL OBTAIN THE APPROVAL OF THE HEAD OF THE UNIT IF THE UNIT DECIDES NOT TO INCLUDE IN A CONTRACT A LIQUIDATED DAMAGES CLAUSE SPECIFIED UNDER § 13-218(A)(4) OF THIS ARTICLE.**

**(E) (1) THIS SUBSECTION APPLIES ONLY TO PROCUREMENTS VALUED AT \$5,000,000 OR MORE.**

**(2) IF A UNIT DECIDES NOT TO PURSUE LIQUIDATED DAMAGES WHEN A SPECIFIED BREACH ASSOCIATED WITH A LIQUIDATED DAMAGES PROVISION HAS OCCURRED, THE UNIT SHALL:**

**(I) OBTAIN THE APPROVAL OF THE DECISION BY THE HEAD OF THE UNIT; AND**

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**(II) MAINTAIN DOCUMENTATION ON THE REASON THE UNIT  
DECIDED NOT TO PURSUE LIQUIDATED DAMAGES.**