

HOUSE BILL 1655

P2

0lr3774

By: **Delegate Sample-Hughes**

Introduced and read first time: March 2, 2020

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Procurement – Concrete – Preference**

3 FOR the purpose of requiring each unit of State government responsible for the
4 procurement of concrete to give consideration and preference to the procurement of
5 a concrete mix design that consists of Portland cement with a certain maximum
6 clinker factor and that meets certain other standards and specifications; requiring
7 the Board of Public Works to adopt certain regulations; requiring the Board to
8 publish certain guidelines on the Board's website; defining certain terms; and
9 generally relating to the procurement of concrete by the State.

10 BY adding to

11 Article – State Finance and Procurement

12 Section 14-417

13 Annotated Code of Maryland

14 (2015 Replacement Volume and 2019 Supplement)

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

17 **Article – State Finance and Procurement**

18 **14-417.**

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

21 **(2) “CONCRETE” MEANS STRUCTURAL AND NONSTRUCTURAL**
22 **MASONRY AND READY MIX CONCRETE BUILDING PRODUCTS.**

23 **(3) “MAXIMUM CLINKER FACTOR” MEANS THE MAXIMUM AMOUNT OF**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 CLINKER USED IN THE PRODUCTION OF PORTLAND CEMENT.

2 (4) "PORTLAND CEMENT" MEANS A HYDRAULIC CEMENT MADE BY
3 FINELY PULVERIZING CLINKER PRODUCED BY CALCINING TO INCIPIENT FUSION A
4 MIXTURE OF CLAY AND LIMESTONE OR SIMILAR MATERIALS.

5 (5) "PREFERENCE" INCLUDES:

6 (I) A PERCENTAGE PRICE PREFERENCE; AND

7 (II) ANY OTHER PROVISION THAT FAVORS THE PURCHASE OR
8 USE OF PORTLAND CEMENT THAT MEETS THE REQUIREMENTS SET FORTH IN
9 SUBSECTION (B) OF THIS SECTION.

10 (B) EACH UNIT RESPONSIBLE FOR THE PROCUREMENT OF CONCRETE
11 SHALL GIVE CONSIDERATION AND PREFERENCE TO THE PROCUREMENT OF A
12 CONCRETE MIX DESIGN THAT:

13 (1) CONSISTS OF PORTLAND CEMENT WITH A MAXIMUM CLINKER
14 FACTOR OF 85%;

15 (2) MEETS SPECIFICATIONS SET BY THE AMERICAN ASSOCIATION OF
16 STATE HIGHWAY AND TRANSPORTATION OFFICIALS; AND

17 (3) MEETS OR EXCEEDS ANY OTHER ENGINEERING PERFORMANCE
18 STANDARDS SET BY THE STATE.

19 (C) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS
20 SECTION, INCLUDING REGULATIONS THAT:

21 (1) ESTABLISH GUIDELINES TO ASSIST UNITS IN DETERMINING
22 WHICH CONTRACTS ARE SUBJECT TO THE REQUIREMENTS OF THIS SECTION; AND

23 (2) PROVIDE FOR THE MONITORING OF THE IMPLEMENTATION OF
24 THIS SECTION.

25 (D) THE BOARD SHALL PUBLISH ON THE BOARD'S WEBSITE THE
26 GUIDELINES ESTABLISHED IN ACCORDANCE WITH SUBSECTION (C) OF THIS
27 SECTION.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2020.