

P3 Legislative Snapshot

MARYLAND

State P3 Legislative Status: Broadly-enabled P3 authority.

1. Does this state have broadly-enabling P3 legislation?

Maryland law authorizes reporting agencies to pursue P3 project delivery in connection with any public infrastructure asset. "Reporting agency" means the Department of General Services, the Maryland Department of Transportation (MDOT) (for public infrastructure assets of any of its modal administrations), the Maryland Transportation Authority, the University System of Maryland, Morgan State University, St. Mary's College of Maryland and the Baltimore City Community College. Local Education Agencies (LEA) can utilize quality-based selection and alternative financing for school construction.

2. Does this state allow for Unsolicited Proposals?

Yes.

3. What is this state's P3 Review Process (i.e., multi-step: RFI, RFQ, RFP – even for unsolicited proposals)?

Multi-tiered review and approval process, for both solicited and unsolicited proposals, including RFIs, RFQs, and RFPs.

1. MDOT receives the P3 Concept through an internal or unsolicited proposal
2. High Level Screening (such as; appropriate, viable, effective)
3. Detailed Level Screening (such as; analysis, VfM, due diligence, resources)
4. Presolicitation Report (relevant tasks, industry outreach, risk allocation)
5. BPW Designation
6. Request for Qualifications
7. Request for Proposals
8. Commercial Close
9. Financial Close

4. Does this state have a Centralized Agency dedicated to P3?

MDOT Office of P3 and Maryland Dept. of General Services.

5. Is this a Home Rule state, with limitations or opportunities for P3?

Yes.

6. What Projects or Asset Classes are eligible for P3 in this state?

Public infrastructure assets are eligible for P3 in Maryland. Public Infrastructure Assets are capital facilities or structures, including systems and equipment related to the facility or structure intended for public use.

Local Education Agencies are eligible for P3 in Maryland for the purpose of public school construction projects for building, improvement, supplies, or equipment if it: (1) Exceeds \$50,000 and has IAC planning or funding approval; or (2) Requires review by the State Superintendent of Schools under Education Article, §2-303, Annotated Code of Maryland. B.

7. Are there Projects where the P3 procurement method has been applied?

Sea Girt Marine Terminal; Purple Line (mass transit project); MDTA Travel Plazas; Prince George's County Public Schools; Howard County Courthouse.

8. What is the legislative foundation for P3s in this state?

[Md. State Finance and Procurement Code Ann. §§10A-101 to 404](#)
[Code of Maryland Regulations 11.07.06.01 to 11.07.06.14](#)
(Transportation)
[Code of Maryland Regulations 04.01.05.01 to 04.01.05.10](#)
(Dept. of General Services)
[Code of Maryland Regulations 14.39.01.01 to 14.39.05.04](#)
(Local Educational Agencies)