

(5) Except as limited by the State Constitution, the Board may exercise any control authority conferred on a primary procurement unit by this Division II and, to the extent that its action conflicts with the action of the primary procurement unit, the action of the Board shall prevail.

(6) THE BOARD, WITH THE ASSISTANCE OF THE DEPARTMENT OF BUDGET AND FISCAL PLANNING, SHALL COMPILE COMPREHENSIVE STATISTICS ON THE PROCUREMENT SYSTEM BY AGENCY, AMOUNT, AND TYPE OF PROCUREMENT.

(7) THE BOARD SHALL DEVELOP AND SUBMIT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1312 OF THE STATE GOVERNMENT ARTICLE, AN ANNUAL REPORT ON THE PROCUREMENT SYSTEM THAT INCLUDES INFORMATION ON ACTIONS NECESSARY TO IMPROVE EFFECTIVE BROAD-BASED COMPETITION IN PROCUREMENT.

12-102.

(A) (1) ~~(H) THE BOARD SHALL APPOINT A PROCUREMENT ADVISOR WITH THE ADVICE AND CONSENT OF THE SENATE.~~

~~(H) THE PROCUREMENT ADVISOR, WHO~~ SERVES AT THE PLEASURE OF THE BOARD.

(2) THE PROCUREMENT ADVISOR SHALL:

(I) ENSURE THAT THE STATE'S PROCUREMENT SYSTEM IS UTILIZING THE MOST ADVANCED PROCUREMENT METHODS AND MANAGEMENT TECHNIQUES;

(II) EFFECT AND ENHANCE COMMUNICATION BETWEEN STATE UNITS ON PROCUREMENT MATTERS, WITH AN EMPHASIS ON DISSEMINATING INFORMATION ON CURRENT DEVELOPMENTS AND ADVANCES IN THE MANAGEMENT OF THE STATE PROCUREMENT SYSTEM;

(III) EXAMINE ALL PROCUREMENTS THAT ARE SUBJECT TO REVIEW BY THE BOARD AND MAKE RECOMMENDATIONS TO THE BOARD AS TO THE APPROPRIATENESS OF EACH PROCUREMENT, WITH AN EMPHASIS ON WHETHER THE PROPOSED PROCUREMENT:

1. HAS BEEN COMPETITIVELY CONDUCTED; AND

2. CONFORMS TO PROVISIONS OF PROCUREMENT LAW, PROCUREMENT REGULATIONS, AND BEST MANAGEMENT PRACTICES;

(IV) PREVENT AND DETECT FRAUD, WASTE, AND ABUSE AND FOSTER COMPETITION IN THE EXPENDITURE OF STATE FUNDS IN THE PROCUREMENT OF SUPPLIES, SERVICES, OR CONSTRUCTION;

(V) CONDUCT INVESTIGATIONS INTO PROCUREMENT POLICIES, PRACTICES, AND PROCEDURES, AS APPROPRIATE;