

FROM THE ERRORS AND OMISSIONS ARISING FROM THE SERVICES PERFORMED DIRECTLY, OR BY THIRD PARTIES RELYING ON THE COMPLETED DESIGN OR WORK PRODUCT. EACH BOARD SHALL SUBMIT A STATEMENT WITH EACH RECOMMENDATION INDICATING THE REASONS FOR THE SELECTION. SUCH STATEMENT SHALL SERVE AS PUBLIC NOTICE OF THE SELECTION.

(5) THE TRANSPORTATION PROFESSIONAL SERVICES SELECTION BOARD OR THE GENERAL PROFESSIONAL SERVICES SELECTION BOARD MAY PROVIDE, UPON REQUEST BY A MUNICIPALITY, COUNTY, SCHOOL BOARD OR OTHER POLITICAL SUBDIVISION, AND UPON REIMBURSEMENT OF THE COSTS INVOLVED, ADVISORY SERVICES IN PROCURING ARCHITECTURAL AND ENGINEERING SERVICES.

[(E) HAVING DETERMINED THAT THE SERVICES CANNOT FEASIBLY OR ECONOMICALLY BE PROVIDED BY EXISTING IN-HOUSE RESOURCES, THE [PROFESSIONAL SERVICES EVALUATION] BOARD SHALL RECOMMEND TO THE BOARD OF PUBLIC WORKS, ON THE BASIS OF THE COMPETITIVE METHOD OF SELECTION AND THE PRICE AND TECHNICAL INFORMATION OBTAINED, FROM WHICH SUPPLIER THE ARCHITECTURAL OR ENGINEERING SERVICES SHOULD BE PROCURED. EACH BOARD SHALL ASSURE THAT THE RECOMMENDED SUPPLIER HAS THE FINANCIAL CAPACITY TO PROVIDE THE SERVICES AND TO PROTECT THE STATE FROM THE ERRORS AND OMISSIONS ARISING FROM THE SERVICES PERFORMED DIRECTLY, OR BY THIRD PARTIES RELYING ON THE COMPLETED DESIGN OR WORK PRODUCT. ]]

231-0. [[ERRORS AND OMISSIONS INSURANCE REQUIRED]] WAIVERS.

[[THE BOARD MAY REQUIRE THE ARCHITECT OR ENGINEER FROM WHOM THE SERVICES ARE PROCURED TO CARRY APPROPRIATE ERRORS AND OMISSIONS INSURANCE THAT PROTECTS THE STATE FROM THE ERRORS AND OMISSIONS ARISING FROM THE SERVICES PERFORMED BY THE ARCHITECT OR ENGINEER DIRECTLY, OR BY THIRD PERSONS RELYING ON THE ARCHITECT'S OR ENGINEER'S COMPLETED DESIGN OR WORK PRODUCT. ]]

(A) EACH BOARD MAY PROVIDE FOR THE WAIVER OF THE REQUIREMENTS SET FORTH IN SECTION 231-0 WHEN THE PUBLIC HEALTH AND SAFETY IS ENDANGERED FOLLOWING ANY NATURAL DISASTER OR ACT OF GOD; WHEN A STATE OF EMERGENCY IS DECLARED BY THE GOVERNOR; OR WHEN A BONA FIDE SINGLE SOURCE OF SUPPLY, OR PROPRIETARY PRODUCT OR PROCESS IS REQUIRED.

(B) EACH WAIVER AND THE REASONS THEREFORE SHALL BE DOCUMENTED AND REPORTED TO THE LEGISLATIVE COUNCIL WITHIN 30 DAYS.

231-R. TRUTH-IN-NEGOTIATION CERTIFICATION.