

EXECUTIVE ORDERS

basis it shall be satisfied that the contract cannot feasibly or economically be awarded on a competitive bid basis or feasibly or economically be done by in-house resources. If the board determines that the project cannot feasibly and economically be competitively bid or done by in-house resources, it shall transmit to the contracting agency the names of at least three persons on the appropriate qualified list who have indicated interest and availability; however, if the project is one which requires a special expertise and there are less than three persons on the appropriate qualified list who have indicated interest and availability, the board shall transmit the names of whatever interested and available persons are on the list. The board shall select the names from the list in inverse order to the value of the contracts each person has received from the State or any of its agencies during the preceding two years, giving the higher priority to those who have received the lesser value of contracts, unless the board finds that one or more persons on the list are more specially qualified to complete the project within the time allotted, in which event those persons may be included in the submission of names to the agency. The Board shall give due weight and consideration to the recommendations of the Qualification Committee; and, if it finds one or more persons to be so specially qualified, it shall indicate that finding when submitting the names to the agency.

(f) Upon receipt of the list of names, the agency shall give consideration to and select one of the following methods of proceeding:

(1) Competitive negotiations, in which the agency enters negotiations with one of the persons submitted by the board, and attempts to negotiate a contract at a fair price; if the agency cannot reach agreement with that person at a price the agency considers to be fair, it terminates negotiations with that person, and commences negotiations on the same basis with the second person on the list, and, if unsuccessful, then with the third person.