

(A) THE BOARD HAS POWER AND AUTHORITY OVER THE PROCUREMENT, MANAGEMENT, AND CONTROL OF ALL SUPPLIES, SERVICES, CONSTRUCTION, AND OTHER ITEMS PROCURED BY THE STATE. FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF THIS ARTICLE, THE BOARD HAS AUTHORITY TO SET POLICY AND TO ADOPT REGULATIONS WHICH ARE CONSISTENT WITH THIS ARTICLE. THE BOARD MAY EXERCISE ANY AUTHORITY CONFERRED ON A DEPARTMENT BY THIS ARTICLE AND, TO THE EXTENT THAT ITS ACTION IN EXERCISING THIS AUTHORITY IS INCONSISTENT WITH THE ACTION OF ANY DEPARTMENT, THE ACTION OF THE BOARD SHALL PREVAIL.

(B) THE BOARD SHALL ADOPT REGULATIONS, CONSISTENT WITH THIS ARTICLE, GOVERNING PROCEDURES FOR THE REVIEW AND APPROVAL OF PROCUREMENT CONTRACTS INCLUDING MULTIYEAR CONTRACTS, CONDITIONS AND PROCEDURES FOR DELEGATING PROCUREMENT AUTHORITY INCLUDING DESIGNATION OF CONTROL AUTHORITIES, PROCEDURES FOR REVIEW OF DETERMINATIONS, AND PROCEDURES FOR CERTIFICATION OF ADEQUACY OF APPROPRIATIONS AND AVAILABILITY OF FUNDS. THE BOARD SHALL ENSURE THAT THE REGULATIONS OF THE PROCUREMENT AGENCIES PROVIDE FOR PROCEDURES WHICH ARE CONSISTENT WITH THIS ARTICLE AND WHICH ARE SUBSTANTIALLY THE SAME AMONG THE AGENCIES.

(C) UNDER THE COORDINATION OF THE GOVERNOR, EACH DEPARTMENT SHALL ADOPT REGULATIONS, CONSISTENT WITH THIS ARTICLE, CONCERNING:

- (1) PREQUALIFICATION, SUSPENSION, DISQUALIFICATION, AND REINSTATEMENT OF PROSPECTIVE BIDDERS;
- (2) SMALL PROCUREMENT PROCEDURES;
- (3) CONDITIONS AND PROCEDURES FOR THE PROCUREMENT OF PERISHABLES AND ITEMS FOR RESALE;
- (4) CONDITIONS AND PROCEDURES FOR THE PROCUREMENT OF SUPPLIES, SERVICES, OR CONSTRUCTION FINANCED BY FEDERAL CONTRACTS OR GRANTS;
- (5) CONDITIONS AND PROCEDURES FOR COOPERATIVE PROCUREMENT;
- (6) CONDITIONS AND PROCEDURES FOR PROCUREMENT BY STATE AGENCIES WHICH IS FINANCED BY REVENUE BONDS;
- (7) CONDITIONS, INCLUDING EMERGENCIES, AND PROCEDURES UNDER WHICH PROCUREMENT MAY BE MADE BY MEANS OTHER THAN COMPETITIVE SEALED BIDDING;
- (8) REJECTION OF BIDS, CONSIDERATION OF ALTERNATE BIDS, AND WAIVER OF INFORMALITIES IN BIDS;
- (9) SAFEGUARDING CONFIDENTIAL, PROPRIETARY INFORMATION, AND TRADE SECRETS SUBMITTED BY ACTUAL OR PROSPECTIVE BIDDERS AND OFFERORS;