

(2) IS PUBLISHED OR AVAILABLE FOR INSPECTION BY CUSTOMERS; AND

(3) STATES PRICES AT WHICH SALES ARE CURRENTLY OR WERE LAST MADE TO THE GENERAL BUYING PUBLIC FOR THAT ITEM; OR

(4) STATES DISCOUNTED PRICES AT WHICH SALES ARE CURRENTLY OR WERE LAST MADE TO LOCAL, STATE, OR FEDERAL AGENCIES.

(E) "EVALUATED BID PRICE" MEANS THE DOLLAR AMOUNT OF A BID AFTER BID PRICE ADJUSTMENTS ARE MADE UNDER OBJECTIVE MEASURABLE CRITERIA, SET FORTH IN THE INVITATION FOR BIDS, WHICH AFFECT THE ECONOMY AND EFFECTIVENESS IN THE OPERATION OR USE OF THE PRODUCT, SUCH AS RELIABILITY, MAINTAINABILITY, USEFUL LIFE, AND RESIDUAL VALUE.

(F) "INVITATION FOR BIDS" MEANS ANY DOCUMENT, WHETHER ATTACHED OR INCORPORATED BY REFERENCE, USED FOR SOLICITING BIDS UNDER § 3-202.

(G) "REQUEST FOR PROPOSALS" MEANS ANY DOCUMENT, WHETHER ATTACHED OR INCORPORATED BY REFERENCE, USED FOR SOLICITING PROPOSALS UNDER §§ 3-203, 3-205, OR 3-206.

(H) "RESPONSIBLE BIDDER OR OFFEROR" MEANS A PERSON WHO HAS THE CAPABILITY IN ALL RESPECTS TO PERFORM FULLY THE CONTRACT REQUIREMENTS, AND THE INTEGRITY AND RELIABILITY WHICH WILL ASSURE GOOD FAITH PERFORMANCE.

(I) "RESPONSIVE BIDDER" MEANS A PERSON WHO HAS SUBMITTED A BID UNDER § 3-202 WHICH CONFORMS IN ALL MATERIAL RESPECTS TO THE REQUIREMENTS CONTAINED IN THE SOLICITATION.

(J) "SOURCE SELECTION" MEANS THE PROCESS OF SOLICITING A BIDDER OR OFFEROR FOR THE AWARDING OF A CONTRACT.

SUBTITLE 2. METHODS OF SOURCE SELECTION

3-201.

(A) EXCEPT AS PROVIDED IN TITLE 9 OR AS OTHERWISE AUTHORIZED BY LAW, ALL STATE CONTRACTS SHALL BE AWARDED BY:

(1) COMPETITIVE SEALED BIDDING, UNDER § 3-202;

(2) COMPETITIVE NEGOTIATION, UNDER § 3-203;

(3) REVISED BIDS AFTER COMPETITIVE SEALED BIDDING WHERE ALL BIDS ARE REJECTED, UNDER § 3-204;

(4) NONCOMPETITIVE NEGOTIATION, UNDER § 3-205;
OR

(5) SMALL PROCUREMENT PROCEDURE, UNDER § 3-206.