

- (i) Be made on a competitive basis; and
 - (ii) Include an evaluation of technical and price proposals from two or more persons.
- (2) Neither the technical proposal nor the price proposal may be the sole criterion in making a recommendation on a competitive basis.

(b) (1) The GENERAL SELECTION Board may waive the requirements of subsection (a) of this section if:

- (i) It determines in writing that the architectural and engineering services cannot be defined so completely as to lend themselves to the procedures set forth in subsection (a) of this section;
- (ii) The public health and safety is endangered after a natural disaster or act of God;
- (iii) A state of emergency is declared by the Governor; or
- (iv) A bona fide single source of supply or a proprietary product or process is required.

(2) Each waiver and the reasons for it shall be:

- (i) Documented and reported to the Legislative Policy Committee within 30 days; and
- (ii) Documented and immediately reported to the Maryland Register for printing in the next available issue.

[231W.] 9-210.

(a) The GENERAL SELECTION Board shall recommend to the Board of Public Works the person from which the requested architectural or engineering services should be procured. Its recommendation shall be made in accordance with § [231V] 9-209 of this subtitle.

(b) The GENERAL SELECTION Board shall assure that the recommended person has the financial capacity to provide the services and to protect this State from errors and omissions that might arise from the direct performance of the services or the performance of the services by third parties relying on the completed design or work product.

(c) With each recommendation, the GENERAL SELECTION Board shall submit a statement of the reasons for the selection. This statement serves as a public notice of the selection.

[231X.] 9-211.