

[(d)] (3) Bids shall be opened publicly at the time and place designated in the invitation for bids.

[(e)] (4) The name of [the bidders] EACH BIDDER and the amount of [the bids] EACH BID shall be announced, recorded, and posted.

[(f)] The record of the bid, and the bid documents, shall be open to public inspection at the time of opening, and the bid and bid files shall thereafter be open to public inspection only as provided by the Public Information Act.]

[(g)] (5) [The] AFTER ALL APPROVALS REQUIRED BY LAW OR REGULATION HAVE BEEN OBTAINED, THE contract shall be awarded to the responsive and responsible bidder [whose bid is either] THAT SUBMITS the lowest bid price or, IF PROVIDED IN THE INVITATION FOR BIDS, THE lowest evaluated bid price [after all approvals required by regulation have been obtained].

[(h)] (6) After bid opening, BIDS ARE IRREVOCABLE FOR THE PERIOD SPECIFIED IN THE INVITATION FOR BIDS, EXCEPT THAT correction or withdrawal of bids may be allowed [only]:

[(1)] (I) if permitted by the regulations [of the department, and (2)] ADOPTED UNDER THIS SUBTITLE DIVISION II; AND
(II) upon THE written approval [by the Office of the Attorney General] OF THE STATE LAW DEPARTMENT.

(C) (1) IF, AFTER BIDS HAVE BEEN OPENED, ALL BIDS ARE REJECTED PURSUANT TO § 11-116, A NEGOTIATED AWARD MAY BE MADE UNDER THIS SUBSECTION.

(2) IF, AFTER COMPETITIVE SEALED BIDDING, IT IS DETERMINED THAT THERE IS ONLY 1 RESPONSIVE AND RESPONSIBLE BIDDER, A NONCOMPETITIVE NEGOTIATED AWARD MAY BE MADE TO THAT BIDDER UNDER § 11-112 OF THIS SUBTITLE.

(3) AN AWARD ON THE BASIS OF REVISED BIDS MAY BE MADE UNDER THIS SUBSECTION IF ALL BID PRICES EXCEED THE FUNDS AVAILABLE FOR THE PROCUREMENT OR IF THE PROCUREMENT OFFICER, WITH THE APPROVAL OF THE AGENCY HEAD OR THE DESIGNEE OF THE AGENCY HEAD, DETERMINES THAT ALL BIDS ARE UNREASONABLE AS TO 1 OR MORE OF THE REQUIREMENTS AND:

(I) THERE ARE NO FUNDS AVAILABLE TO PERMIT AWARD TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER; OR

(II) ANY DELAY RESULTING FROM A RESOLICITATION UNDER REVISED SPECIFICATIONS OR QUANTITIES WOULD BE FISCALLY DISADVANTAGEOUS OR OTHERWISE NOT IN THE STATE'S BEST INTEREST.

(4) (I) IF THERE IS MORE THAN 1 BIDDER, ANY DISCUSSIONS CONCERNING REVISED SPECIFICATIONS OR QUANTITIES SHALL BE CONDUCTED WITH ALL RESPONSIVE AND RESPONSIBLE BIDDERS.