

THAT is consistent with the basic intent of this -{Division II [of this article] ~~SUBTITLE~~ and [which] THAT is not economically disadvantageous to this State. Procurements may not be artificially divided so as to constitute [a] small [procurement under this section] PROCUREMENTS. At least every 3 years, the Board shall review the prevailing costs of labor and materials and, if [warranted] CHANGES IN THOSE COSTS WARRANT IT, recommend to the legislature [based on appropriate changes in prevailing costs of labor and materials] appropriate adjustments in the ceiling of small procurements.

[13-207.] 11-115. NONCOMPETITIVE NEGOTIATED PROCUREMENT.

(a) A procurement officer procuring human, educational, or social services to be provided directly to individuals who are aged, indigent, disadvantaged, unemployed, mentally or physically ill, handicapped, displaced, or minors may use the method set forth in this section if:

(1) [The] THE procurement officer determines, with the approval of the agency head, that there are 2 or more available sources for the services required but, because of the absence of effective competition, it is unreasonable to expect those sources to respond to a solicitation under § [13-202] 11-110 (competitive sealed bidding) or § [13-203] 11-111 (competitive [negotiation] SEALED PROPOSALS) OF THIS SUBTITLE; and

(2) [The] THE procurement is one of a class for which the Department OF BUDGET AND FISCAL PLANNING has approved the use of the method described in this section.

(b) (1) [(i)] The procurement agency shall give public notice of its general requirement for services and shall request that interested service providers respond IN WRITING with general expressions of interest.

[(ii)] This notice shall be reasonable in terms of the nature of the procurement but shall be given at least 10 days before general expressions of interest are due.

[(iii)] The procurement officer shall require that general expressions of interest be in writing.

(2) If the procurement agency expects to award 1 or more service contracts, each involving payment by the State to the service provider of more than \$25,000, or a lower threshold amount as set by the Board by regulation, the request for general expressions of interest shall indicate this fact and shall be published in the Maryland Register.

(3) In addition to any notice required by paragraph (2) of this subsection, public notice of a request for expressions of interest may be given by posting on a bid board, by direct solicitation of potential service providers, by