

(1) WHENEVER PROCUREMENT IS BASED ON COMPETITIVE SEALED BIDS, A PROCUREMENT OFFICER SHALL SEEK BIDS BY ISSUING AN INVITATION FOR BIDS.

(2) SUBJECT TO SUBSECTION (B) OF THIS SECTION, AN INVITATION FOR BIDS SHALL INCLUDE:

(I) THE SPECIFICATIONS OF THE PROCUREMENT CONTRACT;

(II) WHETHER THE PROCUREMENT CONTRACT WILL BE AWARDED BASED ON THE LOWEST BID PRICE, THE LOWEST EVALUATED BID PRICE OR, IF THE PROCUREMENT IS SUBJECT TO § 11-202(3) OF THIS ARTICLE, THE BID MOST FAVORABLE FINANCIALLY TO THE STATE;

(III) IF THE PROCUREMENT CONTRACT WILL BE BASED ON EVALUATED BID PRICE, THE OBJECTIVE MEASURABLE CRITERIA BY WHICH THE LOWEST EVALUATED BID PRICE WILL BE DETERMINED; AND

(IV) ~~THE--SMALL--BUSINESS--PREFERENCE~~, IF THE SECRETARY OF GENERAL SERVICES, THE SECRETARY OF TRANSPORTATION, OR THE PRESIDENT OF THE UNIVERSITY OF MARYLAND HAS SO DESIGNATED, ~~THE PROCUREMENT-CONTRACT-FOR-A~~ SMALL BUSINESS PREFERENCE.

(B) MULTI-STEP SEALED BIDS.

(1) WHENEVER A PROCUREMENT OFFICER DETERMINES THAT AN INITIAL PREPARATION OF SPECIFICATIONS FOR PRICE BIDS IS IMPRACTICABLE, THE INVITATION FOR BIDS MAY:

(I) INCLUDE A REQUEST FOR UNPRICED TECHNICAL OFFERS OR SAMPLES; AND

(II) DIRECT BIDDERS TO SUBMIT PRICE BIDS:

1. WITH THE UNPRICED TECHNICAL OFFERS OR SAMPLES; OR

2. AFTER THE UNIT EVALUATES THE TECHNICAL OFFERS OR SAMPLES AND FINDS THAT THEY ARE ACCEPTABLE UNDER THE CRITERIA SET FORTH IN THE INVITATION FOR BIDS.

(2) A UNIT SHALL CONSIDER THE PRICES SUBMITTED BY BIDDERS WHOSE TECHNICAL OFFERS OR SAMPLES HAVE BEEN FOUND ACCEPTABLE.

(3) ~~(I)~~ PRICE BIDS MAY NOT BE OPENED UNTIL AFTER THE UNIT HAS ~~EVALUATED~~ COMPLETED EVALUATION OF THE TECHNICAL OFFERS OR SAMPLES.

~~(II)~~ (4) (I) A PRICE BID MAY NOT BE OPENED AT ANY TIME IF THE BID IS SUBMITTED BY A BIDDER WHOSE TECHNICAL