

{#} 1. ALL BIDS ARE REJECTED UNDER § 13-206(B) OF THIS TITLE;

{##} 2. ALL BID PRICES EXCEED THE FUNDS AVAILABLE FOR THE PROCUREMENT; OR

{###} 3. WITH THE APPROVAL OF THE HEAD OF THE UNIT OR A DESIGNEE, THE PROCUREMENT OFFICER DETERMINES THAT ALL BIDS ARE UNREASONABLE AS TO AT LEAST 1 REQUIREMENT AND THE DELAY THAT WOULD RESULT FROM ISSUING A NEW INVITATION FOR BIDS WITH REVISED SPECIFICATIONS OR QUANTITIES WOULD BE FISCALLY DISADVANTAGEOUS OR OTHERWISE NOT IN THE BEST INTERESTS OF THE STATE.

{2} (II) IF THERE IS MORE THAN 1 BIDDER, DISCUSSIONS ABOUT REVISED SPECIFICATIONS OR QUANTITIES SHALL BE CONDUCTED WITH ALL RESPONSIBLE BIDDERS WHO SUBMITTED RESPONSIVE BIDS. THE BIDDERS SHALL BE TREATED FAIRLY AND EQUALLY WITH RESPECT TO ANY DISCUSSIONS.

{3} (III) AS PROMPTLY AS POSSIBLE, THE PROCUREMENT OFFICER SHALL:

{#} 1. ISSUE AN INVITATION FOR REVISED BIDS, WHICH SHALL STATE WHETHER THE AWARD WILL BE MADE WITHOUT COMPETITIVE NEGOTIATIONS; AND

{##} 2. REQUIRE A PROMPT RESPONSE TO THAT INVITATION.

{4} (IV) AN INVITATION FOR REVISED BIDS IS NOT SUBJECT TO THE NOTICE REQUIREMENTS IN SUBSECTION (C) OF THIS SECTION.

{5} (V) AFTER REVISED BIDS HAVE BEEN SUBMITTED, NEGOTIATIONS WITH BIDDERS MAY NOT BE CONDUCTED UNLESS THE PROCUREMENT OFFICER DETERMINES THAT THERE IS A COMPELLING REASON TO NEGOTIATE.

{6} (VI) AFTER REVISED BIDS HAVE BEEN OPENED AND ANY APPROVAL REQUIRED BY LAW HAS BEEN OBTAINED, THE PROCUREMENT OFFICER SHALL AWARD THE PROCUREMENT CONTRACT TO THE RESPONSIBLE BIDDER WHO SUBMITS A RESPONSIVE BID THAT:

{#} 1. IS THE LOWEST BID PRICE;

{##} 2. IF THE INVITATION FOR REVISED BIDS SO PROVIDES, IS THE LOWEST EVALUATED BID PRICE; OR

{###} 3. FOR PROCUREMENT SUBJECT TO § 11-202(3) OF THIS ARTICLE, IS THE BID MOST FAVORABLE FINANCIALLY TO THE STATE.