

1. THE REQUIREMENTS OF THE STATE, AS SET FORTH IN THE REQUEST FOR PROPOSALS; AND

2. THE PROPOSAL SUBMITTED BY THE OFFEROR.

(2) IF DISCUSSIONS ARE CONDUCTED, THE UNIT:

(I) SHALL COMPLY--WITH--ANY--REGULATIONS--OF--THE BOARD--GOVERNING--DISCUSSIONS CONDUCT THE DISCUSSIONS IN ACCORDANCE WITH REGULATIONS ADOPTED UNDER THIS DIVISION II;

(II) SHALL PROVIDE AN OPPORTUNITY TO PARTICIPATE TO EACH RESPONSIBLE OFFEROR WHO SUBMITS A PROPOSAL THAT, IN THE JUDGMENT OF THE PROCUREMENT OFFICER, IS REASONABLY SUSCEPTIBLE OF BEING SELECTED FOR AWARD;

(III) SHALL TREAT ALL OF THOSE RESPONSIBLE OFFERORS FAIRLY AND EQUALLY;

(IV) MAY ALLOW ALL OF THOSE RESPONSIBLE OFFERORS TO REVISE THEIR INITIAL PROPOSALS BY SUBMITTING BEST AND FINAL OFFERS, IF DISCUSSIONS INDICATE THAT IT WOULD BE IN THE BEST INTERESTS OF THE STATE TO DO SO;

(V) MAY CONDUCT MORE THAN 1 SERIES OF DISCUSSIONS AND REQUESTS FOR BEST AND FINAL OFFERS; AND

(VI) MAY NOT DISCLOSE TO AN OFFEROR ANY INFORMATION DERIVED FROM A PROPOSAL OF OR DISCUSSIONS WITH A COMPETING OFFEROR.

(E) IRREVOCABILITY OF PROPOSALS; OFFERS.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION:

(I) A PROPOSAL IS IRREVOCABLE FOR THE PERIOD SPECIFIED IN THE REQUEST FOR PROPOSALS; AND

(II) A BEST AND FINAL OFFER IS IRREVOCABLE FOR THE PERIOD SPECIFIED IN THE REQUEST FOR BEST AND FINAL OFFERS.

(2) A PROCUREMENT OFFICER MAY ALLOW AN OFFEROR TO CORRECT OR WITHDRAW A PROPOSAL OR BEST AND FINAL OFFER IF CORRECTION OR WITHDRAWAL IS:

(I) ALLOWED UNDER REGULATIONS ADOPTED UNDER THIS DIVISION II; AND

(II) APPROVED IN WRITING BY THE OFFICE OF THE ATTORNEY GENERAL.

(F) AWARD OF PROCUREMENT CONTRACTS.