

(1) THE PROCUREMENT IS FOR HUMAN, SOCIAL, OR EDUCATIONAL SERVICES TO BE PROVIDED DIRECTLY TO INDIVIDUALS WHO ARE AGED, INDIGENT, DISADVANTAGED, UNEMPLOYED, MENTALLY OR PHYSICALLY ILL, HANDICAPPED, OR DISPLACED OR MINORS;

(2) THE PROCUREMENT IS 1 OF A CLASS FOR WHICH THE DEPARTMENT OF BUDGET AND FISCAL PLANNING HAS APPROVED THE USE OF NONCOMPETITIVE NEGOTIATION; AND

(3) WITH THE APPROVAL OF THE HEAD OF THE UNIT, THE PROCUREMENT OFFICER DETERMINES THAT:

(I) AT LEAST 2 SOURCES ARE AVAILABLE FOR THE SERVICES; BUT

(II) THE ABSENCE OF EFFECTIVE COMPETITION MAKES IT UNREASONABLE TO EXPECT BIDS OR PROPOSALS FROM THE AVAILABLE SOURCES.

(B) PUBLIC NOTICE REQUIREMENTS.

(1) WHENEVER A PROCUREMENT IS BASED ON NONCOMPETITIVE NEGOTIATION, A UNIT SHALL PUBLISH A REQUEST FOR GENERAL EXPRESSIONS OF INTEREST.

(2) A REQUEST FOR GENERAL EXPRESSIONS OF INTEREST SHALL:

(I) STATE THE GENERAL REQUIREMENT FOR SERVICES;

(II) REQUEST INTERESTED SERVICE PROVIDERS TO RESPOND IN WRITING WITH GENERAL EXPRESSIONS OF INTEREST; AND

(III) BE PUBLISHED IN THE SAME MANNER AS REQUIRED FOR AN INVITATION FOR BIDS.

(C) DISCUSSIONS.

(1) TO SATISFY ALL OR PART OF THE REQUIREMENTS OF THE STATE AS THEY OCCUR, AND WITHOUT ADDITIONAL ADVERTISING, THE PROCUREMENT OFFICER MAY CONDUCT DISCUSSIONS WITH ANY RESPONSIBLE SERVICE PROVIDER WHO HAS SUBMITTED AN EXPRESSION OF INTEREST.

(2) AS FAR AS PRACTICABLE IN THE COURSE OF ADMINISTERING A PROGRAM, THE UNIT SHALL TREAT FAIRLY AND EQUALLY WITH RESPECT TO DISCUSSIONS ALL RESPONSIBLE SERVICE PROVIDERS WHO HAVE SUBMITTED EXPRESSIONS OF INTEREST.

(D) AWARD OF PROCUREMENT CONTRACTS.

AFTER OBTAINING ANY APPROVAL REQUIRED BY LAW, THE UNIT MAY AWARD A PROCUREMENT CONTRACT IF THE HEAD OF THE UNIT DETERMINES, ON THE BASIS OF CONTINUING DISCUSSIONS OR PAST PROGRAM