

(A) REGULATIONS ALLOWED.

(1) BY REGULATION, EACH OF THE PRIMARY PROCUREMENT UNITS MAY PROVIDE FOR THE PREQUALIFICATION OF PERSONS AS PROSPECTIVE RESPONSIBLE BIDDERS OR OFFERORS FOR PROCUREMENTS OTHER THAN LEASES OF REAL OR PERSONAL PROPERTY.

(2) EACH OF THE PRIMARY PROCUREMENT UNITS SHALL KEEP A REGISTER OF ALL PREQUALIFIED PERSONS.

(B) EFFECT OF PREQUALIFICATION.

IF A PRIMARY PROCUREMENT UNIT USES A PREQUALIFICATION PROCEDURE FOR AWARDING A PROCUREMENT CONTRACT:

(1) A PERSON WHO IS NOT PREQUALIFIED MAY SUBMIT A BID OR PROPOSAL; AND

(2) AFTER BID OPENING OR RECEIPT OF PROPOSALS AND BEFORE AWARDING THE PROCUREMENT CONTRACT, A PROCUREMENT OFFICER MAY DETERMINE THAT:

(I) A PERSON WHO WAS NOT PREQUALIFIED AT THE TIME OF BID OPENING OR RECEIPT OF PROPOSALS IS A RESPONSIBLE BIDDER OR OFFEROR; OR

(II) A PREQUALIFIED PERSON IS NOT A RESPONSIBLE BIDDER OR OFFEROR.

REVISOR'S NOTE: This section is new language derived without substantive change from former SF § 11-119.

In subsection (a)(1) of this section, the defined term "procurement" and the exception "other than leases of real property" are substituted for the former reference to "supplies, services, construction, construction related services, architectural services, or engineering services", to clarify the scope of authority under subsection (a)(1) of this section.

Subsection (a)(2) of this section is revised to state expressly that each primary procurement unit must keep a register.

- Defined terms: "Bid" § 11-101
- "Person" § 11-101
- "Primary procurement units" § 11-101
- "Procurement" § 11-101
- "Procurement contract" § 11-101
- "Procurement officer" § 11-101
- "Proposal" § 11-101
- "Responsible bidder or offeror" § 11-101