

(1) AFTER THE ~~SELECTION BOARD CHOOSES~~ CHOOSING A CONTRACTOR ~~AS REQUIRED UNDER~~ IN ACCORDANCE WITH THIS SUBTITLE, THAT THE SELECTION BOARD SHALL RECOMMEND THE THAT CONTRACTOR TO THE BOARD OF PUBLIC WORKS ~~FOR APPROVAL OF THE PROCUREMENT CONTRACT.~~

(2) WITH EACH RECOMMENDATION, THE SELECTION BOARD SHALL SUBMIT A STATEMENT OF THE REASONS FOR THE SELECTION.

(3) THE STATEMENT REQUIRED UNDER THIS SUBSECTION SERVES AS A PUBLIC NOTICE OF THE SELECTION.

(B) ASSURANCE.

THE SELECTION BOARD SHALL ASSURE THE BOARD OF PUBLIC WORKS THAT THE RECOMMENDED CONTRACTOR HAS THE FINANCIAL CAPACITY TO:

(1) PROVIDE THE ARCHITECTURAL SERVICES OR ENGINEERING SERVICES; AND

(2) PROTECT THE STATE FROM ERRORS AND OMISSIONS THAT MIGHT ARISE FROM THE PERFORMANCE OF THE ARCHITECTURAL OR ENGINEERING SERVICES BY:

(I) THE CONTRACTOR; OR

(II) 3RD PARTIES RELYING ON THE COMPLETED DESIGN OR WORK PRODUCT.

REVISOR'S NOTE: This section is new language derived without substantive change from former SF § 11-158(b) and (c) and the first sentence of (a) and § 11-176(b) and (c) and the first sentence of (a).

In subsection (a)(1) of this section, the reference to selecting a contractor "in accordance with this subtitle" is substituted for the second sentence of former § 11-158(a), which required the Transportation Selection Board to make a recommendation "in accordance with § 11-157 of this subtitle", and the second sentence of former § 11-176(a), which required the General Selection Board to make its recommendation "in accordance with § 11-175 of this subtitle". This substitution accommodates the revision of the provisions that relate to the Transportation Selection Board and the General Selection Board throughout several sections of this subtitle. This substitution also allows the deletion of former SF § 11-175(a)(2)(i), which required the recommendation of the General Selection Board to be made "on the basis of negotiations" and "in accordance with ... regulations adopted by the ... Board". The reference to "this subtitle" encompasses § 13-304 of this