

(b) Any contract of sale shall be awarded to the highest responsible bidder; any contract of purchase or other expenditure shall be awarded to the lowest responsible bidder. However, the County Commissioners may reject any bid.

(c) (1) Any contract entered into in violation of the provisions of this section is void.

(2) The provisions of this section do not apply to:

(i) Any contract or other transaction involving the deposit of county funds in any authorized State or federal banking institution;

(ii) Necessary repairs made in case of emergency; [or]

(iii) The purchase of tangible personal property at a public auction [.];

OR

~~(IV) ANY CONTRACT FOR WHICH THE COUNTY COMMISSIONERS DETERMINE THAT A COMPETITIVE SOURCE SELECTION METHOD CANNOT BE USED BECAUSE THERE IS ONLY ONE AVAILABLE SOURCE FOR THE SUBJECT OF THE PROCUREMENT CONTRACT. APPROVE SOLE SOURCE PROCUREMENT UNDER § 1-106.1 OF THIS SUBTITLE.~~

1-106.1.

(A) A SOLE SOURCE PROCUREMENT IS PERMISSIBLE WHEN:

(1) ONLY ONE SOURCE EXISTS THAT MEETS THE COUNTY'S REQUIREMENTS;

(2) THE COMPATIBILITY OF EQUIPMENT, ACCESSORIES, OR REPLACEMENT PARTS IS THE PARAMOUNT CONSIDERATION;

(3) A SOLE VENDOR'S ITEM IS NEEDED FOR TRIAL USE OR TESTING;

(4) A SOLE VENDOR'S ITEM IS TO BE PROCURED FOR RESALE;

(5) CERTAIN PUBLIC UTILITY SERVICES ARE TO BE PROCURED AND ONLY ONE SOURCE EXISTS; OR

(6) AUTHORIZED UNDER SUBSECTION (C) OF THIS SECTION.

(B) (1) THE PROCUREMENT OFFICER, WITH THE APPROVAL OF THE AGENCY HEAD, SHALL MAKE THE DETERMINATION AS TO WHETHER A PROCUREMENT SHALL BE MADE AS A SOLE SOURCE PROCUREMENT. THIS DETERMINATION SHALL BE IN WRITING AND SHALL STATE THE BASIS FOR THE DETERMINATION. THE PROCUREMENT OFFICER MAY SPECIFY THE APPLICATION OF THE DETERMINATION AND THE DURATION OF ITS EFFECTIVENESS. IN CASES OF REASONABLE DOUBT, COMPETITION SHALL BE SOLICITED. A REQUEST BY AN AGENCY THAT A PROCUREMENT BE RESTRICTED TO ONE VENDOR SHALL BE ACCOMPANIED BY AN ACCEPTABLE WRITTEN EXPLANATION AS TO WHY NO OTHER VENDOR IS SUITABLE OR ACCEPTABLE TO MEET THE COUNTY'S NEEDS.