

(2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A SOLE SOURCE PROCUREMENT CONTRACT ENTERED UNDER THIS SECTION SHALL BE APPROVED BY FOUR OF THE FIVE COUNTY COMMISSIONERS.

(C) (1) A PROCUREMENT AGENCY, WITH THE PRIOR WRITTEN APPROVAL OF THE COUNTY ATTORNEY, MAY ENTER INTO A SOLE SOURCE CONTRACT TO RETAIN THE CONFIDENTIAL SERVICES OF A CONTRACTOR TO REPRESENT THE INTERESTS OF THE COUNTY IN CONNECTION WITH:

(I) THREATENED OR PENDING LITIGATION;

(II) APPRAISAL OF REAL PROPERTY CONTEMPLATED FOR ACQUISITION BY THE COUNTY; OR

(III) COLLECTIVE BARGAINING.

(2) WHEN IT IS DETERMINED TO BE IN THE BEST INTERESTS OF THE COUNTY, A PROCUREMENT OFFICER MAY NEGOTIATE THE RENEWAL OF AN EXISTING REAL PROPERTY LEASE WITHOUT SOLICITING OTHER PROPOSALS.

(3) IF THE PROCUREMENT AGENCY REASONABLY CAN ANTICIPATE A CONTINUING NEED FOR THE SERVICES DESCRIBED IN PARAGRAPH (1)(II) OR (III) OF THIS SUBSECTION, SOLE SOURCE PROCUREMENT IS INAPPROPRIATE.

(D) THE PROCUREMENT OFFICER SHALL CONDUCT NEGOTIATIONS, AS APPROPRIATE, AS TO PRICE, DELIVERY, AND TERMS FOR A SOLE SOURCE PROCUREMENT.

(E) (1) NOT MORE THAN 10 DAYS AFTER THE EXECUTION AND APPROVAL OF A CONTRACT UNDER THIS SECTION, THE PROCUREMENT AGENCY SHALL PUBLISH NOTICE OF THE AWARD IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY.

(2) A RECORD OF SOLE SOURCE PROCUREMENTS SHALL BE MAINTAINED THAT STATES:

(I) EACH CONTRACTOR'S NAME;

(II) THE TYPE AND VALUE OF EACH CONTRACT;

(III) THE ITEMS PROCURED UNDER EACH CONTRACT;

(IV) THE IDENTIFICATION NUMBER OF EACH CONTRACT FILE; AND

(V) THE WRITTEN EXPLANATION AS TO WHY THE PROCUREMENT IS RESTRICTED TO ONE VENDOR.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.

Approved May 27, 1993.