

~~OF CONSULTING WITH~~ THE DIRECTOR AND THE BOARD. WITH THE APPROVAL OF THE ATTORNEY GENERAL, THE SERVICE MAY EMPLOY ADDITIONAL COUNSEL THAT IT CONSIDERS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

[(h)] (G) (1) [For projects in which the Service is engaged, the] THE Service is exempt from the provisions of Part III of Subtitle 3 and Subtitles [4] 4, 5, 6, and 7 of Title 4 of the State Finance and Procurement Article.

(2) THE SERVICE IS EXEMPT FROM THE PROVISIONS OF DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE, BUT IS NOT EXEMPT FROM SUBTITLE 3 OF TITLE 14, TITLE 16, AND TITLE 17 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(3) ALL PURCHASES BY THE SERVICE, INCLUDING BUT NOT LIMITED TO CONTRACTS AND ORDERS FOR MATERIALS, SERVICES, AND SUPPLIES PERFORMED OR FURNISHED IN CONNECTION WITH THE CONSTRUCTION OF ANY PROJECT OWNED OR CONTROLLED BY THE SERVICE, SHALL BE AWARDED IN ACCORDANCE WITH RULES AND REGULATIONS ADOPTED PURSUANT TO THE ADMINISTRATIVE PROCEDURE ACT, WHICH RULES AND REGULATIONS SHALL PROVIDE, WITH RESPECT TO CONTRACTS AND ORDERS INVOLVING THE EXPENDITURE OF MORE THAN \$10,000 FOR AWARD AFTER EITHER COMPETITIVE BIDDING OR PUBLIC DESIGN COMPETITION, AND WHICH RULES AND REGULATIONS NEED NOT BE APPROVED BY ANY OTHER BOARD, AGENCY, OR DEPARTMENT OF THE STATE. THE SERVICE'S RULES AND REGULATIONS PROVIDING FOR COMPETITIVE BIDDING OR PUBLIC DESIGN COMPETITION MAY INCLUDE COMPETITIVE SEALED BIDDING, COMPETITIVE NEGOTIATIONS, AND REVISED BIDS AFTER COMPETITIVE SEALED BIDDING WHERE ALL BIDS ARE REJECTED AS METHODS OF SOURCE SELECTION AND CONTRACT FORMATION.

[(i) (1) There is a Service Reserve Fund.

(2) The Fund consists of appropriated special funds that are:

(i) Obtained from a project or operation of the Service and not held in or credited to a project reserve fund created pursuant to subsection (k) of this section;

(ii) Not expended or obligated in the fiscal year during which the funds are received; and

(iii) Not held by or payable to a trustee appointed in accordance with a resolution that authorizes the issuance of bonds or notes or under a trust agreement that secures the bonds or notes.

(3) These funds shall be paid to the State Treasurer.

(4) The State Treasurer shall disburse the funds for operations and projects of the Service in accordance with an appropriation of the General Assembly.

(5) On July 1 of each year, money in the Fund in excess of \$100,000 shall be paid over to the General Fund of the State.