

adopt rules and regulations to provide for purchasing from the lowest responsible bidder when sealed bids, notice and publication are not required by this section. The board may suspend and waive the provisions of this section requiring competitive bids whenever:

(a) The purchase is to be made from or the contract is to be made with the federal or any state government or any agency or political subdivision thereof or pursuant to any open-end bulk-purchase contract of any of them;

(b) The public exigency requires the immediate delivery of the articles;

(c) Only one source of supply is available; or

(d) The equipment to be purchased is of a technical nature and the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts in the public interest.]

(A) (1) EXCEPT AS PROVIDED IN SUBSECTIONS (B), (C), AND (F) OF THIS SECTION AND EXCEPT IN THE CASE OF PROCUREMENT PROCEDURES OTHERWISE EXPRESSLY AUTHORIZED BY STATUTE, THE AUTHORITY IN CONDUCTING A PROCUREMENT OF PROPERTY, SERVICES, OR CONSTRUCTION SHALL:

(I) OBTAIN FULL AND OPEN COMPETITION THROUGH THE USE OF COMPETITIVE PROCEDURES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION; AND

(II) USE THE COMPETITIVE PROCEDURE OR COMBINATION OF COMPETITIVE PROCEDURES THAT IS BEST SUITED UNDER THE CIRCUMSTANCES OF THE PROCUREMENT.

(2) IN DETERMINING THE COMPETITIVE PROCEDURE APPROPRIATE UNDER THE CIRCUMSTANCES, THE AUTHORITY SHALL:

(I) SOLICIT SEALED BIDS IF:

1. TIME PERMITS THE SOLICITATION, SUBMISSION, AND EVALUATION OF SEALED BIDS;

2. THE AWARD WILL BE MADE ON THE BASIS OF PRICE AND OTHER PRICE-RELATED FACTORS;

3. IT IS NOT NECESSARY TO CONDUCT DISCUSSIONS WITH THE RESPONDING SOURCES ABOUT THEIR BIDS; AND

4. THERE IS A REASONABLE EXPECTATION OF RECEIVING MORE THAN ONE SEALED BID; OR

(II) REQUEST COMPETITIVE PROPOSALS IF SEALED BIDS ARE NOT APPROPRIATE UNDER ITEM (I) OF THIS PARAGRAPH:

(B) THE AUTHORITY MAY PROVIDE FOR THE PROCUREMENT OF PROPERTY, SERVICES, OR CONSTRUCTION COVERED BY THIS SECTION USING COMPETITIVE PROCEDURES BUT EXCLUDING A PARTICULAR SOURCE IN ORDER TO ESTABLISH OR MAINTAIN AN ALTERNATIVE SOURCE OR SOURCES OF SUPPLY FOR THAT