

~~subsequent fiscal year shall be reduced by the amount of the deficiency~~ AMOUNT OF THE DEFICIENCY SHALL BE RECONCILED AS FOLLOWS:

(I) FOR THE FIRST \$3,000,000 OF ANY DEFICIENCY, THE ALLOCATION TO THE SPECIAL FUND UNDER SUBSECTION (A) OF THIS SECTION AS PROVIDED UNDER SUBSECTIONS (C) AND (D) OF THIS SECTION FOR THE SECOND FISCAL YEAR FOLLOWING THE DEFICIENCY SHALL BE REDUCED BY EITHER THE AMOUNT OF THE DEFICIENCY OR \$3,000,000, WHICHEVER IS LESS; AND

(II) FOR ANY DEFICIENCY IN EXCESS OF \$3,000,000, THE AMOUNT IN EXCESS OF \$3,000,000 SHALL BE RECONCILED EITHER BY THE REDUCTION OF THE ALLOCATION TO THE SPECIAL FUND UNDER SUBSECTION (A) OF THIS SECTION AS PROVIDED UNDER SUBSECTIONS (C) AND (D) OF THIS SECTION FOR THE SECOND FISCAL YEAR FOLLOWING THE DEFICIENCY OR BY THE DEAUTHORIZATION OF PROJECTS AUTHORIZED IN PRIOR FISCAL YEARS.

(3) (I) ANY AMOUNTS TO BE DEAUTHORIZED FROM PRIOR FISCAL YEARS UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION SHALL BE PROPOSED BY THE GOVERNOR IN THE BUDGET OF THE SECOND FISCAL YEAR FOLLOWING THE FISCAL YEAR IN WHICH THERE IS A DEFICIENCY.

(II) AN AMOUNT MAY BE DEAUTHORIZED UNDER THIS PARAGRAPH ONLY AS PROVIDED IN THE STATE BUDGET BILL, AS ENACTED.

**Article - State Finance and Procurement**

13-311.

(a) The Department of Transportation shall establish a selection process based on a competitive procedure to:

(1) PROMOTE ENGINEERING AND DESIGN QUALITY AND ENSURE MAXIMUM COMPETITION BY PROFESSIONAL COMPANIES OF ALL SIZES PROVIDING ARCHITECTURAL OR ENGINEERING SERVICES;

[(1)](2) evaluate technical proposals and the qualifications of the persons submitting proposals; and

[(2)](3) determine an order of priority based on those evaluations.

(b) (1) From the results of the selection process under subsection (a) of this section, the transportation unit shall:

(i) begin negotiations with the most qualified person; and

(ii) try to negotiate a procurement contract with that person at a rate of compensation that is fair, competitive, and reasonable.

(2) In determining the rate of compensation under this subsection, the transportation unit shall:

(i) consider the scope and complexity of the architectural or engineering services required; [and]