

(1) the procurement is for human, social, or educational services to be provided directly to individuals who are aged, indigent, disadvantaged, unemployed, mentally or physically ill, handicapped, or displaced or minors, INCLUDING DIRECT OR INDIRECT WORK-RELATED SERVICES TO BENEFIT CURRENT RECIPIENTS, FORMER RECIPIENTS OR NON-CUSTODIAL PARENTS OF CHILDREN WHO ARE CURRENT OR FORMER RECIPIENTS OF FAMILY INVESTMENT PROGRAM BENEFITS;

(2) the procurement is one of a class for which the Department of Budget and Management has approved the use of noncompetitive negotiation; and

(3) with the approval of the head of the unit, the procurement officer determines that:

(i) at least 2 sources are available for the services; but

(ii) the absence of effective competition makes it unreasonable to expect bids or proposals from the available sources.

(B) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, THE DEPARTMENT OF HUMAN RESOURCES MAY ACT AS A PRIMARY PROCUREMENT UNIT AND AWARD A PROCUREMENT CONTRACT ON THE BASIS OF NONCOMPETITIVE NEGOTIATION IF:

(1) THE PROCUREMENT IS FOR DIRECT OR INDIRECT WORK-RELATED SERVICES TO BENEFIT CURRENT RECIPIENTS, FORMER RECIPIENTS OR NON-CUSTODIAL PARENTS OF CHILDREN WHO ARE CURRENT OR FORMER RECIPIENTS OF FAMILY INVESTMENT PROGRAM BENEFITS;

(2) THE PROCUREMENT HAS BEEN APPROVED BY THE SECRETARY OF HUMAN RESOURCES; AND

(3) THE AMOUNT OF THE CONTRACT DOES NOT EXCEED \$200,000.

[(b)](C) (1) Whenever a procurement is based on noncompetitive negotiation, a unit shall publish a request for general expressions of interest.

(2) A request for general expressions of interest shall:

(i) state the general requirement for services;

(ii) request interested service providers to respond in writing with general expressions of interest; and

(iii) be published in the same manner as required for an invitation for bids.

[(c)](D) (1) To satisfy all or part of the requirements of the State as they occur, and without additional advertising, the procurement officer may conduct discussions with any responsible service provider who has submitted an expression of interest.