

~~(III) [The county board may] MAY name in the specifications and advertisements for bids the particular make, kind, or brand of article to be contracted for or purchased FOR THE PROCUREMENT OF HEATING AND COOLING PRODUCTS OR ELECTRICAL SYSTEMS.~~

(2) (I) THE COUNTY BOARD SHALL DRAFT SPECIFICATIONS THAT PROVIDE A CLEAR AND ACCURATE DESCRIPTION OF THE FUNCTIONAL CHARACTERISTICS OR THE NATURE OF AN ITEM TO BE PROCURED, WITHOUT MODIFYING THE COUNTY BOARD'S REQUIREMENTS.

(II) THE SPECIFICATIONS MAY:

1. INCLUDE A STATEMENT OF ANY OF THE COUNTY BOARD'S REQUIREMENTS; AND

2. PROVIDE FOR THE SUBMISSION OF SAMPLES, INSPECTION, OR TESTING OF THE ITEM BEFORE PROCUREMENT.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS SUBSECTION, SPECIFICATIONS THAT USE ONE OR MORE MANUFACTURER'S PRODUCT TO DESCRIBE THE STANDARD OF QUALITY, PERFORMANCE, OR OTHER CHARACTERISTICS NEEDED TO MEET THE COUNTY BOARD'S REQUIREMENTS, MUST ALLOW FOR THE SUBMISSION OF EQUIVALENT PRODUCTS.

(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY IF THE COUNTY BOARD DETERMINES IN THE WRITTEN SPECIFICATION THAT:

1. A PARTICULAR MANUFACTURER'S PRODUCT IS REQUIRED TO MAINTAIN COMPATIBILITY OF SERVICE OR EQUIPMENT;

2. A PARTICULAR MANUFACTURER'S PRODUCT IS REQUIRED TO MEET THE HEALTH NEEDS OF STUDENTS;

3. REPLACEMENT PARTS OR MAINTENANCE ARE A PARAMOUNT CONSIDERATION; OR

4. A PRODUCT IS PURCHASED FOR RESALE.

(c) (1) A contract for the school building, improvements, supplies, or other equipment shall be awarded to the lowest responsible bidder who conforms to specifications with consideration given to:

- (i) The quantities involved;
- (ii) The time required for delivery;
- (iii) The purpose for which required;
- (iv) The competency and responsibility of the bidder;
- (v) The ability of the bidder to perform satisfactory service; and
- (vi) The plan for utilization of minority contractors.