

(6) an intergovernmental cooperative purchasing agreement under § 13-110 of this subtitle; OR

(7) AUCTION BIDS UNDER § 13-111 OF THIS SUBTITLE.
13-111.

(A) THIS SECTION APPLIES TO THE PROCUREMENT OF SUPPLIES ~~WITHIN THE AUTHORITY OF~~ WITH AN ESTIMATED CONTRACT VALUE OF \$1,000,000 OR MORE, BY A PRIMARY PROCUREMENT UNIT.

(B) (1) WHENEVER THE HEAD OF A PRIMARY PROCUREMENT UNIT OR DESIGNEE DETERMINES THAT IT IS IN THE BEST INTEREST OF THE STATE FOR A PROCUREMENT CONTRACT SHOULD TO BE BASED ON AUCTION BIDS, A PROCUREMENT OFFICER SHALL SEEK BIDS BY ISSUING AN INVITATION FOR AUCTION BIDS.

(2) SUBJECT TO SUBSECTION (C) OF THIS SECTION, AN INVITATION FOR AUCTION BIDS SHALL INCLUDE:

(I) THE SPECIFICATIONS OF THE PROCUREMENT CONTRACT;

(II) WHETHER THE PROCUREMENT CONTRACT WILL BE AWARDED BASED ON THE LOWEST BID PRICE OR THE LOWEST EVALUATED BID PRICE;

(III) IF THE PROCUREMENT CONTRACT WILL BE BASED ON EVALUATED BID PRICE, THE OBJECTIVE MEASURABLE CRITERIA BY WHICH THE LOWEST EVALUATED BID PRICE WILL BE DETERMINED;

(IV) THE SMALL BUSINESS PREFERENCE, IF DESIGNATED UNDER § 13-103 OF THIS SUBTITLE; AND

(V) THE DATE AND TIME WHEN BIDDING WILL COMMENCE AND THE DATE AND TIME WHEN BIDDING WILL END OR THE EVENT UPON WHICH BIDDING WILL END.

(C) (1) IN THE DISCRETION OF THE PROCUREMENT OFFICER, THE INVITATION FOR AUCTION BIDS MAY:

(I) INCLUDE A REQUEST FOR UNPRICED TECHNICAL OFFERS OR SAMPLES;

(II) DIRECT BIDDERS TO SUBMIT PRICE BIDS AFTER THE UNIT EVALUATES THE TECHNICAL OFFERS OR SAMPLES AND FINDS THEY ARE ACCEPTABLE UNDER THE CRITERIA SET FORTH IN THE INVITATION FOR AUCTION BIDS; AND

(III) INFORM ALL BIDDERS WHO SUBMITTED TECHNICAL OFFERS OR SAMPLES OF THE IDENTITY OF EACH BIDDER WHO SUBMITTED AN ACCEPTABLE TECHNICAL OFFER OR SAMPLE.

(2) PRICE BIDS MAY NOT BE RECEIVED UNTIL AFTER THE UNIT HAS COMPLETED EVALUATION OF THE TECHNICAL OFFERS OR SAMPLES.