

(2) ENGAGE IN COMPETITIVE NEGOTIATION, RATHER THAN COMPETITIVE BIDDING, IN LIMITED CIRCUMSTANCES, INCLUDING CONSTRUCTION MANAGEMENT AT-RISK ARRANGEMENTS AND OTHER ALTERNATIVE PROJECT DELIVERY ARRANGEMENTS, AS PROVIDED IN REGULATIONS ADOPTED BY THE BOARD OF PUBLIC WORKS;

(3) ACCEPT UNSOLICITED PROPOSALS FOR THE DEVELOPMENT OF PUBLIC SCHOOLS IN LIMITED CIRCUMSTANCES, AS PROVIDED IN REGULATIONS ADOPTED BY THE BOARD OF PUBLIC WORKS; AND

(4) USE QUALITY-BASED SELECTION, IN WHICH SELECTION IS BASED ON A COMBINATION OF QUALIFICATIONS AND COST FACTORS, TO SELECT DEVELOPERS AND BUILDERS, AS PROVIDED IN REGULATIONS ADOPTED BY THE BOARD OF PUBLIC WORKS.

(C) THE BOARD OF PUBLIC WORKS SHALL ADOPT REGULATIONS REQUIRING A PROJECT THAT QUALIFIES FOR ALTERNATIVE FINANCING METHODS UNDER THIS SECTION TO MEET REQUIREMENTS REGARDING THE ADVANTAGES OF THE PROJECT TO THE PUBLIC THAT INCLUDE PROVISIONS ADDRESSING:

(1) THE PROBABLE SCOPE, COMPLEXITY, OR URGENCY OF THE PROJECT;

(2) ANY RISK SHARING, ADDED VALUE, EDUCATION ENHANCEMENTS, INCREASE IN FUNDING, OR ECONOMIC BENEFIT FROM THE PROJECT THAT WOULD NOT OTHERWISE BE AVAILABLE;

(3) THE PUBLIC NEED FOR THE PROJECT; AND

(4) THE ESTIMATED COST OR TIMELINESS OF EXECUTING THE PROJECT.

(D) PROJECTS THAT QUALIFY FOR ALTERNATIVE FINANCING METHODS UNDER THIS SUBSECTION:

(1) SHALL MEET THE EDUCATIONAL STANDARDS, DESIGN STANDARDS, AND PROCEDURAL REQUIREMENTS UNDER THIS ARTICLE AND UNDER REGULATIONS ADOPTED BY THE BOARD OF PUBLIC WORKS; AND

(2) CONSISTENT WITH THE REQUIREMENTS OF THIS ARTICLE, SHALL BE APPROVED BY:

(I) THE COUNTY GOVERNING BODY;

(II) THE STATE SUPERINTENDENT OF SCHOOLS; OR

(III) THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION AND THE BOARD OF PUBLIC WORKS.

(E) USE OF ALTERNATIVE FINANCING METHODS UNDER THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT THE ALLOCATION OF STATE FUNDS FOR PUBLIC SCHOOL CONSTRUCTION TO A PROJECT UNDER THE PUBLIC SCHOOL CONSTRUCTION PROGRAM.