

Board by regulation in accordance with Title 10, Subtitle 1 of the State Government Article, a unit shall publish [in the Contract Weekly] notice of the award:

(1) UNTIL JULY 1, ~~2007~~ 2006, IN THE CONTRACT WEEKLY AND EMARYLAND MARKETPLACE; AND

(2) ON AND AFTER JULY 1, ~~2007~~ 2006, IN EMARYLAND MARKETPLACE.

(G) (1) A UNIT MAY NOT CHARGE A FEE TO ACCESS ~~THE INFORMATION THAT IS REQUIRED TO BE PUBLISHED UNDER THIS SECTION IN~~ EMARYLAND MARKETPLACE.

(2) TO PAY THE COSTS ~~INCURRED TO PUBLISH THE INFORMATION REQUIRED UNDER THIS SECTION IN~~ OF OPERATING EMARYLAND MARKETPLACE, THE UNIT SHALL DEDUCT AND RETAIN FROM THE PROCUREMENT CONTRACT PRICE THAT WAS SUBMITTED BY THE RESPONSIBLE BIDDER TO WHOM THE PROCUREMENT CONTRACT WAS AWARDED THE FEE SPECIFIED BY THE DEPARTMENT OF BUDGET AND MANAGEMENT UNDER PARAGRAPH (3) OF THIS SUBSECTION.

(3) (I) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL ESTABLISH BY REGULATION, AND ADJUST EACH FISCAL YEAR AS NECESSARY, THE FEE THAT IS TO BE DEDUCTED FROM EACH PROCUREMENT CONTRACT UNDER THIS SECTION.

(II) THE FEE SHALL BE SET AT AN AMOUNT THAT IS SUFFICIENT TO ~~PAY THE COSTS TO PUBLISH THE INFORMATION REQUIRED UNDER THIS SECTION IN~~ PAY THE COSTS OF OPERATING EMARYLAND MARKETPLACE.

13-104.

(a) Competitive sealed proposals may be used if:

(1) the procurement is for human, social, cultural, or educational services;

(2) with the approval of the head of a unit, the procurement officer determines that specifications cannot be prepared that allow an award based on the lowest bid price, the lowest evaluated bid price or, if the procurement is subject to § 11-202(3) of this article, the bid most favorable to the State; or

(3) the head of the unit determines that:

(i) the need to use a method other than competitive sealed bids is sufficiently compelling to override the general public policy that favors awarding procurement contracts on the basis of competitive sealed bids; and

(ii) the use of competitive sealed bidding for that procurement contract is not practicable or not advantageous to the State.

(c) A unit shall publish a request for proposals in the same manner as required for an invitation for bids.