

(3) Subject to paragraphs (4) through (6) of this subsection, an invitation to bid shall:

(i) Include the specifications of the contract, **INCLUDING THE EXPECTED DEGREE OF MINORITY BUSINESS ENTERPRISE PARTICIPATION, AS PROVIDED IN SUBSECTION (F)(3)(VI) OF THIS SECTION**; and

(ii) State whether the contract will be awarded based on the lowest bid price or the lowest evaluated bid price.

(4) If a contract will be awarded on an evaluated bid price, the invitation to bid shall include the objective measurable criteria by which the lowest evaluated bid price will be determined.

(5) The WSSC shall award contracts based on competitive sealed bids to the responsible bidder who submits the lowest bid price or lowest evaluated bid price, as appropriate.

(6) If the WSSC determines that an initial preparation of specifications for price bids is impractical, the invitation for bids may:

(i) Include a request for unpriced technical offers or samples; and

(ii) Direct the bidder to submit a:

1. Sealed price bid with the unpriced technical offer or sample; or

2. Price bid after the WSSC evaluates the technical offer or sample and finds that the offer or sample is acceptable under the criteria set forth in the invitation to bid.

(7) If an invitation to bid includes a request for unpriced technical offers or samples, the WSSC shall:

(i) Consider the price bid of a bidder whose technical offer or sample is acceptable;

(ii) Return unopened the price bid of a bidder whose technical offer or sample is unacceptable; and

(iii) Award the contract to the responsible bidder whose technical offer or sample is acceptable and who submits the lowest bid or lowest evaluated bid, as specified in the invitation to bid.