

1-106.

(a) (1) Except as OTHERWISE provided in [subsection (d) of this section] THIS SUBTITLE, the County Commissioners or any employee of the county may not enter into any contract of sale or purchase or any contract for any county work, project, or other expenditure to which the county is a party where the amount involved in the contract exceeds [\$25,000] **\$50,000** without advertising for bids at least 1 week before the bid by publication in at least one newspaper that is published in the county or through electronic media.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION AND REGARDLESS OF WHETHER THE TOTAL CUMULATIVE PROCUREMENT EXCEEDS **\$50,000**, IF A CONTRACT IS FOR AN INDETERMINATE AMOUNT OF GOODS OR SERVICES PROCURED ON AN AS-NEEDED BASIS OVER A PERIOD OF TIME, THE COUNTY COMMISSIONERS OR AN EMPLOYEE OF THE COUNTY MAY, WITHOUT ADVERTISING FOR BIDS, ENTER INTO A CONTRACT OF PURCHASE OR A CONTRACT FOR A COUNTY WORK PROJECT OR OTHER EXPENDITURE TO WHICH THE COUNTY IS A PARTY.

(b) (2) A contract of purchase or other expenditure shall be awarded to the lowest responsible bidder who submits a responsive bid, UNLESS:

(I) THE CONTRACT OF PURCHASE OR OTHER EXPENDITURE IS FOR THE PROCUREMENT OF PROFESSIONAL OR TECHNICAL SERVICES, INCLUDING ARCHITECTURAL, DESIGN ENGINEERING, LEGAL, MEDICAL, TECHNOLOGICAL, OR TECHNICAL SERVICES; AND

(II) THE COUNTY COMMISSIONERS HAVE AUTHORIZED THE AWARD OF THE CONTRACT ON THE BASIS OF THE QUALIFICATIONS, RESOURCES, AND EXPERIENCE OF THE BIDDER, REGARDLESS OF WHETHER THE BIDDER IS THE LOWEST BIDDER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, May 22, 2008.

CHAPTER 672

(House Bill 807)