

Article - State Finance and Procurement

§13–314.

(a) The Selection Board shall waive the requirements of §§ 13-304(b), 13-308, 13-309, 13-311, 13-312(b), and 13-313 of this subtitle if:

(1) the Selection Board determines that:

(i) the architectural services or engineering services cannot be defined so completely as to carry out those requirements; or

(ii) the specifications require architectural services or engineering services that are available only from a bona fide single source or a proprietary product or process;

(2) the Governor declares an emergency;

(3) after a natural disaster, public health and safety are endangered; or

(4) on the recommendation of the Secretary of General Services or the Secretary of Transportation and a finding by the Governor that extraordinary circumstances exist, the Board of Public Works determines that:

(i) for a particular project, urgent circumstances require the selection of a contractor on an expedited basis;

(ii) expedited selection best serves the public interest; and

(iii) the need for an expedited selection outweighs the benefits of carrying out those requirements.

(b) A waiver and the reasons for it shall be documented and:

(1) immediately reported to eMaryland Marketplace for publication; and

(2) reported to the Legislative Policy Committee within 30 days after the waiver occurs.