

(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.

~~(C)~~ (E) (1) IF A CONTRACT IS AWARDED BASED ON COMPETITIVE SEALED PROPOSALS, THE WSSC SHALL SEEK PROPOSALS BY ISSUING A REQUEST FOR PROPOSALS.

(2) A REQUEST FOR PROPOSALS SHALL INCLUDE:

(I) A STATEMENT DESCRIBING THE SCOPE OF THE CONTRACT;

(II) THE FACTORS, INCLUDING PRICE, THAT WILL BE USED IN EVALUATING PROPOSALS; AND

(III) THE RELATIVE IMPORTANCE OF EACH FACTOR.

(3) AFTER RECEIPT OF PROPOSALS, BUT BEFORE THE CONTRACT IS AWARDED, THE WSSC MAY CONDUCT DISCUSSIONS WITH AN OFFEROR TO:

(I) OBTAIN THE BEST PRICE FOR THE WSSC; AND

(II) ENSURE FULL UNDERSTANDING OF THE REQUIREMENTS OF THE WSSC, AS SET FORTH IN THE REQUEST FOR PROPOSALS AND IN THE PROPOSAL.