

FAP 220-17-00
COMPETITIVE NEGOTIATIONS

Competitively negotiated contracts shall be awarded as prescribed in 200 KAR 5:307 and this regulation.

1. A written determination authorizing competitive negotiations for construction and construction related goods and services shall be made by the purchasing officer and approved by the director of the Finance and Administration Cabinet's Division of Engineering and Contract Administration.
2. Advertisement shall be in the same manner as for competitive sealed bids.
3. Notice shall be posted and mailed to prospective offerors advising of the availability of proposal documents and specifications, and of the time and date for receipt of proposals. Ample time shall be given for the preparation of proposals.
4. The method for receipt of proposals and method of award shall be clearly defined. If an evaluated award is to be made, objective measurable criteria shall be clearly set out in the solicitation.
5. If it is anticipated that an award can be made on the original offer without further submittals or negotiations, it shall be so stated in the notice.
6. Proposals shall be received and time stamped by the Division of Engineering and Contract Administration until the close of business on the established closing date. A public opening shall not be held. All proposal prices shall be kept confidential and the proposals shall not be subject to public inspection until a contract has been awarded.
7. The next business day, the proposals shall be opened by the purchasing officer and copies distributed to the using agency, consultant, the Finance and Administration Cabinet's Division of Engineering and Contract Administration, and others as applicable for review and recommendation.