

63G-6a-608 Tie bids -- Resolution -- Copies provided to attorney general.

- (1) A procurement officer shall resolve a tie bid in accordance with a method established by rule made by the applicable rulemaking authority. The method may include awarding the tie bid:
 - (a) to the tie bidder who:
 - (i) is a provider of state products, if no other tie bidder is a responsive provider of state products;
 - (ii) is closest to the point of delivery;
 - (iii) received the previous award; or
 - (iv) will provide the earliest delivery date;
 - (b) by drawing lots; or
 - (c) by any other reasonable method of resolving a tie bid.
- (2) The method chosen by the procurement officer to resolve a tie bid shall be at the sole discretion of the procurement officer, subject to the rules established under Subsection (1).
- (3) A procurement unit in the state executive branch shall provide a copy of the procurement to the attorney general if an award of a contract to a tie bidder exceeds \$100,000 in expenditures.

Amended by Chapter 445, 2013 General Session