

7362 Pre-Award Review

(a)

Prior to the awarding of a contract to a for profit entity, the AAA shall submit the following to the Department for review and approval: (1) The RFP or IFB. (2) All bid proposals received. (3) The proposal or bid evaluation documentation, along with the AAA's rationale for awarding the contract to a for profit entity.

(1)

The RFP or IFB.

(2)

All bid proposals received.

(3)

The proposal or bid evaluation documentation, along with the AAA's rationale for awarding the contract to a for profit entity.

(b)

Within 15 days of receipt of the information specified in (a), the Department shall in writing either: (1) Approve the award, providing the process used by the AAA was equitable and in compliance with federal and State laws and regulations. (2) Disapprove the award and state the reason for finding the process inequitable or out of compliance with federal or State law or regulation.

(1)

Approve the award, providing the process used by the AAA was equitable and in

compliance with federal and State laws and regulations.

(2)

Disapprove the award and state the reason for finding the process inequitable or out of compliance with federal or State law or regulation.

(c)

Nothing in this section shall be construed to prohibit the Department, on a limited case-by-case basis, from performing a pre-award review in accordance with 45 CFR 92.36(g).