

**781—6.5(12) Exceptions to vendor selection procedure.**

**6.5(1) *Waiver required by public interest.*** The treasurer may waive the procedures set out in subrules 6.4(1) to 6.4(3) if the treasurer determines that it is in the public interest to do so. The treasurer shall waive the above procedures by filing written notice with the executive council stating why the waiver is in the public interest. In the event that the treasurer waives the above procedures, the treasurer shall determine the procedures to be followed in selecting vendors of professional services for an authority.

**6.5(2) *Waiver for project sponsors.*** The treasurer may waive the provisions set out in subrules 6.4(1) to 6.4(5) if the treasurer determines that all of the following conditions exist:

- a. The proposed obligation is being issued by the authority on behalf of a project sponsor;
- b. Purchasers of the proposed obligation will have no recourse, directly or indirectly, to the authority or the state in the event of a default on the obligation; and
- c. Vendors of professional services affected by the waiver will be employed and compensated by the project sponsor and not by the authority.

**6.5(3) *Competitive sale of obligations.*** In the event that obligations are to be issued by soliciting bids from several underwriters in a competitive sale, the treasurer shall supervise the bidding process in consultation with the authority. The treasurer shall prepare the necessary documents including, but not limited to:

- a. Official notice of sale;
- b. Advertising of official notice; and
- c. Official bid form.

The treasurer shall establish a time and location for opening bids and shall notify the authority and the successful bidder upon awarding the successful bid. Selection of all other vendors of professional services shall be made according to the procedures set out in rule 6.4(12).