

200 KAR 5:313. General and special conditions for bidding.

RELATES TO: KRS 45A.070-45A.120

STATUTORY AUTHORITY: KRS 45A.035(2)(g)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 45A.035 authorizes the Secretary of the Finance and Administration Cabinet to promulgate administrative regulations for the implementation of the Kentucky Model Procurement Code (KRS Chapter 45A). This administrative regulation implements the provisions of KRS 45A.035(2)(g).

Section 1. The Division of Material and Procurement Services, for commodity and other procurement functions within its jurisdiction, and the Division of Contracting and Administration, for construction and related services and items, shall adopt, and revise as necessary in the discretion of the directors of the divisions, with the approval of the Commissioners of the Department for Administration and the Department for Facilities Management, respectively, general conditions for bidding to the Commonwealth of Kentucky. In relation to a procurement, or class or type of procurement, the directors may also adopt special conditions, supplemental to the general conditions.

Section 2. The general conditions for bidding shall be applicable to, and incorporated by reference in, all solicitations issued by the Division of Material and Procurement Services, the Division of Contracting and Administration, or by any agency to which purchasing authority has been delegated.

Section 3. Submission of a response to a solicitation shall be deemed to be an agreement to comply with all terms, conditions, and specifications of the solicitation. (5 Ky.R. 578; Am. 951; eff. 7-17-79; 18 Ky.R. 1366; eff. 1-10-92; 30 Ky.R. 681; 1468; eff. 1-5-2004.)