

TITLE 4: ECONOMIC RESOURCES
DIVISION 10: COMMONWEALTH DEVELOPMENT AUTHORITY

§ 10455. Sale of Bonds.

(a) The Authority may make such arrangements as may be necessary or proper for the sale of each issue of bonds or part thereof as are issued pursuant to this article including, without limitation, arranging for the preparation and printing of the bonds, the official statement and any other documents or instruments deemed required for the issuance and sale of bonds, and retaining financial, accounting, and legal consultants, all upon such terms and conditions as the Authority deems advisable and in the best interest of the Commonwealth. The Authority may offer the bonds at competitive sale or may negotiate the sale of the bonds to any person or group of persons, to the United States of America, or any board, agency, instrumentality, or corporation thereof.

(b) The sale of the bonds by the Authority by negotiation shall be at such price or prices and upon such terms and conditions, and the bonds shall bear interest at such rate or rates or such varying rates determined from time to time in such manner as the Authority shall approve.

(c) The sale of the bonds by the Authority at competitive sale shall be at such price or prices and upon such terms and conditions, and the bonds shall bear interest at such rate or rates or such varying rates determined from time to time in the manner as specified by the successful bidder. The bonds offered at competitive sale may be sold to the bidder offering to purchase the bonds at the lowest interest cost (calculated on a net interest cost, true interest cost or other basis as determined by the Authority and described in the notice of sale herein mentioned). The bonds offered at competitive sale shall be sold only after published notice of sale; provided, that in any case the right shall be reserved to reject any or all bids and to waive any irregularity or informality in any bid. The notice of sale shall be published at least once and at least five days prior to the date of such sale in a newspaper published and of general circulation in the Commonwealth and in a financial newspaper or newspapers published in any of the cities of New York or San Francisco, and shall be in such form and contain such terms and conditions as the Authority shall determine. The notice of sale shall comply with the requirements of this section if it merely advises prospective purchasers of the proposed sale and makes reference to a detailed notice of sale which is available to prospective purchasers and which sets forth the specific details of the bonds and terms and conditions upon which the bonds are to be offered. The notice of sale published and any detailed notice of sale may omit the date and time of sale, in which event the date and time shall be either published in the same newspapers in which the notice of sale has been published or transmitted via electronic communication systems deemed proper by the Authority which are generally available to the financial community in the United States, in either case at least 24 hours prior to the time fixed for the sale.

Source: PL 11-3, § 5, modified.