

Annotated Code of Maryland  
(1985 Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - State Finance and Procurement

17-201.

(a) Upon timely demand, as defined in regulations promulgated by the Department, by a prospective bidder or offeror, bidder or offeror, or contractor, the responsible procurement officer of the using agency may, consistent with the budget and all applicable laws and regulations, negotiate and resolve disputes relating to the formation of a contract with the State or a contract which has been entered into by the State. Disputes relating to the formation of a contract include but are not limited to those concerning the qualification of bidders or offerors and the determination of the successful bidder or offeror. Disputes relating to a contract which has been entered into by the State include but are not limited to those concerning the performance, breach, modification, and termination of the contract.

(b) Except as provided in subsection (c) of this section, the resolution of these disputes shall be in accordance with regulations established by the respective departments, and the procurement officer's decision shall be in writing. Except in the adoption of regulations, the Administrative Procedure Act shall not apply to proceedings under this section.

(c) (1) This subsection applies to the resolution of disputes relating to construction contracts that have been entered into.

(2) Within 30 days of the filing of a notice of a claim, the contractor shall submit to the procurement agency a written explanation of the claim containing:

(i) The amount of the claim;

(ii) The facts upon which the claim is based;  
and

(iii) All pertinent data and correspondence that may substantiate the claim.

(3) The claim shall be reviewed by the procurement agency head or, if the agency is a part of a principal department or an equivalent unit of State government, by the Secretary or the equivalent official unless review has been delegated to the agency head by regulation.