

1 **Article - State Finance and Procurement**

2 11-101.

3 (x) (1) "Unit" means an officer or other entity that is in the Executive
4 Branch of the State government and is authorized by law to enter into a procurement
5 contract.

6 (2) "Unit" does not include:

7 (i) a bistate, multistate, bicounty, or multicounty governmental
8 agency; or

9 (ii) a special tax district, sanitary district, drainage district, soil
10 conservation district, water supply district, or other political subdivision of the State.
11 15-219.

12 (b) ~~{Unless extended by the unit, within 30 90 days} WITHIN A REASONABLE~~
13 ~~TIME~~ after submitting a notice of a contract claim under a procurement contract for
14 construction, a contractor shall submit to the unit a written explanation that states:

15 (1) the amount of the contract claim;

16 (2) the facts on which the contract claim is based; and

17 (3) all relevant data and correspondence that may substantiate the
18 contract claim.

19 (e) Recovery under a contract claim is not allowed for any expense incurred:

20 (1) more than 30 days before the required submission of a notice of a
21 claim under subsection (a) of this section, ~~IF THE UNIT CAN SHOW PREJUDICE AS A~~
22 ~~RESULT OF THE CONTRACTOR'S FAILURE TO TIMELY SUBMIT A NOTICE OF CLAIM;~~ or

23 (2) ~~{unless the time for submission of a claim is extended under~~
24 ~~subsection (b) of this section, more than 60 120 days before the required submission of~~
25 ~~the claim} MORE THAN 30 DAYS BEFORE THE REQUIRED SUBMISSION OF A CLAIM, IF~~
26 ~~THE UNIT CAN SHOW PREJUDICE AS A RESULT OF THE CONTRACTOR'S FAILURE TO~~
27 ~~TIMELY SUBMIT A CLAIM.~~

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
29 construed only prospectively and may not be applied or interpreted to have any effect
30 on or application to any procurement contract claims submitted before the effective
31 date of this Act.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 1999.

