

## Article - State Finance and Procurement

§17-211.

(a) A determination of a prevailing wage rate issued under § 17-209 of this subtitle is subject to review when a public body publishes a call for bids or proposals in which the determination is used for the first time following its issuance under § 17-209 of this subtitle.

(b) (1) Within 10 days after a public body publishes any call for bids or proposals, as described in subsection (a) of this section, a petition for review of a determination of a prevailing wage rate may be submitted to the Commissioner by:

(i) the public body;

(ii) a prospective bidder or offeror or a representative of a prospective bidder or offeror;

(iii) a representative of a group of employers engaged in the type of construction for which the prevailing wage rate was determined; or

(iv) a representative of a classification of worker for which the prevailing wage rate was determined.

(2) A petition under this subsection shall be verified and shall set forth the facts on which it is based.

(3) If a petition is not filed within the period set under paragraph (1) of this subsection, the determination is final and is the rate applicable in the locality for the remainder of the 1-year period for which it was issued under § 17-209 of this subtitle.

(c) (1) Within 2 days after a petition is submitted under this section, the petitioner shall send a copy to the public body.

(2) On receipt of a copy of the petition, the public body shall extend the closing date for bids or proposals until 5 days after the Commissioner publishes the final determination under subsection (f) of this section.

(d) (1) Within 20 days after a petition is submitted, the Commissioner shall:

(i) after giving the notice required under paragraph (3) of this subsection, conduct an investigation; and

(ii) hold a public hearing to review the petition.

(2) If more than 1 petition is submitted, the Commissioner may consolidate the hearings on any of the petitions.

(3) The Commissioner shall notify the petitioner, public body, recognized

collective bargaining representative for the classification for which a review is requested, and any other person entitled to receive notice under § 17-210(b)(2) of this subtitle.

(e) At the hearing:

(1) the Commissioner shall introduce as evidence the investigation conducted under subsection (d) of this section and the other facts that formed the basis of the Commissioner's original determination; and

(2) any interested party, including the Commissioner, may introduce other evidence material to the issue.

(f) Within 10 days after the conclusion of a review hearing, the Commissioner shall send to the public body and each interested party, a determination of the prevailing wage rate. This determination is final and is the rate applicable in the locality for the remainder of the 1-year period for which it was issued under § 17-209 of this subtitle.