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Annotated Code of Maryland

(1995 Replacement Volume and 1998 Supplement)

21 MARYLAND, That the Laws of Maryland read as follows:

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

1999 Regular Session 9lr2475

By: Delegate Brinkley Introduced and read first time: February 23, 1999 Assigned to: Rules and Executive Nominations Re-referred to: Commerce and Government Matters, February 26, 1999 Committee Report: Favorable with amendments House action: Adopted Read second time: March 23, 1999 CHAPTER____ 1 AN ACT concerning 2 **Procurement Contract Dispute Resolution - Construction Contracts - Notice** 3 of Claim and Limits on Recovery FOR the purpose of altering the time period within which a contractor shall submit a 4 written explanation of a construction procurement contract claim to the 5 government unit against which the claim is being made; altering certain limits 6 on recovery for a construction procurement contract claim; providing for the 7 8 application of this Act; and generally relating to procurement contract claims for 9 construction. 10 BY repealing and reenacting, without amendments, Article - State Finance and Procurement 11 12 Section 11-101(x) 13 Annotated Code of Maryland 14 (1995 Replacement Volume and 1998 Supplement) 15 BY repealing and reenacting, with amendments, Article - State Finance and Procurement 16 Section 15-219(b) and (e) 17

33 October 1, 1999.

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. (2) "Unit" does not include: 6 7 a bistate, multistate, bicounty, or multicounty governmental (i) 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) fUnless 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: the amount of the contract claim: 15 (1) the facts on which the contract claim is based; and 16 (2)17 all relevant data and correspondence that may substantiate the (3) 18 contract claim. 19 (e) Recovery under a contract claim is not allowed for any expense incurred: 20 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 funless 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