



*The Voice of Merit Construction*

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To: House Health & Government Operations Committee  
From: Associated Builders & Contractors  
RE: House Bill 292 State Procurement - Maryland State Board of Contract Appeals - Attorney's Fees  
Position: Favorable

Associated Builders and Contractors (ABC) represent more than 1500 construction and construction-related companies through its four Maryland chapters. Our members believe in the tenants of free enterprise, investing in their workforce and giving back to the communities in which they live, work and play.

House Bill 292 requires the Board of Contract Appeals to award a prospective bidder or offeror, a bidder, or an offeror reasonable cost of filing and pursuing a protest, including attorney's fees, if an appeal is sustained and there is a violation of law or regulation. Additionally, this bill requires the Board of Contract Appeals to award a contractor under any State contract the reasonable costs of filing and pursuing a claim, including attorney's fees, if procurement unit personnel act in bad faith, without justification, or in violation of law or regulation.

ABC is in support of House Bill 292 as it takes an important step to ensure a fair and just process, holding accountable those responsible for violations of law or regulation. The bill sends a clear message that bad faith actions, lack of justification, or violations of law and regulation will not be tolerated, providing contractors with a necessary safeguard against unwarranted challenges. Therefore, these proposed changes signify a meaningful move towards transparency, fairness, and accountability in State procurement contract claims and appeals.

ABC appreciates your consideration and, for these reasons, respectfully requests a favorable report on House Bill 292.

*Martin "MJ" Kraska  
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