
April 2, 2026

The Honorable Guy Guzzone
Chair, Budget and Taxation Committee
3 West Miller Senate Office Building
Annapolis, MD 21401

Re: Letter of Information – House Bill 193 – State Procurement – Transparency and Procedures

Dear Chair Guzzone and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 193 and offers the following letter of information for the Committee's consideration.

House Bill 193 makes changes to State procurement-related definitions, processes, and requirements impacting debriefings for unsuccessful offerors, contract modifications, protests, and contract claims.

MDOT appreciates the sponsor's willingness to work with the agencies responsible for implementing the provisions of this bill. Through this collaboration with the sponsor and advocates for our State's contracting community, we have been able to maintain the intent of the legislation, make Maryland more business-friendly, provide necessary protections for State agencies, and address many of the concerns highlighted by MDOT in its initial letter.

Importantly, House Bill 193 was amended to require a clause establishing that contractors are authorized to request a contract modification to provide an equitable adjustment to compensate the contractor for increases in the cost of and time for contract performance due to changes in State law that is applied by the procurement unit. As amended, the language allows these requests to be within the allowable scope of adjustments the State may make to a contract without shifting the burden of unexpected costs from contractors to the State, which could increase uncertainty and could significantly increase project expenses. The revised language maintains appropriate negotiating authority for all parties while providing contractors with the ability to request an equitable adjustment when costs could not have been anticipated.

The Maryland Department of Transportation looks forward to participating in the discussion of this bill and respectfully requests the Committee consider this information when deliberating House Bill 193.

Respectfully submitted,

Matthew Mickler
Director of Government Affairs
Maryland Department of Transportation
410-865-1090