

(B) THE BID BOND SHALL BE IN AN AMOUNT EQUAL TO AT LEAST 5 PERCENT OF THE AMOUNT OF THE BID OR PRICE PROPOSAL.

(C) IF THE INVITATION FOR BIDS OR REQUEST FOR PROPOSALS REQUIRE THAT A BID BOND BE PROVIDED, A BIDDER OR OFFEROR THAT DOES NOT COMPLY SHALL BE REJECTED.

(D) ONCE OPENED, BIDS OR PRICE PROPOSALS ARE IRREVOCABLE FOR THE PERIOD SPECIFIED IN THE INVITATION FOR BIDS OR THE REQUEST FOR PROPOSAL EXCEPT AS PROVIDED IN § 3-202(H) OF THIS ARTICLE. HOWEVER, IF A BIDDER OR OFFEROR IS PERMITTED TO WITHDRAW HIS BID OR PROPOSAL BEFORE AWARD BECAUSE OF A MISTAKE IN THE BID OR PROPOSAL, NO ACTION SHALL BE TAKEN AGAINST HIS BID BOND.

SUBTITLE 6. MANAGEMENT OF CONSTRUCTION CONTRACTING

3-601.

THE DEPARTMENT SHALL PROMULGATE REGULATIONS PROVIDING FOR ALTERNATIVE METHODS OF MANAGEMENT OF CONSTRUCTION CONTRACTING, SETTING STANDARDS FOR DETERMINING THE METHOD OF MANAGEMENT TO BE USED FOR A PARTICULAR PROJECT AND REQUIRING THE PROCUREMENT OFFICER TO INCLUDE IN THE CONTRACT FILE A STATEMENT OF THE FACTS THAT LEAD TO THE SELECTION OF A PARTICULAR METHOD.

3-602.

(A) THE DEPARTMENT SHALL SPECIFY CLAUSES, TO BE INCLUDED IN ALL CONSTRUCTION CONTRACTS CONCERNING:

(1) TERMINATION FOR THE CONVENIENCE OF THE STATE OR FOR DEFAULT;

(2) LIQUIDATED DAMAGES IF APPROPRIATE, AS SPECIFIED IN THE CONTRACT SCHEDULE;

(3) EXCUSES FOR NONPERFORMANCE; AND

(4) ADJUSTMENTS TO CONTRACT TERMS AND CONDITIONS IF:

(I) A CHANGE ORDER IS ISSUED BY THE PROCUREMENT OFFICER;

(II) A SITE CONDITION IS DIFFERENT FROM THAT INDICATED IN THE SPECIFICATIONS;

(III) THE QUANTITIES VARY FROM THE ESTIMATED QUANTITIES IN A CONTRACT PROVIDING FOR ESTIMATED QUANTITIES; OR

(IV) WORK IS SUSPENDED.

(B) THE DEPARTMENT SHALL ADOPT REGULATIONS WHEREBY EVERY CONTRACT MODIFICATION, CHANGE ORDER, OR ADJUSTMENT IN