

PARTIES INVOLVING \$10,000 OR MORE REGARDING THE TERMS OF THE CONTRACT OR PERFORMANCE UNDER THE CONTRACT, BE SUBJECT TO FINAL BINDING OR CONCLUSIVE DETERMINATION BY AN OFFICER OR OFFICIAL BODY OF BALTIMORE CITY.

(B) BALTIMORE CITY MAY REQUIRE OR PROVIDE, WITH REGARD TO A CONSTRUCTION CONTRACT TO WHICH IT IS A PARTY, THAT IF THERE IS A DISPUTE REGARDING THE TERMS OF THE CONTRACT OR PERFORMANCE UNDER THE CONTRACT, THE QUESTION OR QUESTIONS INVOLVED IN THE DISPUTE SHALL BE SUBJECT TO A DETERMINATION WHICH IS FINAL AND CONCLUSIVE ON ALL PARTIES, MADE EITHER BY:

(1) A NEUTRAL PERSON OR ENTITY SELECTED BY OR IN ACCORDANCE WITH A PROCEDURE ESTABLISHED BY THE HIGHEST EXECUTIVE AUTHORITY OF BALTIMORE CITY; OR

(2) IN THE EVENT THAT THE OTHER PARTY DOES NOT ACCEPT AS NEUTRAL A PERSON OR ENTITY SELECTED UNDER PARAGRAPH (1) OF THIS SUBSECTION, BY AN ARBITRATION PANEL COMPOSED OF THE FOLLOWING:

(I) ONE MEMBER DESIGNATED BY THE HIGHEST EXECUTIVE AUTHORITY OF BALTIMORE CITY;

(II) ONE MEMBER DESIGNATED BY THE OTHER PARTY TO THE DISPUTE; AND

(III) ONE MEMBER TO BE SELECTED BY MUTUAL AGREEMENT OF THE 2 DESIGNATED MEMBERS FROM LISTS TO BE SUBMITTED BY THE PARTIES TO THE DISPUTE.

(C) NOTWITHSTANDING THE PROVISIONS OF SUBSECTIONS (A) AND (B) OF THIS SECTION, BALTIMORE CITY MAY PROVIDE OR REQUIRE, WITH REGARD TO A CONSTRUCTION CONTRACT TO WHICH IT IS A PARTY, THAT A DISPUTE BETWEEN THE PARTIES INVOLVING \$10,000 OR MORE REGARDING THE TERMS OF THE CONTRACT OR PERFORMANCE UNDER THE CONTRACT, BE SUBJECT TO A DETERMINATION OF QUESTIONS OF FACT BY AN OFFICER OR OFFICIAL BODY OF BALTIMORE CITY, PROVIDED THAT THE DECISION OF THE OFFICER OR OFFICIAL BODY OF BALTIMORE CITY IS SUBJECT TO REVIEW ON THE RECORD BY A COURT OF COMPETENT JURISDICTION.

Article 23A - Corporations - Municipal

1A.

(a) Unless otherwise specifically provided by the laws of Maryland, a municipal corporation, and every officer, department, agency, board, commission, or other unit of municipal government may not raise the defense of sovereign immunity in the courts of this State in an action in contract based upon a written contract executed on behalf of the municipal corporation, or its department, agency, board, commission, or unit by an official or employee acting within the scope of his authority.