

Subsection (a) of this section is revised to state affirmatively that a "procurement officer shall reject a bid or proposal ...". This revision is based on the former language allowing "procurement officer [to] accept" a bid or proposal, since it seems that the duty to "reject" should fall on the same individual who has the power to "accept" a bid or proposal.

In subsection (a) of this section, the reference to a "procurement officer" requiring bid security is substituted for the former reference to the "solicitation" requiring bid security, to conform to § 13-207(c) of this subtitle, in which the reference to the "procurement officer" requiring bid security is carried over from the former law.

In subsection (b)(2)(iii) of this section, the former language stating that fiscal advantage "could reasonably be expected to accrue" is deleted as surplusage.

Defined terms: "Bid" § 11-101
 "Procurement officer" § 11-101 "Proposal" § 11-101

13-209. WITHDRAWAL OF BIDS OR PROPOSALS.

WHENEVER A BIDDER OR OFFEROR WITHDRAWS A BID OR PROPOSAL, ACTION MAY BE TAKEN AGAINST THE BID SECURITY UNLESS:

- (1) THERE IS A MISTAKE IN THE BID OR PROPOSAL; AND
- (2) THE PROCUREMENT OFFICER ALLOWS THE BIDDER OR OFFEROR TO WITHDRAW BEFORE THE PROCUREMENT CONTRACT IS AWARDED.

REVISOR'S NOTE: This section is new language derived without substantive change from former SF § 11-121(b)(5).

Item (2) of this section is revised to clarify that the procurement officer determines whether a bid or proposal may be withdrawn.

Defined terms: "Bid" § 11-101
 "Procurement contract" § 11-101
 "Procurement officer" § 11-101
 "Proposal" § 11-101

13-210. INSPECTION OF DOCUMENTS; DISCLOSURE OF INFORMATION.

- (A) IN GENERAL.