

15-218.

(a) Except as provided under § 15-219 of this subtitle, a procurement officer who receives a protest or a contract claim FROM A CONTRACTOR shall comply with this section.

(b) (1) On receipt of a protest or contract claim [under § 15-217 of this subtitle] FROM A CONTRACTOR, a procurement officer:

(i) shall review the substance of the protest or contract claim;

(ii) may request additional information or substantiation through an appropriate procedure;

(iii) may discuss with interested parties and, if appropriate, may conduct negotiations with the person initiating the protest or contract claim; and

(iv) shall comply with any applicable regulations.

(2) Unless clearly inappropriate, the procurement officer shall seek the advice of the Office of the Attorney General.

(c) (1) Subject to subsection (b) of this section and consistent with the State budget and other applicable laws, the procurement officer shall:

(i) resolve the protest or contract claim by agreement of the parties;

(ii) wholly or partly deny the protest or contract claim; or

(iii) wholly or partly grant the relief sought by the person who submitted the protest or contract claim.

(2) The procurement officer promptly shall send the decision in writing to the reviewing authority.

(d) Unless otherwise provided by regulation, the decision of the procurement officer shall be reviewed promptly by:

(1) the head of the unit; and

(2) the head of the principal department or other equivalent unit of which the unit is a part.

(e) (1) Except as provided under paragraph (3) of this subsection, the reviewing authority shall approve, disapprove, or modify the decision of the procurement officer.

(2) The action of the reviewing authority under this subsection shall be the final action of the unit.

(3) The reviewing authority may remand the proceeding with instructions to the procurement officer.