



Bid protests happen quickly. Scott Livingston and the team at RWL are ready — at a moment's notice — to protect your rights under Maryland procurement law.

Maryland Procurement Law Alert

UPDATE ON HB 1243 / SB 572

There is a significant update on HB 1243/SB 572 “Prevailing Wage Rates – Public Works Contracts – Suits by Employees”.

In the days after the close of the 2018 Session of the General Assembly, the Procurement Alert reported on HB 1243/SB 572. The bill passed both houses of the General Assembly and was on the Governor’s desk awaiting his signature to become law.

The bill provided a private cause of action to an employee working under a Public Works contract who is paid less than the appropriate prevailing wage. To recover the difference in wages that were paid versus the wages that were required under the Prevailing Wage, the employee could go to court without first filing a Complaint with the Commissioner of Labor and Industry in the Department of Labor, Licensing, and Regulation (“DLLR”).

On May 25, 2018, however, Governor Hogan vetoed the

bill. In the letter accompanying his veto of the proposed legislation, Governor Hogan concluded:

"The legislation will negatively impact DLLR's ability to investigate wage payments and harm the interests of workers on Prevailing Wage jobs. Ultimately, having employers subject to both DLLR investigations and civil proceedings over the same issue is unnecessary and burdensome."

The result is, unless the General Assembly returns in a special session to override the Governor's veto, employees must continue to first file a Complaint at DLLR and, if aggrieved by the agency decision, they can then seek judicial review.

*Don't let your competitors outsmart you when it comes to Maryland bid protests. **Scott Livingston, Esq.***

Give us a call at [301.951.0150](tel:301.951.0150) or send an [email](#) to find out how we can help.

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