

Decision

Under Maryland law, the effect of being debarred by the DPW for an offense listed in SF§ 16-203 is that the "...business may not be considered for the award of, be awarded, or perform, directly or indirectly, a contract with the State during the period of debarment[.]" Md. Code Ann., State Fin. & Proc. §16-309(b). Since the BPW debarred Appellant from contracting with the State for an indefinite time period, the MAA is prohibited from contracting with Appellant, thus rendering this appeal moot.

Wherefore, it is Ordered this 16th day of May, 2002 that the appeal is dismissed as moot.

Dated: May 16, 2002

Robert B. Harrison III
Board Member

I concur:

Randolph B. Rosencrantz
Chairman

Certification

COMAR 21.10.01.02 Judicial Review.

A decision of the Appeals Board is subject to judicial review in accordance with the provisions of the Administrative Procedure Act governing cases.

Annotated Code of MD Rule 7-203 Time for Filing Action.

(a) Generally. - Except as otherwise provided in this Rule or by statute, a petition for judicial review shall be filed within 30 days after the latest of:

- (1) the date of the order or action of which review is sought;
- (2) the date the administrative agency sent notice of the order or action to the petitioner, if notice was required by law to be sent to the petitioner; or
- (3) the date the petitioner received notice of the agency's order or action, if notice was required by law to be received by the petitioner.

(b) Petition by Other Party. - If one party files a timely petition, any other person may file a petition within 10 days after the date the agency mailed notice of the filing of the first petition, or within the period set forth in section (a), whichever is later.

* * *

I certify that the foregoing is a true copy of the Maryland State Board of Contract Appeals decision in MSBCA 2272, appeal of Vastec, Co. under MAA Contract No. MAA-CO-02-007.

Dated: May 16, 2002

Loni Howe
Recorder

