

CHAPTER 27. RULES FOR ADMINISTRATIVE SERVICES.

Subchapter C. NEGOTIATION AND MEDIATION OF CERTAIN CONTRACT DISPUTES.

DIVISION 2. NEGOTIATION OF CONTRACT DISPUTES.

§27.99. Request for Contested Case Hearing.

- (a) A contractor may file a request with the commission for a contested case hearing before the State Office of Administrative Hearings (SOAH) if a claim for breach of contract is not resolved in its entirety through negotiation, mediation or other assisted negotiation process in accordance with this subchapter 270 days from the date:
 - (1) the commission receives the notice of the claim; or
 - (2) the expiration of any extension agreed to by the parties in accordance with §27.89(f) of this title (relating to Timetable),
- (b) A request for a contested case hearing must state the legal and factual basis for the claim, and must be delivered to the chief administrative officer of the commission or other officer designated in the contract to receive notice within a reasonable time after the 270th day or the expiration of any written extension agreed to in accordance with §27.89(f) of this title.
- (c) The commission must forward the contractor's request for contested case hearing to SOAH within a reasonable period of time, not to exceed thirty days, after receipt of the request.
- (d) The parties may agree to submit the case to SOAH 270 days from the date the notice of claim is received by the commission if they have achieved a partial resolution of the claim or if an impasse has been reached in the negotiations and proceeding to a contested case hearing would serve the interests of justice.