

62 Pa.C.S. § 1712.1

§ 1712.1. Contract controversies

(a) **Right to claim.** – A contractor may file a claim with the contracting officer in writing for controversies arising from a contract entered into by the Commonwealth.

(b) **Filing of claim.** – A claim shall be filed with the contracting officer within six months of the date it accrues. If a contractor fails to file a claim or files an untimely claim, the contractor is deemed to have waived its right to assert a claim in any forum. Untimely filed claims shall be disregarded by the contracting officer.

(c) **Contents of claim.** – A claim shall state all grounds upon which the contractor asserts a controversy exists.

(d) **Determination.** – The contracting officer shall review a claim and issue a final determination in writing regarding the claim within 120 days of the receipt of the claim unless extended by consent of the contracting officer and the contractor. If the contracting officer fails to issue a final determination within the 120 days unless extended by consent of the parties, the claim shall be deemed denied. The determination of the contracting officer shall be the final order of the purchasing agency.

(e) **Statement of claim.** – Within 15 days of the mailing date of a final determination denying a claim or within 135 days of filing a claim if no extension is agreed to by the parties, whichever occurs first, the contractor may file a statement of claim with the board.

(f) **Applicability.** – The provisions of 2 Pa.C.S. (relating to administrative law and procedure) shall not apply to this section.
2002, Dec. 3, P.L. 1147, No. 142, § 12, imd. effective.