



Policies and Procedures

Cancellation of Solicitations

PURPOSE

To provide all Executive Branch Agency Procurement Officers (PO) with procedures for obtaining approval from the Chief Procurement Officer (CPO) or designee to cancel a solicitation or to reject all bids or proposals and for reporting the cancellation to the Board of Public Works (BPW).

AUTHORITY

State Finance and Procurement (SFP) Article **Section 13-206(b)** provides that a unit may cancel an invitation for bids, a request for proposals, or other solicitation or reject all bids or proposals when a unit determines that it is fiscally advantageous or otherwise in the best interests of the State.

The BPW has delegated approval of cancellations to the appropriate Department head or designee per **COMAR 21.06.02.02**. COMAR 21.01.02.01 (33) defines “Department” as the State Treasurer, the Departments of General Services and Transportation, and the Maryland Port Commission.

POLICY

For procurements under the delegated authority of DGS OSP, if the PO conducting the procurement determines that it is fiscally advantageous or in the State’s best interest to cancel the solicitation or reject all bids or proposals **prior** to notifying the bidders or offerors, the PO conducting the procurement must document the decision in a signed written justification, a Procurement Officer’s Determination (POD), that the CPO or designee must approve. The POD will be submitted using the **Procurement Cancellation or Rejection POD** form and sent to the DGS OSP Procurement Operations Bureau for review and further approval by the CPO or designee prior to executing the cancellation or rejection.

Md. Code, SFP § 11-207, each determination required under this Division II shall be: (1) in writing; (2) based on written findings of the public official or employee who makes the determination; and (3) kept for at least 3 years in an official procurement contract file.

PROCEDURE

1. The DGS OSP Procurement Operations Bureau has created a form entitled [Procurement Cancellation or Rejection POD](#) to serve as the written justification for the cancellation of the solicitation or rejection of all bids or proposals and notification to the DGS OSP for review. To access the form, click on the hyperlinked form name in this step.

2. The PO conducting the procurement must complete this form and print the resulting document for signature. Instructions for printing the POD for signature are included on the form above the signature block. Make sure all information entered on the form is viewable on the printed document. If a DGS OSP PO is conducting the procurement, the request should be reviewed by their supervisor and Associate Director (AD) prior to submitting the form.
3. Press the **SUBMIT BUTTON** at the bottom of the form **AFTER** printing the document.
4. The PO conducting the procurement and their Agency Head or designee must sign the form. If a DGS OSP PO is conducting the procurement and completing the form, the Agency Head or designee signature is not required.
5. Once the form has been printed and submitted through Google (via the SUBMIT button), then signed with appropriate signatures, the signed POD should be emailed to the DGS OSP Procurement Operations Bureau at dgs.osp-requisitions@maryland.gov with the subject line: “[Agency Name] Procurement Cancellation or Rejection Request” (If a DGS OSP Procurement Officer approved the solicitation, the Agency PO should cc: the DGS OSP PO on the email request).
6. The cancellation request will be reviewed and analyzed consecutively by:
 - a. the DGS OSP Associate Director (AD) to approve with their signature or deny the request;
 - b. the DGS OSP Director of Procurement Operations to approve with their signature or deny the request; and
 - c. the CPO or designee to approve or deny the cancellation or rejection request (copy the Deputy CPO, the Director of Procurement Operations, the appropriate DGS OSP AD, and the assigned DGS OSP PO, if applicable).
7. The CPO or designee will respond to the Procurement Cancellation Request email with an approval or denial per the assessment of the validation of the Agency’s justification for the cancellation or rejection. If approved, the CPO or designee will sign the **Procurement Cancellation or Rejection POD** and return the signed copy via email.
8. If the request is denied, the PO conducting the procurement will be given guidance as to the next steps and should work with their assigned DGS OSP PO, if applicable.

9. If the request is approved, the PO conducting the procurement should notify the bidders/offerors and determine what should be done with any unopened bids/proposals to close out the procurement.

Refer to the Maryland Procurement Manual, Section 5.6, for the applicable steps for canceling the solicitation before opening the bids or proposals or rejection of all bids or proposals after opening that include: (1) Documentation; (2) Notice to Vendors; (3) Disposition of unopened bids/proposals; and (4) Posting on eMMA.

10. The approved cancellation should be posted on eMMA by the PO conducting the procurement no later than 10 business days after directly notifying the bidders/offerors. At the same time as posting on eMMA, the approved cancellation should be submitted to DGS.OSP-PAAR@maryland.gov to be included in the next available Procurement Agency Activity Report (PAAR).

Version Number	Published Date	Reason for Change
3	January 20, 2025	Clarifying roles and responsibilities