

(A) A STATE AGENCY OR THE DEPARTMENT OF FISCAL SERVICES MAY INSPECT AT REASONABLE TIMES THE PLANT, PLACE OF BUSINESS, OR JOB SITE OF ANY CONTRACTOR OR ANY SUBCONTRACTOR UNDER ANY CONTRACT AWARDED OR TO BE AWARDED BY THE STATE.

(B) (1) A STATE AGENCY OR THE DEPARTMENT OF FISCAL SERVICES MAY AUDIT THE BOOKS, ACCOUNTS, AND RECORDS OF ANY PERSON WHO SUBMITS COST OR PRICE INFORMATION UNDER § 3-403, AT ANY TIME BEFORE THE PERIOD OF RECORD RETENTION SET FORTH IN SUBSECTION (3) HAS EXPIRED. THIS RIGHT TO AUDIT EXTENDS ONLY TO THOSE BOOKS, ACCOUNTS, AND RECORDS REASONABLY CONNECTED WITH COST OR PRICE INFORMATION SUBMITTED UNDER § 3-403. THE CONTRACTOR OR SUBCONTRACTOR SHALL MAINTAIN THESE BOOKS, ACCOUNTS, AND RECORDS FOR THE PERIOD SPECIFIED IN SUBSECTION (3).

(2) A STATE AGENCY OR THE DEPARTMENT OF FISCAL SERVICES MAY AUDIT THE BOOKS, ACCOUNTS, AND RECORDS OF A CONTRACTOR OR ANY SUBCONTRACTOR UNDER ANY NEGOTIATED CONTRACT OR SUBCONTRACT EXCEPT A FIRM FIXED-PRICE TYPE CONTRACT. HOWEVER, THIS SUBSECTION DOES NOT LIMIT THE RIGHT TO AUDIT AS SET FORTH IN SUBSECTION (1) ABOVE.

(3) THE BOOKS, ACCOUNTS, AND RECORDS SHALL BE MAINTAINED BY A CONTRACTOR FOR A PERIOD OF 3 YEARS FROM THE DATE OF FINAL PAYMENT UNDER THE CONTRACT, AND BY THE SUBCONTRACTOR FOR A PERIOD OF 3 YEARS FROM THE DATE OF FINAL PAYMENT UNDER THE SUBCONTRACT, OR AS REQUIRED BY THE CONTRACT.

#### SUBTITLE 9. REPORTS FRAUD

3-901.

(A) A PERSON WHO ENTERS INTO A CONTRACT WITH THE STATE AFTER ENGAGING IN COLLUSION WITH ANOTHER PERSON FOR THE PURPOSE OF DEFRAUDING THE STATE IS LIABLE IN A SUIT BROUGHT BY THE ATTORNEY GENERAL IN THE APPROPRIATE COURT FOR DAMAGES EQUAL TO THREE TIMES THE VALUE OF THE LOSS TO THE STATE WHICH IS ATTRIBUTABLE TO THE COLLUSION.

(B) IF THERE IS A REASONABLE BASIS FOR BELIEVING THAT COLLUSION HAS OCCURRED AMONG ANY PERSONS FOR ANY REASON, THE PROCUREMENT OFFICER SHALL SEND A WRITTEN NOTICE OF THIS BELIEF TO THE STATE LAW DEPARTMENT.

(C) ALL DOCUMENTS INVOLVED IN ANY PROCUREMENT IN WHICH THERE IS A REASONABLE BASIS FOR BELIEVING THAT COLLUSION HAS OCCURRED SHALL BE RETAINED BY THE PROCUREMENT AGENCY UNTIL THE STATE LAW DEPARTMENT GIVES NOTICE THAT THEY MAY BE DESTROYED. THESE DOCUMENTS SHALL BE MADE AVAILABLE TO THE ATTORNEY GENERAL IMMEDIATELY ON REQUEST.

#### SUBTITLE 10. REPORTS

3-902 3-1001.