

(a) Each contract for architectural or engineering services shall contain a prohibition against contingent fees as follows: "The architect or engineer [as applicable] warrants that he has not employed or retained any person, partnership, corporation, or other entity, other than a bona fide employee or agent working for the architect or engineer, to solicit or secure this agreement, and that he has not paid or agreed to pay any person, partnership, corporation, or other entity, other than a bona fide employee or agent, any fee or any other consideration contingent on the making of this agreement."

(b) Unless he is a bona fide employee or agent working for the other person, a person may not offer or agree to solicit or secure for any other person any contract for architectural or engineering services if his fee is contingent on or results from the making of a contract for these services.

(c) An architect, engineer, or corporation or partnership of architects or engineers may not offer to pay any fee or other consideration that is contingent on the making of a contract for architectural or engineering services.

(d) An employee of a transportation agency may not solicit or secure or offer to solicit or secure a contract for architectural or engineering services for which the employee is paid or is to be paid any fee or other consideration contingent on the making of the contract between the transportation agency and any other person.

[2-315.] 9-115.

(a) (1) The rates of architects and engineers performing services for a transportation agency are subject to post audit.

(2) If the compensation is over \$25,000, all rates used in cost-plus-fixed-fee contracts shall be verified by post audit.

(b) On request, any State audit of an architect or engineer providing services for a transportation agency shall be made available to the procuring authority of any political subdivision of this State, if the procuring authority is considering the architect or engineer for services on a specific project.

[2-316.] 9-116.

(a) The Board of Public Works may terminate without liability a contract for architectural or engineering services and may deduct from the contract price or otherwise recover the full amount of any fee, commission, percentage, gift, or consideration paid in violation of this subtitle, if: