

(1) There has been any conviction of a crime arising out of or in connection with the procurement of any work to be done or any payment to be made under the contract; or

(2) There has been any breach or violation of:

(i) Any provision of this subtitle; or

(ii) The contract provision against contingent fees required by § [2-314] 9-114 (a) of this subtitle.

(b) If a contract is terminated under this section, the architect or engineer:

(1) May be paid only the earned value of the work done to the date of termination, plus termination costs;

(2) Shall refund all profits or fixed fees realized under the contract; and

(3) Is liable for any costs incurred over the maximum amount payable to the architect or engineer under the contract in completing the work undertaken.

(c) The rights and remedies contained in this section are in addition to any other right or remedy provided by law, and the exercise of any of them is not a waiver of any other right or remedy provided by law.

[2-317.] 9-117.

Any person who violates any provision of this subtitle is guilty of a felony and on conviction is subject to a fine not exceeding \$20,000 or imprisonment not exceeding 10 years or both.

[2-318.] 9-118.

(a) This subtitle may be cited as the Maryland Procurement of Architectural and Engineering Services Act -- Transportation Agencies.

(b) This subtitle and the Maryland Procurement of Architectural and Engineering Services Act -- General Using Authorities may be cited jointly as the Maryland Architectural and Engineering Services Act.

SECTION 18. AND BE IT FURTHER ENACTED, That Section(s) 231N through 231EE, respectively, of Article 41 - Governor - Executive and Administrative Departments, of the Annotated Code of Maryland be and they are hereby transferred, with amendments, to be Section(s) 9-201 through 9-218,