

accrue to obtain this type of contract. The provisions of this paragraph do not apply to changes, additions, or modifications which may be required during the performance of the contract.

(5) (i) Each contract entered into by the State for construction shall contain a prohibition against contingent fees. For the breach or violation of this provision the Board of Public Works may terminate the agreement without liability and may deduct from the contract price, or otherwise recover, the full amount of the fee or consideration.

(ii) Any person, partnership, or corporation, other than a bona fide employee or agent, who offers, agrees, or contracts to solicit or secure State contracts for construction, for any other person, partnership, or corporation, and whose fee is contingent upon or resulting from the making of a contract for professional services, is guilty of a felony and upon conviction is subject to the penalties provided in paragraph (3) (iv) of this section.

(6) The Board may waive the requirements of paragraph (1) of this section as to awarding such contracts on competitive basis if:

(i) The public health and safety is endangered after a natural disaster or act of God;

(ii) A state of emergency is declared by the Governor; or

(iii) A bona fide single source of supply or a proprietary product or process is required; or

(iv) Its Board determines it is in the best interests of this State.

Each waiver and the reasons therefor shall be documented and recorded and immediately reported to the Maryland Register for printing in the next available issue.]

[7B.

Any acquisition of a passenger motor vehicle to be used by any State officer or employee, to be purchased with funds appropriated for such purpose, shall be supervised and approved by the Board of Public Works, and said acquisitions shall comply with standard specifications, including but not limited to the price to be paid for said vehicles, as established by the Board of Public Works.]

8.

(1) The Board of Public Works shall approve every lease and renewal of the lease of land, buildings or office space before it is executed by any [department, board,