

(1) if the Board finds that the person was established or operates in a manner designed to evade the application of this title or to defeat the purpose of this title;

(2) if the person is a successor, assignee, subsidiary, or affiliate of a person who is debarred or suspended;

(3) for one of the following violations of a contract provision if the Board believes it to be serious enough to justify debarment:

(i) the deliberate failure, without good cause, to perform in accordance with the specifications, or within the time limit, provided in a contract; or

(ii) within the preceding 5 years, the failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, unless the failure to perform or unsatisfactory performance was caused by acts beyond the control of the person;

(4) if the person is a competing contractor, or any officer, employee, representative, agent, or consultant of any competing contractor who violates § 13-211 of this article; or

(5) for any other cause that the Board determines to be so serious as to affect the integrity of the procurement process.

16-310.

(a) (1) If the conviction that is the basis for a debarment or suspension is reversed or otherwise rendered void, the debarment or suspension terminates automatically.

(2) IF THE FEDERAL DEBARMENT THAT IS THE BASIS FOR A STATE DEBARMENT OR SUSPENSION IS REVERSED OR OTHERWISE RENDERED VOID, THE PERSON DEBARRED MAY PETITION THE BOARD FOR REMOVAL OF THE DEBARMENT. DEBARMENT TERMINATES AUTOMATICALLY IF THE PERSON DEBARRED PROVIDES TO THE BOARD SUFFICIENT LEGAL DOCUMENTATION THAT THE FEDERAL DEBARMENT HAS BEEN REVERSED OR OTHERWISE RENDERED VOID.

(b) (1) Any person debarred under § 16-202 of this title may, after a period of 5 years from the date of the debarment, petition the Board for removal of the debarment.

(2) Any person debarred under § 16-203(A), (B), OR (D) of this title may petition the Board for removal of the debarment, after the expiration of:

(i) one-half of the period of debarment; or

(ii) 5 years.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

Approved May 10, 2005.