

(3) A SUBCONTRACTOR UNDER A SUBCONTRACT AWARDED BY A CONTRACTOR; OR

(4) A PROSPECTIVE SUBCONTRACTOR SEEKING A SUBCONTRACT WITH A CONTRACTOR, BIDDER, OR OFFEROR.

(b) (1) [A State agency or the Department of Fiscal Services] IN ADDITION TO ANY AUTHORITY OTHERWISE PROVIDED BY LAW, THE PROCUREMENT AGENCY, THE DEPARTMENT OF FISCAL SERVICES, OR AS AUTHORIZED BY LAW, ANY OTHER STATE AGENCY may audit the books, accounts, and records of [any]:

(I) A person who submits cost or price information under § [13-403] 11-120 OF THIS SUBTITLE, at any time before the period of record retention set forth in [subsection (3)] PARAGRAPH [(3)] (2) OF THIS SUBSECTION has expired. This right to audit extends only to those books, accounts, and records reasonably connected with cost or price information submitted under § [13-403] 11-120 OF THIS SUBTITLE[. The contractor or subcontractor shall maintain these books, accounts, and records for the period specified in subsection (3).];

[(2)] (II) [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] UNDER A [State] CONTRACT THAT WAS AWARDED BY A METHOD OTHER THAN COMPETITIVE SEALED BIDDING AND THAT IS NOT a firm fixed-price [type] contract[.]; OR [However, this subsection does not limit the right to audit as set forth in subsection (1) above.]

(III) A CONTRACTOR OR SUBCONTRACTOR IF THE AGENCY HAS REASON TO BELIEVE, FROM AN AUDIT OF A COST TYPE CONTRACT, THAT COSTS HAVE BEEN INAPPROPRIATELY ASSIGNED TO A COST TYPE CONTRACT FROM A FIXED PRICE CONTRACT.

[(3)] (2) The books, accounts, and records SUBJECT TO AUDIT UNDER PARAGRAPH (1) OF THIS SUBSECTION shall be maintained by a contractor for [a period of] AT LEAST 3 years from the date of final payment under the contract, and by [the] A subcontractor for [a period of] AT LEAST 3 years from the date of final payment under the subcontract, or FOR A LONGER PERIOD as required by the contract.

[Subtitle 10.] PART X. Reports.

[13-1001.] 11-131. REPORTS.

(a) Within 90 days [following] AFTER the close of [the] EACH fiscal year, each department shall make [an annual] A report to the Governor and, subject to § 2-1312 of the State Government Article, to the General Assembly of [contracts made] EACH CONTRACT THAT WAS AWARDED under [§ 13-205(a) and (b)] § 11-112 OR § 11-113 OF THIS SUBTITLE during [that] THE preceding fiscal year. The report shall: