

of this State, if the procuring authority is considering the architect or engineer for services on a specific project.

[19-116.] 11-164. TERMINATION OF CONTRACT.

(a) The Board of Public Works may terminate without liability a contract for architectural SERVICES 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] PART XIV, if:

(1) [There] 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] THERE has been any breach or violation of:

(i) [Any] ANY provision of this [subtitle] PART XIV; or

(ii) [The] THE contract provision against contingent fees required by § [19-114(a)] 11-162(A) of this [subtitle] PART XIV.

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

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

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

(3) [Is] 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.

[19-117.] 11-165. PENALTIES.

Any person who violates any provision of this [subtitle] PART XIV 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.

[19-118.] 11-166. SHORT TITLES.