

(2) BEEN CONVICTED UNDER A STATE OR FEDERAL STATUTE OF FRAUD, EMBEZZLEMENT, THEFT, FORGERY, FALSIFICATION OR DESTRUCTION OF RECORDS, OR RECEIVING STOLEN PROPERTY;

(3) BEEN FOUND CIVILLY LIABLE UNDER A STATE OR FEDERAL ANTITRUST STATUTE FOR ACTS OR OMISSIONS IN CONNECTION WITH THE SUBMISSION OF BIDS OR PROPOSALS FOR A PUBLIC OR PRIVATE CONTRACT;

(4) BEEN CONVICTED OF A CRIMINAL VIOLATION OF A STATE OR FEDERAL ANTITRUST STATUTE;

(5) BEEN CONVICTED OF A VIOLATION OF THE RACKETEER INFLUENCE AND CORRUPT ORGANIZATION ACT, OR THE MAIL FRAUD ACT, FOR ACTS IN CONNECTION WITH THE SUBMISSION OF BIDS OR PROPOSALS FOR A PUBLIC OR PRIVATE CONTRACT;

(6) BEEN CONVICTED OF CONSPIRACY TO COMMIT ANY ACT OR OMISSION THAT WOULD CONSTITUTE GROUNDS FOR CONVICTION UNDER ANY STATUTE DESCRIBED IN PARAGRAPHS (1), (2), (4), OR (5) OF THIS SUBSECTION; OR

(7) ADMITTED, IN WRITING OR UNDER OATH, DURING THE COURSE OF AN OFFICIAL INVESTIGATION OR OTHER PROCEEDING, ACTS OR OMISSIONS THAT WOULD CONSTITUTE GROUNDS FOR CONVICTION OR LIABILITY UNDER ANY STATUTE DESCRIBED IN PARAGRAPHS (1) THROUGH (6), INCLUSIVE, OF THIS SUBSECTION.

(E) A PERSON MAY BE DEBARRED UNDER THIS SECTION FOR ONE OR MORE VIOLATIONS OF CONTRACT PROVISIONS, AS SET FORTH BELOW, OF SO SERIOUS A CHARACTER THAT THE BOARD OF PUBLIC WORKS BELIEVES DEBARMENT ACTION IS JUSTIFIED:

(1) DELIBERATE FAILURE WITHOUT GOOD CAUSE TO PERFORM IN ACCORDANCE WITH THE SPECIFICATIONS OR WITHIN THE TIME LIMIT PROVIDED IN A CONTRACT; OR

(2) A RECENT RECORD, ESTABLISHED WITHIN THE PRECEDING 5 YEARS, OF 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 CONTRACTOR.

(F) A PERSON MAY ALSO BE DEBARRED UNDER THIS SECTION IF:

(1) THE BOARD OF PUBLIC WORKS FINDS THAT THE PERSON WAS FOUNDED OR ESTABLISHED, OR OPERATES IN A MANNER DESIGNED TO EVADE THE APPLICATION OR DEFEAT THE PURPOSE OF THIS SECTION OR TITLE 12, SUBTITLE 1 OF THIS ARTICLE; OR

(2) THE PERSON IS A SUCCESSOR, ASSIGNEE, SUBSIDIARY, OR AFFILIATE OF A SUSPENDED OR DEBARRED PERSON.