

section will be part of a contract, which may not incorporate the definitions, the references to "corporation" and "partnership" are retained to clarify that "person" is not limited to individuals.

Also in subsection (a)(1) and (2) of this section, the word "contractor" is substituted for the former references to the "architect or engineer", since the party to the contract may be a firm, rather than an individual architect or engineer. Similarly, in subsection (b)(1) of this section, the phrase "of the contractor" is substituted for the former references to "working for the other person", for clarity.

In subsection (b)(2) of this section, the reference to a "person who provides... services" is substituted for the former references to "[a]n architect, engineer, or corporation or partnership of architects or engineers", so that the prohibition encompasses all entities that may be providing architectural or engineering services.

In subsection (b)(3) of this section, the defined term "unit" is substituted for the former separate references to a "transportation agency" and a "using authority", for brevity.

Defined terms: "Architectural services" § 11-101
 "Engineering services" § 11-101
 "Person" §§ 11-101 and 13-301
 "Procurement contract" § 11-101 "Unit" § 11-101

13-320. AUDITS.

(A) AUDITS OF RATES.

(1) THE STATE MAY POSTAUDIT THE RATES OF CONTRACTORS PERFORMING ARCHITECTURAL SERVICES OR ENGINEERING SERVICES UNDER THIS SUBTITLE ARE-SUBJECT--TO--POST--AUDIT AS REQUIRED BY THE REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(2) ALL RATES USED IN A COST-PLUS-FIXED-FEE PROCUREMENT CONTRACT SHALL BE VERIFIED BY POST AUDIT IF:

(I) THE COMPENSATION IS MORE THAN \$50,000 AND THE PROCUREMENT CONTRACT INVOLVES A UNIT OTHER THAN A TRANSPORTATION UNIT; AND

(II) THE COMPENSATION IS MORE THAN \$25,000 AND THE PROCUREMENT CONTRACT INVOLVES A TRANSPORTATION UNIT.

(B) REQUESTS FOR COPIES.