

REVISOR'S NOTE: This section is new language derived without substantive change from former SF § 12-201(e) and (f).

Defined terms: "Payment security" § 17-101
"Performance security" § 17-101
"Public body" § 17-101

17-106. CERTIFICATION OF PAYMENTS.

BEFORE A CONTRACTOR RECEIVES A PROGRESS OR FINAL PAYMENT UNDER A CONTRACT COVERED BY PAYMENT SECURITY, THE CONTRACTOR SHALL CERTIFY IN WRITING THAT, IN ACCORDANCE WITH CONTRACTUAL ARRANGEMENTS, SUPPLIERS:

(1) HAVE BEEN PAID FROM THE PROCEEDS OF PREVIOUS PROGRESS PAYMENTS; AND

(2) WILL BE PAID IN A TIMELY MANNER FROM THE PROCEEDS OF THE PROGRESS OR FINAL PAYMENT CURRENTLY DUE.

REVISOR'S NOTE: This section is new language derived without substantive change from the fourth sentence of former SF § 12-201(a)(1).

Defined terms: "Payment security" § 17-101
"Person" § 11-101 "Supplier" § 17-101

17-107. WAIVER OF MECHANICS' LIENS.

A CONTRACTOR WHO PROVIDES PAYMENT SECURITY UNDER THIS SUBTITLE IN CONNECTION WITH A CONSTRUCTION CONTRACT AWARDED BY A PUBLIC BODY NEED NOT EXECUTE A WAIVER OF A MECHANICS' LIEN TO THE PUBLIC BODY.

REVISOR'S NOTE: This section is new language derived without substantive change from the third sentence of former SF § 12-201(a)(1).

The reference to "payment security ... in connection with a construction contract awarded by a public body" is substituted for the former reference "such a bond", for clarity.

The reference to a waiver to a "public body" is substituted for the former words "the State", since public bodies other than the State award contracts.

Defined terms: "Construction" § 11-101
"Payment security" § 17-101 "Public body" § 17-101