

ARTICLE, A HEARING CONCERNING A PETITION RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) IN CONSIDERING A PETITION RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL CONCLUDE WHETHER THE INTEGRITY OF THE CONTRACTING PROCESS AND THE BEST INTERESTS OF THE STATE WOULD BE SERVED BY CONTINUING, MODIFYING, OR TERMINATING THE SUSPENSION.

(4) THE BOARD SHALL GIVE THE PERSON OR BUSINESS PETITIONING FOR MODIFICATION OR TERMINATION OF A SUSPENSION WRITTEN NOTICE OF THE BOARD'S DECISION.

16-306.

(A) IN MAKING A DETERMINATION WHETHER A PERSON SHOULD BE DEBARRED UNDER § 16-202(B) OR § 16-203 OF THIS TITLE, THE BOARD SHALL CONCLUDE WHETHER THE INTEGRITY OF THE CONTRACTING PROCESS AND THE BEST INTERESTS OF THE STATE WOULD BE SERVED BY DEBARRING THE PERSON FROM ENTERING INTO CONTRACTS WITH THE APPLICABLE PUBLIC BODIES. IN MAKING ITS DETERMINATION, THE BOARD SHALL CONSIDER RELEVANT FACTORS, INCLUDING:

(1) THE NATURE AND SERIOUSNESS OF THE ACT THAT CAUSED THE PERSON TO BE SUBJECT TO DEBARMENT;

(2) THE TIME THE ACT OCCURRED;

(3) WHETHER AND TO WHAT EXTENT THE PERSON COOPERATED WITH AUTHORITIES IN THEIR INVESTIGATION OF THE MATTERS;

(4) THE CONDITIONS UNDER WHICH THE PERSON COOPERATED;  
AND

(5) THE CONDUCT OF THE PERSON SINCE THE ACT OCCURRED.

(B) UPON MAKING ITS DETERMINATION UNDER SUBSECTION (A) OF THIS SECTION, THE BOARD SHALL NOTIFY THE PERSON SUBJECT TO DEBARMENT IN WRITING EITHER THAT:

(1) THE PERSON IS DEBARRED AND THE PERIOD OF DEBARMENT; OR

(2) THE PERSON IS NO LONGER SUBJECT TO DEBARMENT FOR THE ACT WHICH WAS THE SUBJECT OF THE HEARING AND DETERMINATION.

(C) EXCEPT AS PROVIDED IN § 16-310 OF THIS SUBTITLE, THIS SECTION DOES NOT APPLY TO A PERSON DEBARRED UNDER § 16-202(A) OF THIS TITLE.

16-307.