

(1) THE PROSPECTIVE OFFEROR OR OFFEROR APPEALS THE RECOMMENDATION OF THE TRANSPORTATION SELECTION BOARD OR THE GENERAL SELECTION BOARD TO ENTER INTO AN ARCHITECTURAL SERVICES OR ENGINEERING SERVICES CONTRACT TO THE BOARD OF PUBLIC WORKS;

(2) THE BOARD OF PUBLIC WORKS DISAPPROVES THE RECOMMENDATION OF THE TRANSPORTATION SELECTION BOARD OR THE GENERAL SELECTION BOARD; AND

(3) THE BOARD OF PUBLIC WORKS FINDS THAT THERE HAS BEEN A VIOLATION OF THE PROCUREMENT LAW OR REGULATIONS.

(D) THE BOARD OF PUBLIC WORKS SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SECTION AND TO DETERMINE WHAT CONSTITUTES REASONABLE COSTS OF FILING AND PURSUING AN APPEAL.

[13-319.

(a) Each procurement contract awarded under this subtitle shall include the following clauses:

(1) "The contractor has not employed or retained any corporation, partnership, or other person to solicit or secure this procurement contract, other than a regular employee or agent of the contractor."; and

(2) "The contractor has not paid or agreed to pay any corporation, partnership, or other person a fee or other consideration contingent on the award of this procurement contract, other than the wages of a regular employee or agent of the contractor."

(b) (1) Unless a person is a regular employee or agent of the contractor, the person may not offer or agree to solicit or secure a procurement contract under this subtitle if the person's fee is contingent on, or results from, the making of the procurement contract.

(2) A person who provides architectural services or engineering services may not offer to pay a fee or other consideration that is contingent on the making of a procurement contract under this subtitle.

(3) An employee of a unit may not solicit or secure or offer to solicit or secure a procurement contract under this subtitle between the unit and any other person for which the employee is paid or is to be paid a fee or other consideration that is contingent on the making of the procurement contract.]

15-221.1.

(A) THE BOARD OF CONTRACT APPEALS MAY AWARD A PROSPECTIVE BIDDER OR OFFEROR, A BIDDER, OR AN OFFEROR THE REASONABLE COSTS OF FILING AND PURSUING A PROTEST, NOT INCLUDING ATTORNEY'S FEES, IF:

(1) THE PROSPECTIVE BIDDER OR OFFEROR, BIDDER, OR OFFEROR APPEALS THE FINAL ACTION OF AN AGENCY ON A PROTEST;