

AGENCY WORKING FOR THE CONTRACTOR, ARCHITECT, OR ENGINEER, TO SOLICIT OR SECURE THIS AGREEMENT, AND THAT IT HAS NOT PAID OR AGREED TO PAY ANY PERSON, PARTNERSHIP, CORPORATION, OR OTHER ENTITY, OTHER THAN A BONA FIDE EMPLOYEE OR, BONA FIDE SALES AGENT, SALESPERSON, OR COMMERCIAL SELLING AGENCY, ANY FEE OR OTHER CONSIDERATION CONTINGENT ON THE MAKING OF THIS AGREEMENT."

(B) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, UNLESS A PERSON IS A REGULAR EMPLOYEE OR SALES AGENT OF BONA FIDE EMPLOYEE, BONA FIDE SALESPERSON, OR COMMERCIAL SELLING AGENCY WORKING FOR 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.

(II) A LOBBYIST, AS DEFINED IN ARTICLE 40A, § 1-201 OF THE CODE, MAY NOT OFFER OR AGREE TO SOLICIT OR SECURE A PROCUREMENT CONTRACT UNDER THIS SUBTITLE IF THE LOBBYIST'S FEE IS CONTINGENT ON, OR RESULTS FROM, THE MAKING OF THE PROCUREMENT CONTRACT.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A CONTRACTOR OR A PERSON WHO PROVIDES ARCHITECTURAL 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 ARTICLE.

(II) THIS PARAGRAPH DOES NOT APPLY TO A PAYMENT TO A BONA FIDE EMPLOYEE, BONA FIDE SALESPERSON, OR COMMERCIAL SELLING AGENCY WORKING FOR THE CONTRACTOR OR PERSON PROVIDING ARCHITECTURAL OR ENGINEERING SERVICES.

(3) AN EMPLOYEE OF A UNIT MAY NOT SOLICIT OR SECURE OR OFFER TO SOLICIT OR SECURE A PROCUREMENT CONTRACT UNDER THIS ARTICLE 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.

13-316.

(a) Within 10 days after an offeror of architectural services or engineering services receives notice of a recommendation by the Selection Board to the Board of Public Works, the offeror may appeal the recommendation to the Board of Public Works.

(b) On an appeal under this section, the Board shall:

- (1) approve the recommendation;
- (2) disapprove the recommendation; or
- (3) remand the matter to the Selection Board for further consideration.