

(ii) prior certification by the fiscal authority responsible for the unit about:

1. the availability of money; and
2. the effect of the contract modification or change order on the project budget or the total construction cost; ~~and~~

(2) prohibit the contract modification or change order if the certification by the fiscal authority discloses that the contract modification or change order will increase the cost beyond budgeted and available money, unless:

- (i) sufficient additional money is made available; or
- (ii) the scope of the project is adjusted to allow completion within the project budget; ~~AND~~

~~(3) INCLUDE A PROVISION COVERING CLAIMS PROCEDURES UNDER §§ 15-217 AND 15-219 OF THIS ARTICLE.~~

15-104.

(a) Except as provided in § 15-105 of this subtitle, interest shall accrue at the rate of 9% per annum on any amount that:

- (1) is due and payable by law and under the written procurement contract; and
- (2) remains unpaid more than 45 days after a unit receives an invoice.

(b) Interest shall accrue beginning on the 31st day after:

- (1) the day on which payment becomes due under a procurement contract; or
- (2) if later, the day on which the unit receives an invoice.

15-105.

A unit is not liable under § 15-104 of this subtitle for interest:

- (1) unless within 30 days after the date on the State's check for the amount on which the interest accrued, the contractor submits an invoice for the interest;
- (2) if a contract claim has been filed under Subtitle 2 of this title, ~~EXCEPT TO THE EXTENT PAYMENT IS AUTHORIZED UNDER § 15-219(E) OF THIS TITLE;~~
- (3) accruing more than 1 year after the 31st day after the unit receives an invoice; or
- (4) on an amount that represents unpaid interest.

15-201.

In this subtitle, "Appeals Board" means the Maryland State Board of Contract Appeals.