

(b) [For purposes of this section, the University System of Maryland consists of the constituent institutions and centers specified in § 12-101 of the Education Article.]

(c) [In this section, "University" means [the University System of Maryland and] Morgan State University.]

[(d)](C) For any public improvement project regardless of the source of funds:

(1) architectural and engineering services shall be procured in accordance with Title 13, Subtitle 3 of this article;

(2) for architectural and engineering services costing more than \$100,000, the Department shall make a recommendation for the award of a contract;

(3) for architectural and engineering services costing less than \$100,000, the Department shall make the procurement;

(4) for all design projects exceeding \$100,000 in contract value, the University shall submit periodic status reports to the Department; and

(5) for all projects exceeding \$500,000 in contract value, the University shall submit periodic status reports to the Department.

[(e)](D) For any public improvement project financed in whole or in part with proceeds of a consolidated capital bond loan or with State General Fund appropriations, the following additional procedures shall apply:

(1) for architectural and engineering contracts exceeding \$100,000, the Department must request the Board of Public Works to authorize the transfer of the contract amount to University funds. Any additional funds that may be needed may be transferred by an action of the Board of Public Works upon review by the Department;

(2) plans, specifications, schematics, design development, contract and bid documents shall be reviewed by the Department concurrent with University review;

(3) the Department may have a representative present at bid openings;

(4) the University shall analyze construction bids, recommend contractor selections, and notify the Department of its recommended selection and the date the item will be on the Board of Public Works' agenda;

(5) the Department shall prepare an agenda item for the Board of Public Works authorizing transfer to the University of the funds equal to the contract, plus 5% for use as a contingency fund for change orders. If the 5% contingency fund is insufficient to complete the project, the Department shall review the change conditions and make a recommendation to the Board of Public Works concerning the transfer of additional funds;

(6) all program changes not authorized in the original scope of the project shall be approved by the Department of Budget and Management and the Department prior to commitment by the University;