**Section 8.8060 Interim or Emergency Suspension or Modification Pursuant to Section 16 of the Capital Development Board Act**

a) CDB may suspend or modify a vendor's prequalification without a prior hearing, or administrative procedure, for one or more of the following causes:

1) The public interest, safety or welfare requires the suspension or modification.

2) An event or series of events, including, but not limited to:

A) The filing of an indictment or of formal charges by information (complaint) charging the vendor or a key person with the vendor with a crime.

B) Suspension or modification of a license or prequalification by another State agency, federal agency or other branch of government after hearing or by agreement.

C) Failure to comply with applicable laws, including, but not limited to, the BEMFD Act, the Prevailing Wage Act, the Steel Products Procurement Act, and requirements relating to occupational licensing.

D) Material breach of a contract, including, but not limited to, one or more of the causes set forth in Section 8.8057.

E) Failure to satisfactorily perform work on, or breach of, a CDB contract, including, but not limited to, one or more of the causes set forth in Section 8.8057, when:

i) The issue has been brought to the attention of vendor management in writing;

ii) CDB construction administration has met with vendor representatives and discussed the issue;

iii) CDB conveys to the vendor what action or nonaction is necessary and in accordance with the contract documents;

iv) CDB has initiated contractual remedies as may be appropriate, such as, but not limited to, stopping the work, rejecting the work, carrying out the work, or ordering acceleration of the work; and

v) The vendor willfully and unreasonably refuses to comply or to obtain subcontractors, personnel or other resources that would enable it to comply.

b) When prequalification is suspended or modified pursuant to this Section, the CPO and the vendor will be notified in writing and, within 30 days after the notice, CDB will commence administrative procedures under Subpart T.

c) When prequalification is suspended or modified pursuant to subsection (a)(2)(E), if the vendor cures the situation within 30 days after the notice, the suspension or modification may be rescinded by written notice.