



<b>STATE OF ILLINOIS</b> <b>CHIEF PROCUREMENT OFFICER - HIGHER EDUCATION</b>	
<b>Topic: 50-35 Review for Potential Conflicts of Interest and Lobbyist Disclosure</b>	<b>Number: 2016-02</b>
<b>Effective Date: March 11, 2016</b>	<b>Approved by:</b> <i>Ben Bigg</i>
<b>New <input checked="" type="checkbox"/> Revises _____ Replaces _____</b>	
<b>Supplements: CPO Policy 2013-1, January 10, 2013</b>	
<b>Statute Cite: 30 ILCS 500/50-35, 50-38, 5-5(h)</b>	<b>Rule Cite: 44 Ill. Admin. Code 4.5035, 4.5038</b>
<b>Related Statute: 30 ILCS 500/50-13, 50-20</b>	<b>Related Rule: 44 Ill. Admin. Code 4.5013, 4.5020</b>

**POLICY**

It is the policy of the Chief Procurement Office (CPO) to review, in an efficient and timely manner, information disclosed under Section 50-35 of the Procurement Code to determine if there exists the potential for a conflict of interest and to ensure compliance with lobbyist disclosure requirements.

This policy and procedure does not address conflicts of interest identified in Section 50-13 of the Procurement Code. A separate policy is issued to address the review of actual conflicts of interest as defined in Section 50-13.

**SCOPE**

Contracts, Bids and Proposals

This policy and procedure implements the portion of Section 50-35 of the Code relating to processing of contracts for which there is an associated potential for a conflict of interest. It includes review of potential conflicts of interests, determination of when potential conflicts of interest meet the threshold for Procurement Policy Board (PPB) review, and when vendors may be considered ineligible for award because of the disclosure. A disclosed relationship has the potential to be a conflict of interest if a reasonable person would conclude that they would naturally and probably expect a conflict to come into existence, even if one does not now exist.

Disclosures are required in the following situations for: a) all bids or offers with an annual value of more than \$50,000 and all submissions to the Illinois Procurement Gateway (IPG) vendor portal; b) disclosures are required for each subcontractor for subcontracts with an annual value of more than \$50,000; c) disclosures are required from parent entities that own 100% of a bidder, offeror, or subcontractor. Disclosures must be signed and made under penalty of perjury by an authorized officer or employee of the bidder, offeror, or subcontractor and filed with the PPB by attachment to the Procurement Bulletin notice. Financial disclosures are

incorporated as a material term of the contract and are part of the publicly available procurement file.

When a potential for a conflict of interest is identified, discovered, or reasonably suspected, the State Purchasing Officer (SPO) must send the form, along with the contract, to the PPB. Upon consideration, PPB shall recommend in writing to the Executive Ethics Commission (EEC) whether to allow or void the contract, bid, offer, or subcontract. The EEC must hold a hearing within 30 days if the PPB recommends voiding a contract or voiding a bid or offer. The CPO may not award a contract before the hearing if the PPB recommendation does not support a bid or offer. The recommendation and proceedings of any hearing are available to the public.

This policy supplements CPO Policy 2013-1, issued January 10, 2013, which presumes a conflict of interest for any university officer or employee who is employed in a procurement office or who performs procurement activities to have a contract with the employing university, or for a company in which that officer or employee (or spouse) has a financial interest to have a contract with that university.

#### Lobbyists

This policy and procedure also implements the portion of Section 50-35 and 50-38 of the Code relating to the disclosure and publication of the name and address of each lobbyist required to register under the Lobbyist Registration Act and other agent of the potential vendor or subcontractor who has communicated, is communicating, or may communicate with any State officer or employee concerning a bid or offer.

#### **PROCEDURE**

SPOs have responsibility for reviewing and final processing of potential conflict information and lobbyist disclosure. To ensure timely processing, SPOs have a goal to begin review no later than the next business day after receipt of the University's request. The time to review may vary, depending on the completeness of information provided and the complexity of the issue.

This procedure details the steps in identifying, reviewing and resolving 50-35 potential conflicts of interest and lobbyist disclosure. This procedure documents the internal activities and identifies who has responsibility at each step of the process.

Vendors and Subcontractors may submit financial disclosures and conflicts of interests in two different formats: Form A, where the certifications and disclosures are submitted on paper, or Form B, where the disclosures are submitted electronically through the Illinois Procurement Gateway (IPG). Procedure steps are given for both Form A and Form B.

	<b>Procedure Steps</b>	<b>Responsible Party</b>
<b>1.</b>	<b>Financial Disclosures and Conflicts of Interest Form Review: Form A,</b>	

	<b>Section 5, Step 5 or Form B, IPG Form I</b>	
1.1	Form A, Section 5, Step 5 and Form B, IPG Form I questions 11-20 identify 10 relationships. The existence of the relationships is not intended to prohibit or prevent any contract, but is meant to help identify the potential for a conflict so that the CPO, SPO, their designees and executive officers may discharge their duty to protect the State.	University
1.2	Review disclosure for each vendor and subcontractor with contract/subcontract with annual value more than \$50,000	University
1.3	If applicable, review disclosure for each 100% parent of vendor and/or subcontractor.	University
1.4	For contract renewals or annual recertification of multi-year contracts, review disclosure for each vendor and subcontractor with annual value of more than \$50,000 and obtain from vendor and/or subcontractor a signed Certification of No Change form.	University
1.5	If applicable, review disclosures for any officer or employee who may have a conflict, such as an employee performing procurement functions who has a contract with the University, has a financial interest in a company that has a contract with the university, or has a spouse or relative who has a contract or financial interest in a contract with the University.	University
<p><b>If one of the boxes identified in 1.1 above is marked yes, University forwards Conflict of Interest Review and Determination Form, Financial Disclosures and Conflicts of Interest (from either Form A or Form B), Bulletin Notice, copy of proposed contract (may be proposed contract or a copy of the solicitation response), and any prior PPB conflict review memo to SPO. If this is a repetitive COI previously approved during the fiscal year, include a statement of no change or identify any changed circumstances. If this is a contract renewal or annual recertification of a multi-year contract, include the Certification of No Change form or if necessary, new disclosures.</b></p>		
2.	<b>Determine if one of the identified relationships rises to the level of being a potential for a conflict of interest</b>	
2.1	Not every disclosed relationship has the potential to amount to an actual conflict of interest. A disclosed relationship has the potential to be a conflict of interest if a reasonable person would conclude that they would naturally and probably expect a conflict to come into existence even though one does not now exist. Improbable connections or strained "what ifs" will not constitute a potential for a conflict. The mere disclosure of one or more of the ten relationships is not sufficient, without a determination by the SPO, to conclude a potential for a conflict exists.	SPO
2.2	Where state employee or their spouse has an interest in a proposed contract (Form A, Section 5, Step 5, boxes 1-2 or Form B, IPG Form I,	SPO

	<p>questions 11-12) <u>and where PPB has not during the current fiscal year previously reviewed</u>, SPO submits the potential COI to the PPB for review.</p>	
2.3	<p>Where state employee or their spouse has an interest in a proposed contract (Form A, Section 5, Step 5, boxes 1-2 or Form B, IPG Form I, questions 11-12) but <u>where PPB has during the current fiscal year previously reviewed and not found an actual conflict</u>, SPO reviews the repetitive submission. If no change in circumstances from the initial approved submission, SPO sends University the signed determination that the disclosed relationship does not preclude the University from entering into the proposed contract. Skip to Step 5.</p> <p>If there is any concern about the circumstances being identical or if a review has not been conducted in the current fiscal year, SPO submits to PPB for review.</p>	SPO
2.4	<p>If the disclosing entity identifies anything other than a relationship it has to state employment in the previous 3 years (Form A, Section 5, Step 5, boxes 3-10 or Form B, IPG Form I questions 13-20), the SPO determines if the relationship rises to the level of a potential COI. If SPO determines no potential COI, SPO sends University the signed determination that the disclosed relationship does not preclude the University from entering into the proposed contract. Skip to Step 5.</p>	SPO
2.5	<p>If the request and justification is not sufficiently clear regarding a potential COI, SPO forwards request and all material to CPO for review and determination.</p> <p>If CPO determines the disclosed relationship does not create a potential COI, CPO sends the signed determination form to the SPO for distribution to the University. Skip to Step 5.</p> <p>If CPO determines there is a potential for a COI, CPO refers to the PPB for review and recommendation. The University may not enter into the proposed contract pending the recommendation of the PPB and subsequent final determination of the CPO.</p>	CPO
<b>3.</b>	<b>Recommendation from PPB</b>	
3.1	<p>PPB may gather information about the potential COI from the potential vendor or subcontractor. PPB may hold a hearing at the request of the potential vendor/subcontractor.</p>	PPB
3.2	<p>If PPB does not view the disclosed relationship as creating a potential COI to preclude the University from entering into the proposed contract, PPB sends SPO the signed determination form. Skip to Step 5.</p>	PPB

3.3	If PPB finds the disclosed relationship creates a conflict of interest sufficient to preclude the University from entering the proposed contract, PPB submits its detailed reasons with the recommendation to void the contract, bid, or offer to the EEC with a cc: to the CPO/SPO.	PPB
3.4	If the PPB finds evidence of a potential conflict that was not originally disclosed, the PPB shall provide written notice to the entity providing the disclosure. The disclosing entity shall have 15 calendar days to respond in writing and may request a hearing.	PPB
3.5	If requested, the PPB shall hold the hearing no later than 15 calendar days after receipt of the request.	PPB
<b>4.</b>	<b>Hearing Process</b>	
4.1	If the PPB makes a recommendation to void a contract or void a bid or offer, SPO publishes notice of PPB determination of potential COI to Bulletin and the date, location and time of the public hearing established by EEC.	SPO
4.2	EEC hearing is held within 30 calendar days of PPB recommendation to void contract, bid or offer.	EEC
4.3	CPO makes final determination whether to void contract, bid or offer on basis of testimony at public hearing.	CPO
4.4	CPO or SPO sends to the University the CPO's final determination on whether to void award/contract due to potential COI.	CPO/SPO
4.5	SPO publishes CPO's final determination to the Bulletin.	SPO
<b>5.</b>	<b>Bulletin Publication</b>	
5.1	Once a finding has been made that the disclosed relationship does not create a potential conflict of interest sufficient to preclude the University from entering a contract, University creates and submits to the SPO a Bulletin notice with the completed, signed conflict of interest review and determination form attached as public documents.	University
5.2	SPO publishes Bulletin notice.	SPO
<b>6.</b>	<b>Lobbyist Review and Publication: Form A, Section 5, Step 3 or Form B, Question 4</b>	
6.1	Form A, Section 5, Step 3 and Form B, Question 4 identifies whether a potential vendor or subcontractor is represented by or employs a lobbyist required to register under the Lobbyist Registration Act or other agent who is not previously identified and who has communicated, is communicating, or may communicate with any State/Public University officer or employee concerning the bid or offer. If a lobbyist will not or is/has not communicated with a State officer/employee concerning the bid or offer in question, disclosure of the lobbyist is not required.	University

6.2	If there is disclosure of a lobbyist or agent, University forwards lobbyist/agent disclosure to SPO.	University
6.3	<p>SPO reviews lobbyist disclosure and verifies whether the lobbyist or agent has, is or will communicate concerning the bid or offer. SPO files the notification with the Secretary of State Index Department. The filing must include:</p> <ul style="list-style-type: none"> <li>• disclosure of all costs, fees, compensation, reimbursements, and other remunerations paid or to be paid to the lobbyist related to the contract,</li> <li>• a certified statement that the vendor or subcontractor will not bill or otherwise cause the State of Illinois/University to pay for any of the lobbyist's costs, fees, compensation, reimbursements, or other remuneration, and</li> <li>• a signed verification certifying none of the lobbyist's costs, fees, compensation, reimbursements, or other remuneration were billed to the State/University.</li> </ul>	SPO
6.4	As part of contract award notice, the lobbyist/agent disclosure is attached and posted to the Bulletin as a public document.	SPO
<b>7.</b>	<b>Reports</b>	
7.1	SPO maintains basic statistics relating to reviews for potential COI, including the number of disclosures reviewed, the number of potential conflicts determined not to rise to a level of further review, the number of repetitive reviews, the number of disclosures forwarded to PPB, and the number of PPB reviews that determined there was a potential for a COI.	SPO

### 30 ILCS 500/50-35

#### Financial disclosure and potential conflicts of interest.

(a) All bids and offers from responsive bidders, offerors, vendors, or contractors with an annual value of more than \$50,000, and all submissions to a vendor portal, shall be accompanied by disclosure of the financial interests of the bidder, offeror, potential contractor, or contractor and each subcontractor to be used. In addition, all subcontracts identified as provided by Section 20-120 of this Code with an annual value of more than \$50,000 shall be accompanied by disclosure of the financial interests of each subcontractor. The financial disclosure of each successful bidder, offeror, potential contractor, or contractor and its subcontractors shall be incorporated as a material term of the contract and shall become part of the publicly available contract or procurement file maintained by the appropriate chief procurement officer. Each disclosure under this Section shall be signed and made under penalty of perjury by an authorized officer or employee on behalf of the bidder, offeror, potential contractor, contractor, or subcontractor, and must be filed with the Procurement Policy Board.

(b) Disclosure shall include any ownership or distributive income share that is in excess of 5%, or an amount greater than 60% of the annual salary of the Governor, of the disclosing entity or its parent entity, whichever is less, unless the bidder, offeror, potential contractor, contractor, or subcontractor (i) is a publicly traded entity subject to Federal 10K reporting, in which case it may submit its 10K disclosure in place of the prescribed disclosure, or (ii) is a privately held entity that is exempt from Federal 10k reporting but has more than 100 shareholders, in which case it may submit the information that Federal 10k reporting companies are required to report under 17 CFR 229.401 and list the names of any person or entity holding any ownership share that is in excess of 5% in place of the prescribed disclosure. The form of disclosure shall be prescribed by the applicable chief procurement officer and must include at least the names, addresses, and dollar or proportionate share of ownership of each person identified in this Section, their instrument of ownership or beneficial relationship, and notice of any potential conflict of interest resulting from the current ownership or beneficial relationship of each individual identified in this Section having in addition any of the following relationships:

- (1) State employment, currently or in the previous 3 years, including contractual employment of services.
- (2) State employment of spouse, father, mother, son, or daughter, including contractual employment for services in the previous 2 years.
- (3) Elective status; the holding of elective office of the State of Illinois, the government of the United States, any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois currently or in the previous 3 years.
- (4) Relationship to anyone holding elective office currently or in the previous 2 years; spouse, father, mother, son, or daughter.
- (5) Appointive office; the holding of any appointive government office of the State of Illinois, the United States of America, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois, which office entitles the holder to compensation in excess of expenses incurred in the discharge of that office currently or in the previous 3 years.
- (6) Relationship to anyone holding appointive office currently or in the previous 2 years; spouse, father, mother, son, or daughter.
- (7) Employment, currently or in the previous 3 years, as or by any registered lobbyist of the State government.
- (8) Relationship to anyone who is or was a registered lobbyist in the previous 2 years; spouse, father, mother, son, or daughter.

(9) Compensated employment, currently or in the previous 3 years, by any registered election or re-election committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections.

(10) Relationship to anyone; spouse, father, mother, son, or daughter; who is or was a compensated employee in the last 2 years of any registered election or re-election committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections.

(b-1) The disclosure required under this Section must also include the name and address of each lobbyist required to register under the Lobbyist Registration Act and other agent of the bidder, offeror, potential contractor, contractor, or subcontractor who is not identified under subsections (a) and (b) and who has communicated, is communicating, or may communicate with any State officer or employee concerning the bid or offer. The disclosure under this subsection is a continuing obligation and must be promptly supplemented for accuracy throughout the process and throughout the term of the contract if the bid or offer is successful.

(b-2) The disclosure required under this Section must also include, for each of the persons identified in subsection (b) or (b-1), each of the following that occurred within the previous 10 years: suspension or debarment from contracting with any governmental entity; professional licensure discipline; bankruptcies; adverse civil judgments and administrative findings; and criminal felony convictions. The disclosure under this subsection is a continuing obligation and must be promptly supplemented for accuracy throughout the process and throughout the term of the contract if the bid or offer is successful.

(c) The disclosure in subsection (b) is not intended to prohibit or prevent any contract. The disclosure is meant to fully and publicly disclose any potential conflict to the chief procurement officers, State purchasing officers, their designees, and executive officers so they may adequately discharge their duty to protect the State.

(d) When a potential for a conflict of interest is identified, discovered, or reasonably suspected, the chief procurement officer or State procurement officer shall send the contract to the Procurement Policy Board. In accordance with the objectives of subsection (c), if the Procurement Policy Board finds evidence of a potential conflict of interest not originally disclosed by the bidder, offeror, potential contractor, contractor, or subcontractor, the Board shall provide written notice to the bidder, offeror, potential contractor, contractor, or subcontractor that is identified, discovered, or reasonably suspected of having a potential conflict of interest. The bidder, offeror, potential contractor, contractor, or subcontractor shall have 15 calendar days to respond in writing to the Board, and a hearing before the Board will be granted upon request by the bidder, offeror, potential contractor, contractor, or subcontractor, at a date and time to be determined by the Board, but which in no event shall occur later than 15 calendar days after the date of the request. Upon consideration, the Board shall recommend, in writing, whether to allow or void the contract, bid, offer, or subcontract weighing the best interest of the State of Illinois. All recommendations shall be submitted to the Executive Ethics Commission. The Executive Ethics Commission must hold a public hearing within 30 calendar days after receiving the Board's recommendation if the Procurement Policy Board makes a recommendation to (i) void a contract or (ii) void a bid or offer and the chief procurement officer selected or intends to award the contract to the bidder, offeror, or potential contractor. A chief procurement officer is prohibited from



awarding a contract before a hearing if the Board recommendation does not support a bid or offer. The recommendation and proceedings of any hearing, if applicable, shall be available to the public.

(e) These thresholds and disclosure do not relieve the chief procurement officer, the State purchasing officer, or their designees from reasonable care and diligence for any contract, bid, offer, or submission to a vendor portal. The chief procurement officer, the State purchasing officer, or their designees shall be responsible for using any reasonably known and publicly available information to discover any undisclosed potential conflict of interest and act to protect the best interest of the State of Illinois.

(f) Inadvertent or accidental failure to fully disclose shall render the contract, bid, offer, proposal, subcontract, or relationship voidable by the chief procurement officer if he or she deems it in the best interest of the State of Illinois and, at his or her discretion, may be cause for barring from future contracts, bids, offers, proposals, subcontracts, or relationships with the State for a period of up to 2 years.

(g) Intentional, willful, or material failure to disclose shall render the contract, bid, offer, proposal, subcontract, or relationship voidable by the chief procurement officer if he or she deems it in the best interest of the State of Illinois and shall result in debarment from future contracts, bids, offers, proposals, subcontracts, or relationships for a period of not less than 2 years and not more than 10 years. Reinstatement after 2 years and before 10 years must be reviewed and commented on in writing by the Governor of the State of Illinois, or by an executive ethics board or commission he or she might designate. The comment shall be returned to the responsible chief procurement officer who must rule in writing whether and when to reinstate.

(h) In addition, all disclosures shall note any other current or pending contracts, bids, offers, proposals, subcontracts, leases, or other ongoing procurement relationships the bidder, offeror, potential contractor, contractor, or subcontractor has with any other unit of State government and shall clearly identify the unit and the contract, offer, proposal, lease, or other relationship.

(i) The bidder, offeror, potential contractor, or contractor has a continuing obligation to supplement the disclosure required by this Section throughout the bidding process during the term of any contract, and during the vendor portal registration process.

**30 ILCS 500/50-38**  
**Lobbying restrictions**

- (a) A person or business that is let or awarded a contract is not entitled to receive any payment, compensation, or other remuneration from the State to compensate the person or business for any expenses related to travel, lodging, or meals that are paid by the person or business to any officer, agent, employee, consultant, independent contractor, director, partner, manager, or shareholder.
- (b) Any bidder, offeror, potential contractor, or contractor on a State contract that hires a person required to register under the Lobbyist Registration Act to assist in obtaining a contract shall (i) disclose all costs, fees, compensation, reimbursements, and other remunerations paid or to be paid to the lobbyist related to the contract, (ii) not bill or otherwise cause the State of Illinois to pay for any of the lobbyist's costs, fees, compensation, reimbursements, or other remuneration, and (iii) sign a verification certifying that none of the lobbyist's costs, fees, compensation, reimbursements, or other remuneration were billed to the State. This information, along with all supporting documents, shall be filed with the agency awarding the contract and with the Secretary of State. The chief procurement officer shall post this information, together with the contract award notice, in the online Procurement Bulletin.
- (c) Ban on contingency fee. No person or entity shall retain a person or entity required to register under the Lobbyist Registration Act to attempt to influence the outcome of a procurement decision made under this Code for compensation contingent in whole or in part upon the decision or procurement. Any person who violates this subsection is guilty of a business offense and shall be fined not more than \$10,000.

#### 44 Ill. Admin. Code §4.5035

##### Disclosure of Financial Interests and Potential Conflicts of Interest

- a) Disclosures of financial interests and potential conflicts of interest shall be obtained for all submissions to a vendor portal and from all bidders or offerors when the annual value of a bid or offer exceeds \$50,000.
  - 1) For the purposes of Section 50-35(a) of the Code, an "offer from responsive bidders or offerors" means only those offers that are received under Section 20-10, 20-15 or 20-35, or Article 35 of the Code.
  - 2) Disclosures are not required in sole source and emergency contracts, but shall be obtained in whole or in part when practical and when the value exceeds \$50,000.
  - 3) Disclosures shall be obtained for small purchases exceeding \$50,000, except as otherwise provided in this Section. If a small purchase could qualify as an emergency or sole source, disclosures are not required but shall be obtained when practical.
  - 4) In certain circumstances (e.g., emergency and sole source procurements) in which the vendor refuses or is unable to provide disclosures, the SPO may authorize the university to move forward with the transaction. The university must provide documentation of efforts to obtain compliance in a form prescribed by the PPB and CPO-HE.
- b) For purposes of:
  - 1) Section 50-35(b) of the Code, "parent entity" means an entity that owns 100% of the bidding entity.
  - 2) Section 50-35(b)(1) of the Code, "contractual employment of services" means any contract to provide services to the State, whether as independent contractor or employee, that is by and between the State and the named individual.
- c) "Distributive Income" means income of a company after payment of all expenses, including employee salaries and bonuses and retained earnings, which is distributed to those entitled to receive a share of that income. In the case of a for-profit corporation, distributive income means "dividends". When calculating entitlement to distributive income, the entitlement shall be determined at the end of the company's most recent fiscal year.
- d) "Personal Services" shall be any contract for services subject to the Code, including, by way of example, professional and artistic services, repair services, cleaning and guard services, but excludes contracts with employees who are exempt from the Code under Section 1-10(b)(4).

- e) "Subject to Federal 10K Reporting" means subject to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934.
- f) "10K Disclosure" means a report required under section 13 or 15(d) of the Securities Exchange Act of 1934.
- g) New disclosures are required on contract renewals. New disclosure are not required for contract amendments.
- h) 10K Disclosures
  - 1) Any vendor subject to federal 10K reporting requirements may submit its 10K to the university in satisfaction of the disclosure requirement of Section 50-35(b) of the Code. The vendor may be required to identify the specific sections or parts in the 10K disclosure containing information, if any, pertaining to those who have an ownership interest or an interest in the distributive income of the vendor or its parent, or other information that the vendor knows or reasonably should know identifies a potential conflict of interest with the State. If the financial interest or conflict of interest information requested by the university is not in the 10K, or in a document that may be submitted to the SEC in conjunction with or in lieu of the 10K, then that additional documentation shall be provided as well.
  - 2) 10K disclosures are available for public review. Any potential conflict of interest identified by the public and brought to the attention of the CPO-HE or SPO shall be investigated.
  - 3) In circumstances in which a vendor may submit a 10K disclosure in lieu of the specific disclosure requirements of the Code, the SPO or designee may consider information identified by the vendor in the 10K disclosure and any information disclosed pursuant to public review of the 10K disclosure in determining whether a potential conflict of interest exists.
- i) Form of Disclosure

The form of disclosures shall be prescribed by the CPO-HE and shall include at least the names, addresses and dollar or proportionate share of ownership of each person identified in this Section, their instrument of ownership or beneficial relationship, and notice of any potential conflict of interest.
- j) Intent of Disclosure

*The disclosure required in subsection (i) is not intended to prohibit or prevent any contract. The disclosure is meant to fully and publicly disclose any potential conflict to the CPO-HE, SPOs, their designees, and executive officers so they may adequately discharge their duty to protect the State. [30 ILCS 500/50-35(c)]*

  - 1) Determination by Procurement Officer

A potential for a conflict of interest exists if a reasonable person would naturally and probably expect a conflict to come into existence even though one does not

now exist. Improbable or strained connections will not constitute a potential for a conflict. The mere disclosure of one or more of the 10 relationships described in Section 50-35(b) of the Code is not sufficient, without a determination by the CPO-HE or SPO, to conclude a potential for a conflict exists. When a potential conflict of interest is identified, discovered or reasonably suspected, it shall be reviewed by the CPO-HE or SPO, who will send the contract to PPB. PPB shall recommend in writing to the CPO-HE whether to allow or void the contract, bid or offer or subcontract weighing the best interest of the State of Illinois.

- 2) If the CPO-HE disagrees with the PPB's recommendation to void a contract, bid or offer, the Executive Ethics Commission will hold a hearing. No contract with a potential conflict of interest shall be awarded before a hearing if the PPB recommends a contract, bid or offer be voided. The written determination shall become a publicly available part of the contract, bid or proposal file.
- 3) **Requirements for Reasonable Care and Diligence**  
*These thresholds for disclosure do not relieve the CPO-HE, SPO or their designees from reasonable care and diligence for any contract, bid, offer or proposal. The CPO-HE, SPOs or their designees shall be responsible for using any reasonably known and publicly available information to discover any undisclosed potential conflict of interest and act to protect the best interest of the State of Illinois. [30 ILCS 500/50-35(e)]*
- 4) **Inadvertent or Accidental Failure to Fully Disclose**  
*Inadvertent or accidental failure to disclose shall render the contract, subcontract, bid, proposal or relationship voidable by the CPO-HE if he or she deems it in the best interest of the State of Illinois and, at his or her discretion, may be cause for barring from future contracts, subcontracts, bids, proposals or relationships with the State for a period of up to 2 years. [30 ILCS 500/50-35(f)]*
- 5) **Intentional, Willful or Material Failure to Disclose**  
Intentional, willful or material failure to disclose shall render the contract, subcontract, bid, proposal or relationship voidable by the CPO-HE if he or she deems it in the best interest of the State of Illinois and shall result in debarment from future contracts, subcontracts, bids, proposals or relationships with the State for a period of not less than 2 years and not more than 10 years. Reinstatement after 2 years and before 10 years must be reviewed and commented upon by the CPO-HE, who must rule in writing whether and when to reinstate.
- 6) **Other Procurements**  
*In addition, all disclosures shall note any other current or pending contracts, proposals, subcontracts, leases or other ongoing procurement relationships the bidding, proposing, offering or subcontracting entity has with any other unit of State government and shall clearly identify the unit and the contract, proposal, lease or other relationship. [30 ILCS 500/50-35(h)]*

7) Continuing Obligation

*The contractor or bidder has a continuing obligation to supplement the disclosure required by this Section throughout the bidding process, during the term of any contract, and during the vendor portal registration process. [30 ILCS 500/50-35(i)]*

**44 Ill. Admin. Code §4.5038**

**Lobbying Restrictions**

- a) *A person or business that is let or awarded a contract is not entitled to receive any payment, compensation or other remuneration from the State to compensate the person or business for any expenses related to travel, lodging or meals that are paid by the person or business to any officer, agent, employee, consultant, independent contractor, director, partner, manager or shareholder. [30 ILCS 500/50-38(a)]*
  
- b) Disclosure
  - 1) *Any bidder, offeror, potential contractor, or contractor on a State contract that hires a person required to register under the Lobbyist Registration Act [25 ILCS 170] to assist in obtaining a contract shall:
    - A) *Disclose all costs, fees, compensation, reimbursement and other remunerations paid or to be paid to the lobbyist related to the contract;*
    - B) *Not bill or otherwise cause the State of Illinois to pay for any of the lobbyist's costs, fees, compensation, reimbursements or other remuneration;*
    - C) *Sign a verification certifying that none of the lobbyist's costs, fees, compensation, reimbursements or other remuneration were billed to the State.**
  
  - 2) *The information in subsection (b)(1)(A), along with all supporting documents, shall be filed with the agency awarding the contract and with the Secretary of State. The CPO-HE shall post this information, together with the contract award notice, in the Bulletin. [30 ILCS 500/50-38(b)]*
  
- c) *No person or entity shall retain a person or entity required to register under the Lobbyist Registration Act to attempt to influence the outcome of a procurement decision for compensation contingent in whole or in part upon the decision or procurement. Any person who violates this subsection (c) is guilty of a business offense and shall be fined not more than \$10,000. [30 ILCS 500/50-38(c)]*

**FORM A Section 5**  
**FINANCIAL DISCLOSURES and CONFLICTS of INTEREST**

The Financial Disclosures and Conflicts of Interest form ("form") must be accurately completed and submitted by the vendor, parent entity(ies), and subcontractors. There are **nine** steps to this form and each must be completed as instructed in the step heading and within the step. A bid, offer, or proposal that does not include this form shall be considered non-responsive. The Agency/University will consider this form when evaluating the bid, offer, or proposal or awarding the contract.

The requirement of disclosure of financial interests and conflicts of interest is a continuing obligation. If circumstances change and the disclosure is no longer accurate, then disclosing entities must provide an updated form.

Separate forms are required for the vendor, any parent entity(ies) and any subcontractors.

This disclosure is submitted for (check one):

- Vendor
- Vendor's Parent Entity(ies) (show 100% ownership)
- Subcontractor(s) >\$50,000
- Subcontractor's Parent Entity(ies) > \$50,000

Project Name: \_\_\_\_\_

Procurement Bulletin Reference #: \_\_\_\_\_

Vendor Name: \_\_\_\_\_

Doing Business As (DBA): \_\_\_\_\_

Disclosing Entity Name: \_\_\_\_\_

Disclosing Entity's Parent Entity: \_\_\_\_\_

Instrument of Ownership or Beneficial Interest (check one):

- Sole Proprietorship
- Corporate Stock (C-Corporation, S-Corporation, Professional Corporation, Service Corporation)
- Limited Liability Company Membership Agreement (Series LLC, Low-Profit Limited Liability Partnership)
- Partnership Agreement (General Partnership, Limited Partnership, Limited Liability Partnership, Limited Liability Limited Partnership)
- Not-for-Profit
- Trust Agreement (Beneficiary)
- Other

If you selected Other, please describe: \_\_\_\_\_

**STEP 1**

**SUPPORTING DOCUMENTATION SUBMITTAL**

(All vendors complete regardless of annual bid, offer, or contract value)  
(Subcontractors with subcontract annual value of more than \$50,000 must complete)

You must select one of the six options below and select the documentation you are submitting. You must provide the documentation the applicable section requires with this form.

- Option 1 – Publicly Traded Entities
- 1.A.  Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.
- OR
- 1.B.  Attach a copy of the Federal 10-K or provide a web address of an electronic copy of the Federal 10-K, and skip to Step 3.
- 
- Option 2 – Privately Held Entities with more than 100 Shareholders
- 2.A.  Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.
- OR
- 2.B.  Complete Step 2, Option A for each qualifying individual or entity holding any ownership share in excess of 5% and attach the information Federal 10-K reporting companies are required to report under 17 CFR 229.401.
- 
- Option 3 – All other Privately Held Entities, not including Sole Proprietorships
- 3.A.  Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.
- 
- Option 4 – Foreign Entities
- 4.A.  Complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.
- OR
- 4.B.  Attach a copy of the Securities Exchange Commission Form 20-F or 40-F and skip to Step 3.
- 
- Option 5 – Not-for-Profit Entities
- Complete Step 2, Option B.
- 
- Option 6 – Sole Proprietorships
- Skip to Step 3.



**STEP 2**

**DISCLOSURE OF FINANCIAL INTEREST OR BOARD OF DIRECTORS**

(All vendors, except sole proprietorships, must complete regardless of annual bid, offer, or contract value)

(Subcontractors with subcontract annual value of more than \$50,000 must complete)

Complete **either** Option A (for all entities other than not-for-profits) or Option B (for not-for-profits). Additional rows may be inserted into the tables or an attachment may be provided if needed.

**OPTION A – Ownership Share and Distributive Income**

**Ownership Share** – If you selected Option 1.A., 2.A., 2.B., 3.A., or 4.A. in Step 1, provide the name and address of each individual or entity and their percentage of ownership if said percentage exceeds 5%, or the dollar value of their ownership if said dollar value exceeds \$106,447.20.

Check here if including an attachment with requested information in a format substantially similar to the format below.

TABLE – X			
Name	Address	Percentage of Ownership	\$ Value of Ownership

**Distributive Income** – If you selected Option 1.A., 2.A., 3.A., or 4.A. in Step 1, provide the name and address of each individual or entity and their percentage of the disclosing vendor’s total distributive income if said percentage exceeds 5% of the total distributive income of the disclosing entity, or the dollar value of their distributive income if said dollar value exceeds \$106,447.20.

Check here if including an attachment with requested information in a format substantially similar to the format below.

TABLE – Y			
Name	Address	% of Distributive Income	\$ Value of Distributive Income

Please certify that the following statements are true.

I have disclosed all individuals or entities that hold an ownership interest of greater than 5% or greater than \$106,447.20.

Yes  No

I have disclosed all individuals or entities that were entitled to receive distributive income in an amount greater than \$106,447.20 or greater than 5% of the total distributive income of the disclosing entity.  Yes  No

**OPTION B – Disclosure of Board of Directors (Not-for-Profits)**

If you selected Option 5 in Step 1, list members of your board of directors. Please include an attachment if necessary.

TABLE – Z	
Name	Address

**STEP 3**

**DISCLOSURE OF LOBBYIST OR AGENT**

(Complete only if bid, offer, or contract has an annual value over \$50,000)  
(Subcontractors with subcontract annual value of more than \$50,000 must complete)

Yes  No. Is your company represented by or do you employ a lobbyist required to register under the Lobbyist Registration Act (lobbyist must be registered pursuant to the Act with the Secretary of State) or other agent who is not identified through Step 2, Option A above and who has communicated, is communicating, or may communicate with any State/Public University officer or employee concerning this solicitation? If yes, please identify each lobbyist and agent, including the name and address below.

If you have a lobbyist that does not meet the criteria, then you do not have to disclose the lobbyist's information.

Name	Address	Relationship to Disclosing Entity

Describe all costs/fees/compensation/reimbursements related to the assistance provided by each representative lobbyist or other agent to obtain this Agency/University contract:

**STEP 4**

**PROHIBITED CONFLICTS OF INTEREST**

(All vendors must complete regardless of annual bid, offer, or contract value)  
(Subcontractors with subcontract annual value of more than \$50,000 must complete)

Step 4 must be completed for each person disclosed in Step 2, Option A and for sole proprietors identified in Step 1, Option 6 above. Please provide the name of the person for which responses are provided:

1. Do you hold or are you the spouse or minor child who holds an elective office in the State of Illinois or hold a seat in the General Assembly?  Yes  No
2. Have you, your spouse, or minor child been appointed to or employed in any offices or agencies of State government and receive compensation for such employment in excess of 60% (\$106,447.20) of the salary of the Governor?  Yes  No
3. Are you or are you the spouse or minor child of an officer or employee of the Capital Development Board or the Illinois Toll Highway Authority?  Yes  No
4. Have you, your spouse, or an immediate family member who lives in your residence currently or who lived in your residence within the last 12 months been appointed as a member of a board, commission, authority, or task force authorized or created by State law or by executive order of the Governor?  Yes  No
5. If you answered yes to any question in 1-4 above, please answer the following: Do you, your spouse, or minor child receive from the vendor more than 7.5% of the vendor's total distributable income or an amount of distributable income in excess of the salary of the Governor (\$177,412.00)?  Yes  No
6. If you answered yes to any question in 1-4 above, please answer the following: Is there a combined interest of self with spouse or minor child more than 15% in the aggregate of the vendor's distributable income or an amount of distributable income in excess of two times the salary of the Governor(\$354,824.00)?  Yes  No

**STEP 5**

**POTENTIAL CONFLICTS OF INTEREST RELATING TO PERSONAL RELATIONSHIPS**

(Complete only if bid, offer, or contract has an annual value over \$50,000)

(Subcontractors with subcontract annual value of more than \$50,000 must complete)

Step 5 must be completed for each person disclosed in Step 2, Option A and for sole proprietors identified in Step 1, Option 6 above.

Please provide the name of the person for which responses are provided:

1. Do you currently have, or in the previous 3 years have you had State employment, including contractual employment of services?  Yes  No
2. Has your spouse, father, mother, son, or daughter, had State employment, including contractual employment for services, in the previous 2 years?  Yes  No
3. Do you hold currently or have you held in the previous 3 years elective office of the State of Illinois, the government of the United States, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois?  Yes  No
4. Do you have a relationship to anyone (spouse, father, mother, son, or daughter) holding elective office currently or in the previous 2 years?  Yes  No
5. Do you hold or have you held in the previous 3 years any appointive government office of the State of Illinois, the United States of America, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois, which office entitles the holder to compensation in excess of expenses incurred in the discharge of that office?  Yes  No
6. Do you have a relationship to anyone (spouse, father, mother, son, or daughter) holding appointive office currently or in the previous 2 years?  Yes  No
7. Do you currently have or in the previous 3 years had employment as or by any registered lobbyist of the State government?  Yes  No
8. Do you currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) that is or was a registered lobbyist?  Yes  No
9. Do you currently have or in the previous 3 years had compensated employment by any registered election or re-election committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections?  Yes  No
10. Do you currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) who is or was a compensated employee of any registered election or reelection committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections?  Yes  No

**STEP 6**

**EXPLANATION OF AFFIRMATIVE RESPONSES**

(All vendors must complete regardless of annual bid, offer, or contract value)

(Subcontractors with subcontract annual value of more than \$50,000 must complete)

If you answered "Yes" in Step 4 or Step 5, please provide on an additional page a detailed explanation that includes, but is not limited to the name, salary, State agency or university, and position title of each individual.

**STEP 7**

**POTENTIAL CONFLICTS OF INTEREST RELATING TO DEBARMENT & LEGAL PROCEEDINGS**

(Complete only if bid, offer, or contract has an annual value over \$50,000)  
(Subcontractors with subcontract annual value of more than \$50,000 must complete)

This step must be completed for each person disclosed in Step 2, Option A, Step 3, and for each entity and sole proprietor disclosed in Step 1.

Please provide the name of the person or entity for which responses are provided:

- 1. Within the previous ten years, have you had debarment from contracting with any governmental entity?  Yes  No
- 2. Within the previous ten years, have you had any professional licensure discipline?  Yes  No
- 3. Within the previous ten years, have you had any bankruptcies?  Yes  No
- 4. Within the previous ten years, have you had any adverse civil judgments and administrative findings?  Yes  No
- 5. Within the previous ten years, have you had any criminal felony convictions?  Yes  No

If you answered "Yes", please provide a detailed explanation that includes, but is not limited to the name, State agency or university, and position title of each individual.

**STEP 8**

**DISCLOSURE OF CURRENT AND PENDING CONTRACTS**

(Complete only if bid, offer, or contract has an annual value over \$50,000)  
(Subcontractors with subcontract annual value of more than \$50,000 must complete)

If you selected Option 1, 2, 3, 4, or 6 in Step 1, do you have any contracts, pending contracts, bids, proposals, subcontracts, leases or other ongoing procurement relationships with units of State of Illinois government?  Yes  No.

If "Yes", please specify below. Attach an additional page in the same format as provided below, if desired.

Agency/University	Project Title	Status	Value	Contract Reference/P.O./Illinois Procurement Bulletin #

Please explain the procurement relationship:

**SIGN THE DISCLOSURE**

(All vendors must complete regardless of annual bid, offer, or contract value)  
(Subcontractors with subcontract annual value of more than \$50,000 must complete)

This disclosure is signed, and made under penalty of perjury for all for-profit entities, by an authorized officer or employee on behalf of the bidder or offeror pursuant to Sections 50-13 and 50-35 of the Illinois Procurement Code. This disclosure information is submitted on behalf of:

Name of Disclosing Entity:

Signature: \_\_\_\_\_  
 Printed Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

Date: \_\_\_\_\_

FORM B  
IPG Registration and Additional Certifications

## STOP – Please read the following instructions carefully.

**FORM B** may be used when the vendor is **registered** in the Illinois Procurement Gateway (IPG) and **does have** an active unexpired IPG registration number.

To verify registration, go to the Illinois Procurement Gateway (<https://ipg.vendorreg.com>) and search the “IPG Registered Vendor Directory”. **If you do not find your company name, you will need to complete and submit your Illinois Vendor Registration on the website AND you must submit FORM A with your solicitation response.**

If the vendor **IS NOT** registered in the Illinois Procurement Gateway (IPG) and **DOES NOT HAVE** an active IPG Registration Number with an unexpired date, the vendor must complete and submit the information requested on **FORM A** with their response.

**Failure to provide the correct form may render the submission non-responsive and will result in disqualification.**

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**Please read this entire section and provide the requested information as applicable. All parts in Form B must be completed in full and submitted along with the vendor’s response.**

**1. Certification of Illinois Procurement Gateway Registration**

My business has registered in the Illinois Procurement Gateway (IPG). The State of Illinois Chief Procurement Office approved the registration and provided the IPG registration number and expiration date disclosed below.

**IPG Registration #:** \_\_\_\_\_ **IPG Expiration Date:** \_\_\_\_\_

**2. Certification Timely to this Solicitation**

Vendor certifies it is not barred from having a contract with the State based upon violating the prohibitions related to either submitting/writing specifications or providing assistance to an employee of the State of Illinois by reviewing, drafting, directing, or preparing any invitation for bids, a request for proposal, or request of information, or similar assistance (except as part of a public request for such information). 30 ILCS 500/50-10.5(e), amended by Pub. Act No. 97-0895 (August 3, 2012).  Yes  No

**3. Replacement Certification to IPG Certification #6 (supersedes response in IPG)**

If Vendor has been convicted of a felony, Vendor certifies at least five years have passed since the date of completion of the sentence for such felony, unless no person held responsible by a prosecutor’s office for the facts upon which the conviction was based continues to have any involvement with the business. Vendor further certifies that it is not barred from being awarded a contract. 30 ILCS 500/50-10  Yes  No

**4. Disclosure of Lobbyist or Agent (Complete only if bid, offer, or contract has an annual value over \$50,000)**

Is your company or parent entity(ies) represented by or do you or your parent entity(ies) employ a lobbyist required to register under the Lobbyist Registration Act (lobbyist must be registered pursuant to the Act with the Secretary of State) or an agent who has communicated, is communicating, or may communicate with any State/Public University officer or employee concerning this solicitation?  Yes  No If yes, please identify each lobbyist and agent, including the name and address below. If you have a lobbyist that does not meet the

criteria, then you do not have to disclose the lobbyist's information.

Name	Address	Relationship to Disclosing Entity

Describe all costs/fees/compensation/reimbursements related to the assistance provided by each representative lobbyist or other agent to obtain this University contract:

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**5. Disclosure of Current and Pending Contracts**

Complete only if: (a) your business is for-profit and (b) the bid, offer, or contract has an annual value over \$50,000. Do not complete if you are a not-for-profit entity.

Yes  No. Do you have any contracts, pending contracts, bids, proposals, subcontracts, leases or other ongoing procurement relationships with any units of State of Illinois government?

If "Yes", please specify below. Attach an additional page in the same format as provided below, if desired.

Agency/University	Project Title	Status	Value	Contract Reference/P.O./Illinois Procurement Bulletin #

**6. Signature**

As of the date signed below, I certify that:

- My business' information and the certifications made in the Illinois Procurement Gateway are truthful, current and accurate.
- The certifications and disclosures made in this Form B are truthful and accurate.

This Form B is signed by an authorized officer or employee on behalf of the bidder, offeror, vendor, or vendor pursuant to Sections 50-13 and 50-35 of the Illinois Procurement Code, and the affirmation of the accuracy of the financial disclosures is made under penalty of perjury.

This information is submitted on behalf of:

Vendor Name: \_\_\_\_\_  
 Street Address: \_\_\_\_\_  
 City, State Zip: \_\_\_\_\_

Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Vendor Contact: \_\_\_\_\_

Signature: \_\_\_\_\_  
 Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

Form B  
IPG Form I (Redacted)

Generated by Joe Kim, Joe's Car Wash, LLC on 5/27/2015

Vendor Registration: Edit Form

Help & Tools 

Complete the form below. Fields marked with a red asterisk are required and must be answered to submit this form.

Having trouble with this form? See the [State of Illinois Vendor Registration FAQ's](#).

\* required entry

Vendor Registration	
Form Name	I. Financial Disclosure & Conflicts of Interest
Description	Complete the Financial Disclosure & Conflicts of Interest form

### I. Financial Disclosure & Conflicts of Interest - Instructions

Financial Disclosures and Conflicts of Interest information must be accurately completed and submitted by the prime contractor, any parent entity(ies) and any subcontractors. State agencies and universities will consider this information when evaluating individual solicitations or awarding contracts.

The requirement of disclosure of financial interests and conflicts of interest is a continuing obligation. If circumstances change and the previously submitted information is no longer accurate, disclosing entities must provide an updated form.

The attached Financial Disclosure and Conflicts of Interest form must be completed if your business is 100% owned by another entity, called a "parent." If there are several layers of 100% ownership parents, then a separate form for each 100% ownership parent is required.

### I. Financial Disclosures & Conflicts of Interest


#### A. Identify the applicable entity type. \*

Select ONE:

- Publicly Traded Entity
- Privately Held Entity with more than 100 shareholders
- Foreign Entity (non-U.S.)
- Sole Proprietorship
- Not-for-profit entity
- Other Privately Held Entity (i.e. LLC, partnership, privately held corporation with 100 or fewer shareholders, or other entity type not clearly identified in another option)

#### B. Is there a parent entity that owns 100% of the business? \*

- No
- Yes

Attach	Document	Instructions	Download Form	Status <a href="#">(refresh)</a>
<a href="#">Attach</a>	Parent Form	Document is <b>REQUIRED</b> when option is selected - You <b>MUST</b> download the form, fill in, and upload to this record.	<a href="#">Download</a> 	Not Attached

#### C. Instrument of Ownership or Beneficial Interest \*

Select ONE:

- Corporate Stock (C-Corporation, S-Corporation, Professional Corporation, Service Corporation)
- Limited Liability Company Membership Agreement (Series LLC, Low-Profit Limited Liability Partnership)
- Partnership Agreement (General Partnership, Limited Partnership, Limited Liability Partnership, Limited Liability Limited Partnership)

- Trust Agreement (Beneficiary)
- Sole Proprietorship
- Not-for-Profit
- Other

Please describe:

**1. Is there any individual or entity who meets ANY of the following thresholds: (a) Owns more than 5% of the business, (b) Holds ownership share of the business valued in excess of \$106,447.20, (c) Is entitled to more than 5% of the business' distributive income, or (d) Is entitled to more than \$106,447.20 of the business' distributive income? \***

Select ONE:

- Yes, the information is publicly available on a website

Provide a web address to retrieve an electronic copy of your entity's Federal 10K, 20F, 40F, or, if a Privately Held Entity with more than 100 Shareholders, equivalent information required to be reported pursuant to 17 CFR 229.401.

- Yes, the information is publicly available as a document

Attach a copy of your entity's Federal 10K, 20F, 40F, or, if a Privately Held Entity with more than 100 Shareholders, equivalent information required to be reported pursuant to 17 CFR 229.401.

Attach	Document	Instructions	Download Form	Status <a href="#">(refresh)</a>
<a href="#">Attach</a>	<b>Federal 10K, 20F, 40F, or, if a Privately Held Entity with more than 100 Shareholders, equivalent information required to be reported pursuant to 17 CFR 229.401.</b>	Document is <b>REQUIRED</b> when option is selected - Attach a copy of the document.	<a href="#">Download Form</a>	Not Attached

- Yes, the information is not publicly available (if any individuals are listed, answer Yes or No to questions 5-8 and 11-20.)

Download and complete the provided form (below) for each owning individual. Attach the completed form for all owners.

Attach	Document	Instructions	Download Form	Status <a href="#">(refresh)</a>
<a href="#">Attach</a>	<b>List of individuals or entities meeting one or more of the listed thresholds.</b>	Document is <b>REQUIRED</b> when option is selected - Download the form, fill in, and upload to this record.	<a href="#">Download Form</a>	Not Attached

- Yes - Sole Proprietor (answer Yes or No to Questions 5-8 and 11-20)

Enter the owner's first and last name:

- No, there are no individuals or entities that meet any of these thresholds. NOTE: Most privately-held businesses have at least one person or entity who owns more than 5% of the business or meets another threshold requiring disclosure.
- Not applicable - Not-for-Profit Entity

**11. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently have, or in the previous 3 years had State employment, including contractual employment of services? This does not include contracts to provide goods or services to the State as a vendor. \***

- Not applicable - Not-for-Profit Entity
- Not applicable - In question 1, I provided my entity's Federal 10K, 20F, 40F or 17 CFR 229.401 equivalent information as an attachment.
- Not applicable - No individuals disclosed in question 1
- No
- Yes

Identify each applicable individual and provide a detailed explanation that includes salary, State agency or university, and position title of each individual.



12. For the individuals disclosed above in question 1 and for sole proprietors, have their spouse, father, mother, son, or daughter, had State employment, including contractual employment for services, in the previous 2 years? This does not include contracts to provide goods or services to the State as a vendor. \*

- Not applicable - Not-for-Profit Entity
- Not applicable - In question 1, I provided my entity's Federal 10K, 20F, 40F or 17\_CFR\_229.401 equivalent information as an attachment.
- Not applicable - No individuals disclosed in question 1
- No
- Yes

Identify each applicable individual and provide a detailed explanation that includes salary, State agency or university, and position title of each individual.

13. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently hold or have held in the previous 3 years elective office of the State of Illinois, the government of the United States, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois? \*

- Not applicable - Not-for-Profit Entity
- Not applicable - In question 1, I provided my entity's Federal 10K, 20F, 40F or 17\_CFR\_229.401 equivalent information as an attachment.
- Not applicable - No individuals disclosed in question 1
- No
- Yes

Identify each applicable individual and provide a detailed explanation that includes salary, State agency or university, and position title of each individual.

14. For the individuals disclosed above in question 1 and for sole proprietors, do any of them have a relationship to anyone (spouse, father, mother, son, or daughter) holding elective office currently or in the previous 2 years? \*

- Not applicable - Not-for-Profit Entity
- Not applicable - In question 1, I provided my entity's Federal 10K, 20F, 40F or 17\_CFR\_229.401 equivalent information as an attachment.
- Not applicable - No individuals disclosed in question 1
- No
- Yes

Identify each applicable individual and provide a detailed explanation that includes salary, State agency or university, and position title of each individual.

15. For the individuals disclosed above in question 1 and for sole proprietors, do any of them hold or have held in the previous 3 years any appointive government office of the State of Illinois, the United States of America, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois, which office entitles the holder to compensation in excess of expenses incurred in the discharge of that? \*

- Not applicable - Not-for-Profit Entity
- Not applicable - In question 1, I provided my entity's Federal 10K, 20F, 40F or 17\_CFR\_229.401 equivalent information as an attachment.
- Not applicable - No individuals disclosed in question 1
- No
- Yes

Identify each applicable individual and provide a detailed explanation that includes salary, State agency or university, and position title of each individual.

16. For the individuals disclosed above in question 1 and for sole proprietors, do any of them have a relationship to anyone (spouse, father, mother, son, or daughter) holding appointive office currently or in the previous 2 years? \*

- Not applicable - Not-for-Profit Entity
- Not applicable - In question 1, I provided my entity's Federal 10K, 20F, 40F or 17\_CFR.229.401 equivalent information as an attachment.
- Not applicable - No individuals disclosed in question 1
- No
- Yes

Identify each applicable individual and provide a detailed explanation that includes salary, State agency or university, and position title of each individual.

17. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently have or in the previous 3 years had employment as or by any registered lobbyist of the State government? \*

- Not applicable - Not-for-Profit Entity
- Not applicable - In question 1, I provided my entity's Federal 10K, 20F, 40F or 17\_CFR.229.401 equivalent information as an attachment.
- Not applicable - No individuals disclosed in question 1
- No
- Yes

Identify each applicable individual and provide a detailed explanation that includes salary, State agency or university, and position title of each individual.

18. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) that is or was a registered lobbyist? \*

- Not applicable - Not-for-Profit Entity
- Not applicable - In question 1, I provided my entity's Federal 10K, 20F, 40F or 17\_CFR.229.401 equivalent information as an attachment.
- Not applicable - No individuals disclosed in question 1
- No
- Yes

Identify each applicable individual and provide a detailed explanation that includes salary, State agency or university, and position title of each individual.

19. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently have or in the previous 3 years had compensated employment by any registered election or re-election committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections? \*

- Not applicable - Not-for-Profit Entity
- Not applicable - In question 1, I provided my entity's Federal 10K, 20F, 40F or 17\_CFR.229.401 equivalent information as an attachment.
- Not applicable - No individuals disclosed in question 1
- No
- Yes

Identify each applicable individual and provide a detailed explanation that includes salary, State agency or university, and position title of each individual.

20. For the individuals disclosed above in question 1 and for sole proprietors, do any of them currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) who is or was a compensated employee of any registered election or reelection committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections? \*

- Not applicable - Not-for-Profit Entity
- Not applicable - In question 1, I provided my entity's Federal 10K, 20F, 40F or 17 CFR 229.401 equivalent information as an attachment.
- Not applicable - No individuals disclosed in question 1
- No
- Yes

Identify each applicable individual and provide a detailed explanation that includes salary, State agency or university, and position title of each individual.

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Chief Procurement Office for Higher Education  
**Certification of No Change**  
FY2016

This certification applies to:  Contract Renewal  Annual Recertification of multi-year contract (30 ILCS 500/50-2)

Project Title: \_\_\_\_\_  
Original Bulletin Reference #: \_\_\_\_\_ Original Bulletin Award Date: \_\_\_\_\_  
Contract #: \_\_\_\_\_ Contract Term: \_\_\_\_\_

**This certification is submitted on behalf of (submit one form for each entity as applicable):**

Vendor  Vendors Parent Entity(ies)  Subcontractor(s)  Subcontractors Parent Entity(ies)

Company Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_

I hereby certify that the information contained on the following forms originally submitted for the above referenced contract has not changed.  
 Financial Disclosures and Conflicts of Interest (30 ILCS 500/50-13 & 50-35)  
 Certifications

Information contained on the following forms originally submitted for the above referenced contract has changed.  
 I have attached the appropriate updated information or attached new forms.  
 Financial Disclosures and Conflicts of Interest (30 ILCS 500/50-13 & 50-35)  
 Certifications

My business has registered in the Illinois Procurement Gateway (IPG). As of the date of signature on this document, all information contained in my IPG registration is complete, true and accurate. The State of Illinois Chief Procurement Office approved the registration and provided the IPG registration number and expiration date disclosed below.  
IPG Registration #: \_\_\_\_\_ IPG Expiration Date: \_\_\_\_\_

**This certification is signed by an authorized officer or employee on behalf of the vendor and the affirmation of the accuracy of the financial disclosures is made under penalty of perjury.**

Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Phone: \_\_\_\_\_

Date: \_\_\_\_\_  
Title: \_\_\_\_\_  
Email: \_\_\_\_\_