

**IMPORTANT NOTE:**

All resulting contracts shall be in full compliance with the Illinois Procurement Code, 30 ILCS 500, and Illinois Public Act (P.A.) 96-0795, <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=096-0795>. The terms of this Act shall apply to the awarded vendor, contractor, bidder, offeror, respondent or proposer, hereinafter referred to as "vendor" and their subcontractors and may include but are not limited to disclosure of financial interests, annual certifications and filing of subcontracts.

The vendor shall include these terms in any subcontract and acknowledges that the State may declare any resultant contract void without penalty or obligation to pay additional compensation if any certifications are false or if a contract has been made in violation of the Procurement Code or other law.

If this is a multi-year contract, including the initial term and all optional renewals, the vendor shall reconfirm compliance with the certifications by July 1 of each year that the contract remains in effect. All subcontractors shall reconfirm compliance.

**ALTERATION/MODIFICATION OF ORIGINAL DOCUMENTS:** The vendor certifies that no alterations or modifications may be made to the original content of this bid, request for proposal (RFP) or other procurement documents (either text or graphics and whether transmitted electronically or hard copy). Any alternate or exceptions (whether to products, services, terms, conditions or other procurement document subject matter) are apparent and clearly noted in the offered response. The vendor understands that failure to comply with this requirement may result in the offer being disqualified and, if determined to be a deliberate attempt to misrepresent the offer, may be considered as sufficient basis to suspend or debar the violating party from consideration for future contract awards.

**BID-RIGGING/BID ROTATING LAW (720 ILCS 5/33E-3 and 5-33E-4):** The vendor certifies neither the vendor nor any person associated with it has been barred from contracting with a unit of state or local government as a result of violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961.

**BOYCOTT (P.A. 88-671):** (Pertains to orders which exceed \$10,000.) The vendor certifies neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of provisions of U.S. Export Administration Act of 1979 or the regulations of U.S. Department of Commerce promulgated under that Act.

**BRIBERY (30 ILCS 500/50-5):** The vendor certifies that it is not barred from being awarded a contract. Section 50-5 prohibits a vendor from entering into a contract with a state agency if the vendor has been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois or if the vendor has made an admission of guilt of such conduct which is a matter of record. The vendor further acknowledges that the Chief Procurement Officer (CPO) may declare the related contract void if this certification is false.

**BUSINESS ENTERPRISE PROGRAM (BEP) (P.A. 87-701):** A minority owned business is at least 51% owned by one or more minority persons, or in the case of a corporation, at least 51% of the stock which is owned by one or more minority persons and the management and daily operations of which are controlled by one or more of the minority individuals who own it. Minority shall mean a person who is a citizen or lawful permanent resident of the U.S. and who is Black, Hispanic, Asian American, American Indian, Alaskan Native, female or qualified disabled person. For clarification of ethnic categories, contact the BEP of the Illinois Department of Central Management Services (CMS).

\_\_\_\_\_ Check here if you have been certified by the BEP Division of CMS and indicate your BEP # \_\_\_\_\_.  
We reserve the right to verify this information with CMS.

**CERTIFICATION:** All parties to this contract certify that the provisions of the Architectural, Engineering and Land Surveying Qualifications Based Selection (QBS) Act were complied with.

**COLLUSION (30 ILCS 500/50-40, 50-45, 50-50):** The vendor shall report to the Illinois Attorney General and the CPO any suspected collusion or other anti-competitive practice among any vendor or employees of the State.

**CONFLICT OF INTEREST (30 ILCS 500/50-13) :** The vendor certifies it is not a State of Illinois employee, nor is any State of Illinois employee entitled to more than 7 ½%, or together with a spouse or minor child more than 15%, of the total distributable income of the seller. Check one:

\_\_\_\_\_ The vendor certifies that it is neither an employee of the State of Illinois (including EIU) nor the spouse or child of an employee of the State of Illinois (including EIU).

**OR**

\_\_\_\_\_ The vendor certifies that it is an employee of the State of Illinois (including EIU) or the spouse or child of an employee of the State of Illinois (including EIU). Indicate individual, relationship and agency or state department involved.

**CONFLICTING DOCUMENTS:** In the event of a conflict between the contract certifications and the contract or purchase order, whichever may be the case, these contract certifications shall control.

**DEBT DELINQUENCY (30 ILCS 500/50-11):** The vendor certifies that it, and any affiliate, is not barred from being awarded a contract under this statute. Section 50-11 prohibits a vendor from entering into a contract with a state agency if the vendor knows or should know that it, or any affiliate, is delinquent in the payment of any debt to the State as defined by the Debt Collection Board. The vendor

further acknowledges that the CPO may declare the related contract void if this certification is false.

**DISCLOSURE OF BUSINESS IN IRAN (P.A. 95-616): You must respond to the following request for information. Failure to respond shall disqualify your firm from consideration in this solicitation.**

**Does the following information apply to your firm? You must affix your signature below indicating whether the information does or does not apply to your firm.**

Within the 24 months before submission of the bid, offer or proposal, the vendor, proposing entity or any of its corporate parents or subsidiaries has had business operations that involved contracts with or provision of supplies or services to:

- (a) the Government of Iran;
- (b) companies in which the Government of Iran has any direct or indirect equity share;
- (c) consortiums or projects commissioned by the Government of Iran; or
- (d) companies involved in consortiums or projects commissioned by the Government of Iran;

**AND**

- (1) more than 10% of the company's revenues produced in, or assets located in, Iran involve oil-related activities or mineral-extraction activities; less than 75% of the company's revenues produced in, or assets located in, Iran involve contracts with or provision of oil-related or mineral-extraction products or services to the Government of Iran or a project or consortium created exclusively by that government; and the company has failed to take substantial action;

**OR**

- (2) the company has, on or after August 5, 1996, made an investment of \$20 million or more, or any combination of investments of at least \$10 million each that in the aggregate equals or exceeds \$20 million in any 12-month period, that directly or significantly contributes to the enhancement of Iran's ability to develop petroleum resources of Iran.

\_\_\_\_\_ **NO**, the above information does NOT apply to our firm.

\_\_\_\_\_ **YES**, the above information DOES apply to our firm. We understand that EIU is required to notify the State Comptroller of this disclosure.

**DRUG FREE WORKPLACE (30 ILCS 580):** Requires in part, that vendors with 25 or more employees shall provide a drug free workplace as provided in the Drug Free Workplace Act. These requirements apply to orders of \$5,000 or more.

**EDUCATIONAL LOANS (5 ILCS 385):** The vendor certifies this contract is not in violation of the Educational Loan Default Act prohibiting certain contracts to individuals who are in default on an educational loan.

**EMPLOYMENT STATUS:** The vendor certifies that if any of its personnel is an employee of the State of Illinois, they have permission from their employer to perform the service.

**ENVIRONMENTAL (30 ILCS 500/50-14):** The vendor certifies it has not been found by a court or the Pollution Control Board to have committed a willful or knowing violation of the Environmental Protection Act for a period of five years prior to the date of the bid or contract. The vendor acknowledges that EIU shall declare the contract void if this certification is false.

**EXCLUSIONS PARTY LIST:** The vendor certifies that neither it nor any of its employees or subcontractors who may provide services pursuant to this contract are currently subject of an investigation or proceeding to exclude it as a provider under Medicare, Medicaid, any other federal or state health care program or any third party insurance program, nor is it currently excluded or debarred from submitting claims to Medicare, Medicaid or other federal or state health care program or any third party insurer. The vendor represents and warrants it has checked the U.S. General Service Administration's (GSA) Excluded Party Listing System (EPLS), which lists parties excluded from federal procurement and non-procurement programs. The EPLS website includes GSA/EPLS, the U.S. Department of Health and Human Services (HHS) Office of Inspector General's (OIG) List of Excluded Individuals/Entities (LEIE) and the U.S. Department of Treasury's (Treasury) Specially Designated Nationals (SDN) list. The vendor also represents and warrants it has checked the Illinois Department of Public Aid (IDPA) OIG Provider Sanctions list of individuals and entities excluded from state procurement with respect to the vendor's employees and agents. See the following websites: <http://epls.arnet.gov> and <http://www.state.il.us/agency/oig/search.asp>. EIU shall terminate contract without penalty to EIU if the vendor becomes excluded during the life of this contract.

**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA):** Many student educational records are protected by FERPA and the written authorization of student(s) must be obtained before student data can be released to anyone. The vendor shall be required to ensure all work under the contract complies with FERPA and to indemnify and hold harmless EIU from any claims, complaints and/or causes of action arising from an alleged violation of FERPA.

**FELONY (30 ILCS 500/50-10):** The vendor certifies that it is not barred from being awarded a contract. Section 50-10 prohibits a vendor from entering into a contract with a state agency if the vendor has been convicted of a felony and five years have not passed from the completion of the sentence for that felony. The vendor further acknowledges that the CPO may declare the related contract void if this certification is false.

**FUNDING OUT CLAUSE:** Obligations of the State shall cease immediately without penalty or future payment being required if, in any fiscal year, the Illinois General Assembly or federal funding source fails to appropriate or otherwise make available funds for purchase.

**GOVERNING LAW:** Notwithstanding anything in the contract or purchase order to the contrary, this transaction shall be governed by the laws of the State of Illinois.

**HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) (45 CFR Parts 160 and 164):** The use and disclosure of patient health information and medical information is subject to compliance with applicable state and federal privacy laws. All uses and disclosure of protected health information shall be in compliance with the HIPAA of 1966 and its promulgated regulations. The vendor shall be required to indemnify and hold harmless EIU from any claims, complaints and/or causes of action arising from an alleged violation of HIPAA.

**ILLINOIS DEPARTMENT OF HUMAN RIGHTS (IDHR) PUBLIC CONTRACTS NUMBER:** If the vendor has employed fifteen or more full-time employees within the State of Illinois at any time during the term of this contract, then the vendor must have a current public contract number or have proof of having submitted a completed application. Complete the appropriate section below:

Name of Company (and \_\_\_\_\_  
D/B/A): \_\_\_\_\_  
IDHR Public Contracts \_\_\_\_\_ Expiration Date: \_\_\_\_\_  
Number: \_\_\_\_\_  
\_\_\_\_\_ (check if applicable) The number is not required as the company has employed 14 or less full-time employees in Illinois.

**ILLINOIS INFORMATION TECHNOLOGY ACCESSIBILITY ACT (IITAA) (P.A. 095-0307):** The vendor certifies all information technology, including electronic information, software, systems and equipment, developed or provided under any resulting contract must comply with the applicable requirements of the IITAA Standards as posted at <http://www.dhs.state.il.us/iitaa>.

**ILLINOIS USE TAX (30 ILCS 500/50-12):** The vendor certifies that it is not barred from being awarded a contract under this statute. Section 50-12 prohibits a vendor from entering into a contract with a state agency if the vendor, or any affiliate, has failed to collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of the Illinois Use Tax Act. The vendor further acknowledges that the CPO may declare the related contract void if this certification is false.

**INDEMNIFICATION:** The vendor shall defend, indemnify, keep and save harmless the Board of Trustees, its board members, representatives, officers, agents and employees, in both individual and official capacities, against all suits, claims, damages, losses and expenses, including attorney's fees, caused by, growing out of, or incidental to, performance of work under a contract by contractor or their subcontractors to the full extent which would render these provisions void or unenforceable. In event of any such injury (including death) or loss or damage, or claims therefore, contractor shall give prompt notice to owner.

**LABOR (30 ILCS 583/10):** The vendor certifies no foreign-made equipment, materials or supplies furnished to the State under the contract have been produced in whole or in part by forced labor, convict labor or indentured labor under penal sanction.

**LEAD POISONING ACT (P.A. 94-879):** if the vendor is the owner of residential rental property in Illinois, the vendor certifies that it has not committed a willful or knowing violation of the Illinois Lead Poisoning Prevention Act that has not been mitigated.

**OUT OF STATE PREFERENCES:** If you are an out-of-state vendor (not having an establishment for transacting business within Illinois), and if your state has a preference law favoring in-state vendors, what is the percentage preference? \_\_\_\_\_%

**PREVAILING WAGE(820 ILCS 130/3 et. seq.):** When applicable, all vendors must include payment of prevailing wages to all workers, in accordance with the Illinois Department of Labor, Rules and Regulations and the current Coles County Prevailing Wage rate table for Coles County, Illinois.

**PRINTING SERVICE (50 ILCS 520/10 & 30 ILCS 500/25-60):** If order is \$2,000 or more, employees producing the printing shall receive the prevailing wage rate and be working under conditions prevalent in the locality where the work is to be performed. Unless otherwise indicated, printing must be produced using soybean oil-based ink.

**PROCUREMENT OF DOMESTIC PRODUCTS ACT (P.A. 93-0954):**

**Check the statement below that applies to the articles you are offering in this bid/proposal:**

For the purpose of this question, "manufactured in the U.S." means in the case of assembled articles that final assembly occurred in the U.S.

\_\_\_\_\_ We certify that all offered articles were/shall be manufactured in the U.S. We understand that, if we are awarded a contract based on a preference for U.S. manufactured goods under the Procurement of Domestic Products Act, this certification shall become part of the contract. And, if we knowingly supply non-U.S. manufactured goods, we shall be subject to penalties that include debarment for five years, voiding of the contract and civil damages.  
\_\_\_\_\_ We are unable to certify that all offered articles were/shall be manufactured in the U.S.

**PROHIBITED POLITICAL CONTRIBUTION (30 ILCS 500/50-37):** The vendor (as "business entity") certifies that it shall not make a prohibited political contribution.

**PROHIBITED VENDORS (30 ILCS 500/50-10.5):** The vendor certifies that it is not barred from being awarded a contract. Section 50-10.5 prohibits a vendor from entering into a contract with a state agency if the vendor, or any officer, director, partner or other managerial agent of the vendor, has been convicted within the last five years of a felony under the Sarbanes-Oxley Act of 2002 or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953 or if the vendor is in violation of subsection (e). The vendor further acknowledges that the CPO shall declare the related contract void if this certification is false.

**PROHIBITION OF GOODS FROM CHILD LABOR (P.A. 94-0264):** The vendor certifies no foreign-made equipment, material or supplies furnished to the State of Illinois under the contract have been produced in whole or in part by the labor of any child under the age of twelve.

**RECORDS RETENTION (30 ILCS 500/20-65):** The vendor (and any subcontractors) shall maintain, for a minimum of three years after completion of contract, adequate books, records and supporting documents to verify amounts, receipts and uses of all disbursements of funds passing in conjunction with this contract. Records shall be available for review and audit by the Auditor General. If this order is funded from contract/grant funds provided by the U.S. Government, the order, books and records shall be available for review and audit by the Auditor General of the U.S. and/or the Inspector General of the federal sponsoring agency. The vendor further agrees to cooperate fully with any audit and to make the books and records available to the Auditor General, CPO, internal auditor and the purchasing agency. Failure to maintain records required by this provision shall establish a presumption in favor of the State for recovery of any funds paid by the State under contract for which adequate records are not available to support their purported disbursement.

**RECYCLED MATERIALS (30 ILCS 500/45-30):** When a public contract is to be awarded to the lowest responsible vendor, an otherwise qualified vendor who shall fulfill the contract through the use of products made of recycled materials may, on a pilot basis or in accordance with a pilot study, be given preference over other vendors unable to do so, provided that the cost included in the bid of products made of recycled materials is not more than 10% greater than the cost of products not made of recycled materials.

**RESPONSIBLE VENDOR REQUIREMENTS (P.A. 93-0642 – 30 ILCS 500/30-22):** To be considered a responsible vendor on a construction contract, a vendor must comply with all of the following requirements and must present satisfactory evidence of that compliance:

1. The vendor must comply with all applicable laws concerning the vendor's entitlement to conduct business in Illinois.
2. The vendor must comply with all applicable provisions of the Prevailing Wage Act.
3. The vendor must comply with Subchapter VI ("Equal Employment Opportunities") of Chapter 21 of Title 42 of the United States Code (U.S.C.) (42 U.S.C. 2000e and following) and with Federal Executive Order No. 11246 as amended by Executive Order No. 11375.
4. The vendor must have a valid Federal Employer Identification Number (FEIN), or if an individual, a valid Social Security Number (SSN).
5. The vendor must have a valid certificate of insurance showing the following coverage: general liability, professional liability, product liability, worker's compensation, completed operations, hazardous occupation and automobile.
6. The vendor and all vendor's subcontractors must participate in applicable apprenticeship and training programs approved by and registered with the United States (U.S.) Department of Labor's Bureau of Apprenticeship and Training.
7. The vendor must submit a signed affidavit stating that the bidder will maintain an Illinois office as the primary place of employment for persons employed in the construction authorized by the contract.

**REVOLVING DOOR (30 ILCS 500/50-30):** The vendor certifies that it is not in violation of the "Revolving Door" section of the Illinois Procurement Code.

#### STATE BOARD OF ELECTIONS CERTIFICATIONS (P.A. 95-971)

Any firm or individual who wishes to submit a bid or proposal in response to this solicitation must complete the certifications below. If you do not complete the certification below (and attach a copy of the certificate of registration from the State Board of Elections, if required), your bid or proposal cannot, by law, be accepted by EIU.

Note: If you conduct \$50,000 worth of business annually with the State of Illinois (state universities, CMS, IDOT, DCFS, etc.), you are required to register with the State Board of Elections and obtain from them a certificate confirming your registration. Responses to Invitations to Bid, RFPs, Requests for Information and all other types of procurement solicitations are included in the calculation of this \$50,000 annual amount whether you receive a resulting award or not. If you do less than \$50,000 worth of business annually, you are exempt from the registration requirement.

Refer to P.A. 95-971, which is available at <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=095-0971&GA=095> and the State Board of Elections website (<https://BEREP.elections.il.gov>) for more specific information on whether you are required to register or not.

You must check the line that applies to you. The vendor certifies that:

\_\_\_\_\_ The vendor is not required to register as a business entity with the State Board of Elections pursuant to Section 20-160 of the Procurement Code;

**OR**

\_\_\_\_\_ (a) The vendor has registered as a business entity with the State Board of Elections pursuant to Section 20-160 of the Procurement Code; (b) it has provided a copy of its Certificate of Registration with its response to this solicitation; and (c) it acknowledges a continuing duty to update its registration. **Note: You are required to provide a copy of your certificate of registration with your bid or proposal.**

**STEEL PRODUCTS (30 ILCS 565/):** (Pertains to orders of \$500 or more) The vendor certifies in accordance with the State of Illinois Steel Products Procurement Act that each contract for the construction, reconstruction, alteration, repair, improvement or maintenance of public works or more, made by a public agency shall contain a provision that steel products used or supplied in the performance of that contract or any subcontract shall be manufactured or produced in the U.S.

**SUBCONTRACTORS:** The vendor must indicate use of subcontractors. All subcontractors are required to complete Subcontractor Certifications and other required documentation. The vendor shall not utilize the services of a subcontractor in fulfilling its obligations under a contract without obtaining EIU's prior approval.

**SUBSTANCE ABUSE PREVENTION ON PUBLIC WORKS PROJECT ACT (P.A. 095-0635):** The vendor certifies that it is in compliance with this Act. The Act requires, in part, that a written substance abuse prevention program which meets or exceeds the program requirements of the Act be filed with EIU prior to commencement of any work. The Act also requires the program to be made available to the general public. The provisions of the Act apply only to the extent that there is not a collective bargaining agreement in effect dealing with the subject matter of the Act.

**SUCCESSOR VENDOR CLAUSE:** As provided in Section 25-80 of the Procurement Code, in order to be considered "responsible" under the Code any successor company to the winning vendor or vendor on a service contract (except for heating and air conditioning, plumbing or electrical services) must certify to EIU that it shall offer to assume the collective bargaining obligations of the prior employer relative to the services covered by the contract and shall offer employment to all employees of the prior employer who perform work similar to that covered by the contract.

**UNIVERSITY GOALS FOR CONTRACTING WITH MINORITIES, FEMALES AND PERSONS WITH DISABILITIES:** In support of the Business Enterprise Program (BEP, 30 ILCS 575 et. Seq, as amended) the University has established the goal of 20% of its contracts to be awarded to Minority (11%), females (7%) and disabled (2%) business. The University encourages minority, female and disabled business enterprises to compete for and participate in University contracts. The goals can be met by means of contracts let directly to minority, female and disabled business firms by the University or indirectly by the vendor ordering goods or services from minority, female and disabled firms when suppliers or subcontractors are need to fulfill the contract.

**UNLAWFUL DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY:** The vendor agrees to comply with applicable provisions of the Illinois Human Rights Act (775 ILCS 5), The U.S. Civil Rights Act, the Americans with Disabilities Act, Section 504 of the U.S. Rehabilitation Act and the rules applicable to each. The equal opportunity clause of Section 750.10 of the Illinois Department of Human Rights Rules is specifically incorporated herein. The vendor shall comply with Executive Order 11246, entitled "Equal Employment Opportunity", and its amendments and as supplemented by U.S. Department of Labor regulations (41 C.F.R. Chapter 60). The vendor agrees to incorporate this clause into all subcontracts under this order.

**U.S. CIVIL RIGHTS ACT/FEDERAL REHABILITATION ACT (SEC 504)/ AMERICANS WITH DISABILITIES ACT (42 U.S.C. and 12101 ET SEQ.):** The vendor, its employees and subcontractors shall comply with applicable provisions of the U.S. Civil Rights Act, Section 04 of the Federal Rehabilitation Act, the Americans with Disabilities Act and applicable rules in performance under this contract.

**VENDOR LEGAL AUTHORIZATION (30 ILCS 500/1.15.80, 20-43):** The vendor certifies it is a properly formed and existing legal entity; and as applicable, has obtained an assumed name certificate from the appropriate authority, or has registered to conduct business in Illinois and is in good standing with the Illinois Secretary of State.

**IF THIS CONTRACT IS FEDERALLY FUNDED, THE VENDOR CERTIFIES THAT:**

**BYRD ANTI-LOBBYING AMENDMENT (31 U.S.C. 1352):** (Pertains to contracts over \$100,000.) The vendor and its subcontractors certify that Federal appropriated funds have not and shall not be used to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant or any other award covered by 31 U.S.C. 1352. The vendor and its subcontractor(s) shall disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award.

**CLEAN AIR ACT (42 U.S.C. 7401 et seq.) AND THE FEDERAL WATER POLLUTION CONTROL ACT (33 U.S.C. 1251 et seq.) as amended:** (Pertains to contracts over \$100,000.) The vendor certifies that it and its subcontractor(s) comply with all applicable standards, orders or regulations issued pursuant to this Clean Air Act and this Federal Water Pollution Control Act.

**CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. 327-333)/ DAVIS-BACON ACT (40 U.S.C. 276A):** (Pertains to construction contracts over \$2,000 and mechanics and laborers contracts over \$2,500.) The vendor certifies that it complies with Sections 102 and 107 of the Contract Work Hours and Safety Standards Act. Section 102 requires the vendor to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours with compensation of 1 ½ times the basic rate of pay for all hours worked in excess of the 40 hours. Section 107 provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous.

**COPELAND "ANTI-KICKBACK" ACT (18 U.S.C. 874 AND 40 U.S.C. 276c):** (Pertains to construction or repair contracts over \$2,000.) The vendor and its subcontractors certify it complies with the Copeland Anti-Kickback Act which provides that each vendor or subcontractor is prohibited from inducing, by any means, any person employed in the construction, completion or repair of public work, to give up any part of the compensation to which they are otherwise entitled. The recipient shall report all suspected or reported violations to the Federal awarding agency.

**DEBARMENT AND SUSPENSION (E.O.s 12549 and 12689):** The vendor certifies that it is not debarred, suspended or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.

**RIGHT TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT (37 CFR part 401):** (Pertains to contracts for performance of experimental, developmental or research work.) Any resulting contract or agreement shall provide for the rights of the Federal Government and the recipient in any resulting invention.

**TAXPAYER IDENTIFICATION NUMBER (TIN):** For individuals and sole proprietors, this is your SSN. For other entities, it is the FEIN. The FEIN shall not be used for sole proprietorships. If you fail to furnish the correct TIN to EIU, you are subject to an IRS penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**LEGAL STATUS:** Under penalties of perjury, I certify \_\_\_\_\_ is my correct FEIN/SSN or I am waiting for a number to be issued to me, **and** I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding **and** I am a U.S. person (including a U.S. resident alien). I am doing business as a: (CHECK WHERE APPROPRIATE)

- |   |   |
|---|---|
| <input type="checkbox"/> Individual*  | <input type="checkbox"/> Pharmacy (Non Corp.)   |
| <input type="checkbox"/> Sole Proprietor*   | <input type="checkbox"/> Pharmacy/Funeral Home/Cemetery (Corp)                            |
| <input type="checkbox"/> Partnership/Legal Corporation*   | Other: _____  |
| <input type="checkbox"/> Tax Exempt   |   |
| <input type="checkbox"/> Corporation providing or billing medical and/or health care services     | <input type="checkbox"/> Limited Liability Company (select applicable tax classification) |
| <input type="checkbox"/> Corporation NOT providing or billing medical and/or health care services |   |
| <input type="checkbox"/> Governmental   | <input type="checkbox"/> D = disregarded entity   |
| <input type="checkbox"/> Nonresident Alien  | <input type="checkbox"/> C = corporation  |
| <input type="checkbox"/> Estate or Trust  | <input type="checkbox"/> P = partnership  |

If you are an individual, enter your name and SSN as it appears on your Social Security Card. If completing this certification for a sole proprietorship, enter the owner's name followed by the name of the business and the owner's TIN. For all other entities, enter the name of the entity as used to apply for the entity's TIN.

\*If you are an Individual, Sole Proprietor or Partnership/Legal Corporation you must complete MUST complete and return the attached W9 form.

COMPANY NAME \_\_\_\_\_ TELEPHONE \_\_\_\_\_ FAX \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ EMAIL \_\_\_\_\_

SIGNATURE \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

PRINT NAME \_\_\_\_\_

**WILLFULLY FALSIFYING CERTIFICATIONS OR AFFIRMATIONS MAY RESULT IN CRIMINAL PENALTIES INCLUDING FINES AND/OR IMPRISONMENT.**

**NOTE: EIU pays all invoices pursuant to the State of Illinois Prompt Payment Act (30 ILCS 540).**

**This form is mandatory. Be certain you have completed all necessary information and return all pages.**

**Small Business Identification**

If you are a small business as defined below please check the appropriate boxes. We are requesting this information in furtherance of Public Act 97-307, the Small Business Contracts Act, which establishes a goal of contracting with small businesses in Illinois.

“Small Business” means a business that (1) operates with an Illinois address, (2) pays Illinois income tax, (3) is independently owned and operated, (4) is not dominant in its field of operation, and (5) has annual sales and number of employees within the limits set below.

Please check the appropriate boxes.

- Wholesale business – annual sales for the most recently completed fiscal year cannot exceed \$10,000,000.
- Retail business or business selling services – annual sales and receipts cannot exceed \$6,000,000.00
- Construction business – annual sales and receipts cannot exceed \$10,000,000.
- Combination business (any combination of a wholesale, retail or construction) – the annual sales for each type of business in the combination may not exceed the corresponding amounts shown above.
- Manufacturing business – cannot employ more than 250 persons and may not have annual sales and receipts that exceed the above criteria. If a manufacturing business has been in existence for less than a full fiscal year, its average employment shall be calculated for the period through one month prior to the bid or proposal due date.

**Veteran Owned Small Business**

If you are a veteran owned small business check the space above. We are requesting this information in furtherance of 30 ILCS 500/45-57 of the Illinois Procurement Code.

I certify that the above information is true and correct and may not be used and relied upon when making procurement decisions and awards.

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

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Officer’s Signature: \_\_\_\_\_

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

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





## VENDOR DISCLOSURES

**Instructions:** Vendor shall disclose financial interests, potential conflicts of interest and contract information identified in Sections 1,2 and 3 below as a condition of receiving an award or contract (30 ILCS 500/50-13 and 50-35). Failure to fully disclose shall render the contract, bid, proposal, subcontract, or relationship voidable by the Chief Procurement Officer if s/he deems it in the best interest of the State of Illinois and may be cause for barring from future contracts, bids, proposals, subcontracts, or relationships with the State.

- There are five sections to this form and each must be completed to meet full disclosure requirements.
- Note: The requested disclosures are a continuing obligation and must be promptly supplemented for accuracy throughout the process and throughout the term of the resultant contract if the bid/offer is awarded. As required by 30 ILCS 500/50-2, for multi-year contracts Vendors must submit these disclosures on an annual basis.

A publicly traded entity may submit its 10K disclosure in satisfaction of the disclosure requirements set forth in Section 1 below. HOWEVER, if a Vendor submits a 10K, they must still complete Sections 2, 3, 4 and 5 and submit the disclosure form.

If the Vendor is a wholly owned subsidiary of a parent organization, separate disclosures must be made by the Vendor and the parent. For purposes of this form, a parent organization is an entity that owns 100% of the Vendor.

This disclosure information is submitted on behalf of (show official name of Vendor and if applicable, D/B/A and parent):

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

D/B/A (if used): \_\_\_\_\_

Name of any Parent Organization: \_\_\_\_\_

### Section 1: Section 50-35 Disclosure of Financial Interest in the Vendor. (All Vendors must complete this section)

Vendors must complete subsection (a), (b), or (c) below. Read the following subsections and complete the information requested.

A. If Vendor is a publicly traded corporation subject to SEC reporting requirements

- Vendor shall submit their 10K disclosure (include proxy if referenced in 10K) in satisfaction of the financial and conflict of interest disclosure requirements set forth in subsections 50-35 (a) and (b) of the Procurement Code. The SEC 20F or 40F, supplemented with the names of those owning in excess of 5% and up to the ownership percentages disclosed in those submissions, may be accepted as being substantially equivalent to 10K.

Check here if submitting a:                      10K                       20F                       40F

**OR**

B. If Vendor is a privately held corporation with more than 400 shareholders

- These Vendors may submit the information identified in 17 CFR 229.401 and list the names of any person or entity holding any ownership share in excess of 5% in satisfaction of the financial and conflict of interest disclosure requirements set forth in subsection 50-35 a and b of the Illinois Procurement Code.

**OR**

C. If Vendor is an individual, sole proprietorship, partnership, or any other not qualified to use subsections (A) or (B), complete (i) and (ii) below as appropriate.

i. For **each individual** having any of the following financial interests in the Vendor (or its parent), mark each that apply and show the applicable name and address. Use a separate form for each individual.

1. Do you have an ownership share of greater than 5% of the offering entity or parent entity?

Yes  No

2. Do you have an ownership share of less than 5%, but which has a value greater than \$106,477.20?

Yes  No

3. Do you receive more than \$106,447.20 of the offering entity's or parent entity's distributive income? (Note: Distributive income is, for these purposes, any type of distribution of profits. An annual salary is not distributive income.)

Yes  No

4. Do you receive greater than 5% of the offering entity's or parent entity's total distributive income, but which is less than \$106,447.20

Yes  No

5. If you responded yes to any of question 1 – 4 above, provide either the percentage or dollar amount of your ownership or distributive share of income \_\_\_\_\_. For partnerships with more than 50 partners, the percentage share of ownership of each individual identified above may be shown in the following ranges (dollar value fields must also be completed when applicable):

0.5% or less \_\_\_\_ >0.5 to 1.0% \_\_\_\_ >1.0 to 2.0% \_\_\_\_ >2.0 to 3.0% \_\_\_\_ >3.0 to 4.0% \_\_\_\_  
>4.0 to 5.0% \_\_\_\_ And in additional to 1% increments as appropriate %  
\_\_\_\_\_

6. If you responded yes to any of the questions 1 – 4 above, check the appropriate type of ownership / distributable income share:

Sole Proprietorship  Stock  Partnership  Other (explain)

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

Address: \_\_\_\_\_  
\_\_\_\_\_

ii. In relation to individuals identified above, indicate whether any of the following potential conflict of interest relationships apply. If “Yes” describe each situation (label with appropriate letter) using the space at the end of this Section (attach additional pages as necessary). If no individual has been identified above, mark not applicable (NA) here \_\_.

	Yes	No
(a) State employment, currently or in the previous 3 years, including contractual employment of services directly with the individuals identified in Section 1 in their individual capacity unrelated to the Vendor’s contract.	_____	_____
(b) State employment of spouse, father, mother, son, or daughter, including contractual employment for services in the previous 2 years.	_____	_____
(c) 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.	_____	_____
(d) Relationship to anyone holding elective office currently or in the previous 2 years; spouse, father, mother, son, or daughter.	_____	_____
(e) 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.	_____	_____
(f) Relationship to anyone holding appointive office currently or in the previous 2 years; spouse, father, mother, son, or daughter.	_____	_____
(g) Employment, currently or in the previous 3 years, as or by any registered lobbyist of the State government.	_____	_____
(h) Relationship to anyone who is or was a registered lobbyist in a previous 2 years; spouse, father, mother, son, or daughter.	_____	_____
(i) Compensated employment, currently or in the previous 3 years, by 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.	_____	_____
(j) 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 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.	_____	_____

**Section 2: Section 50-13 Conflicts of Interest** *(All Vendors must complete this section)*

- (a) Prohibition. It is unlawful for any person holding an elective office in this State, holding a seat in the General Assembly, or appointed to or employed in any of the offices or agencies of State government and who receives compensation for such employment in excess of 60% of the salary of the Governor of the State of Illinois (\$106,447.20), or who is an officer or employee of the Capital Development Board or the Illinois Toll Highway Authority, or who is the spouse or minor child of any such person to have or acquire any contract, or any direct pecuniary interest in any contract therein, whether for stationery, printing, paper, or any services, materials, or supplies, that will be wholly or partially satisfied by the payment of funds appropriated by the General Assembly of the State of Illinois or in any contract of the Capital Development Board or the Illinois Toll Highway Authority.
- (b) Interests. It is unlawful for any firm, partnership, association, or corporation, in which any person listed in subsection (a) is entitled to receive (i) more than 7 ½% of the total distributable income or (ii) an amount in excess of the salary of the Governor (\$177,412.00), to have or acquire any such contract or direct pecuniary interest therein.
- (c) Combined interests. It is unlawful for any firm, partnership, association, or corporation, in which any person listed in subsection (a) together with his or her spouse or minor children is entitled to receive (i) more than 15%, in the aggregate, of the total distributable income or (ii) an amount in excess of 2 times the salary of the Governor (\$354,824.00), to have or acquire any such contract or direct pecuniary interest therein.

Check One:  No Conflicts of Interest

- Potential Conflict of Interest (If checked, name each conflicted individual, the nature of the conflict, and the name of the State agency that is associated directly or indirectly with the conflicted individual.

**Section 3: Debarment/Legal Proceeding Disclosure** *(All Vendors must complete this section).*

Each of the persons identified in Sections 1, 2 and 3 must each identify any of the following that occurred within the previous 10 years:

	Yes	No
Debarment from contracting with any governmental entity	_____	_____
Professional licensure discipline	_____	_____
Bankruptcies	_____	_____
Adverse civil judgments and administrative findings	_____	_____
Criminal felony convictions	_____	_____

If any of the above is checked yes, identify with descriptive information the nature of the debarment and legal proceeding. The State reserves the right to request more information, should the information need further clarification.

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**Section 4: Disclosure of Business Operations with Iran** *(All Vendors must complete this section).*

In accordance with 30 ILCS 500/50-36, each bid, offer, or proposal submitted for a State contract, other than a small purchase defined in Section 20-20 [of the Illinois Procurement Code] shall include a disclosure of whether or not the bidder, offeror, or proposing entity or any of its corporate parents or subsidiaries, within the 24 months before submission of the bid, offer, or proposal had business operations that involved contracts with or provision of supplies or services to the Government of Iran, companies in which the Government of Iran has any direct or indirect equity share, consortiums, or projects commissioned by the Government of Iran and:

- (1) More than 10% of the company's revenues produced in or assets located in Iran involve oil-related activities or mineral-extraction activities; less than 75% of the company's revenues produced in or assets located in Iran involve contracts with or provision of oil-related or mineral-extraction products or services to the Government of Iran or a project or consortium created exclusively by that Government; and the company has failed to take substantial action;

**OR**

- (2) The company has, on or after August 5, 1996, made an investment of \$20 million or more or any combination of investments of at least \$10 million each that in the aggregate equals or exceeds \$20 million in any 12-month period that directly or significantly contributes to the enhancement of Iran's ability to develop petroleum resources of Iran.

A bid, offer, or proposal that does not include this disclosure shall not be considered responsive. We may consider this disclosure when evaluating the bid, offer, or proposal or awarding the contract.

You must check one of the following items and if item 2 is checked you must also make the necessary disclosure:

- There are no business operations that must be disclosed to comply with the above cited law.
- The following business operations are disclosed to comply with the above cited law:

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**Section 5: Current and Pending Contracts** *(All Vendors must complete this section).*

Does the Vendor have any contracts, pending contracts, bids, proposals, or other ongoing procurement relationship with units of the State of Illinois government by showing agency name and other descriptive information such as bid number, project title, purchase order number, or contract reference number.

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**Section 6: Representative Lobbyist/Other Agent** *(All Vendors must complete this section).*

Is the Vendor represented by or employing a lobbyist required to register under the Lobbyist Registration Act or other agent who is not identified under Section 1 and 2, and who has communicated, is communicating or may communicate with any State officer or employee concerning the bid, offer, or contract?

Yes  No

If yes, identify each agent / lobbyist, including name and address.

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Costs/Fees/Compensation/Reimbursements related to assistance to obtain contract (describe):

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Vendor certifies none of these costs will be billed to the State in the event of contract award. Vendor must file this information with the Secretary of State.

**This Disclosure is signed and made under penalty of perjury pursuant to section 500/50-13 and 500/50-35(a) of the Illinois Procurement Code.**

This Disclosure information is submitted on behalf of: \_\_\_\_\_  
(Vendor/Subcontractor Name)

Name of Authorized Representative: \_\_\_\_\_

Title of Authorized Representative: \_\_\_\_\_

Signature of Authorized Representative: \_\_\_\_\_ Date \_\_\_\_\_