

EASTERN ILLINOIS UNIVERSITY CERTIFICATIONS

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

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

ANTI-BRIBERY: Vendor certifies neither vendor nor any person associated with it has been convicted of bribery or attempting to bribe an officer or employee of this State nor has made admission of guilt of such conduct (30 ILCS 500/50-5(a)).

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

FELONY: The vendor certifies that it is not barred pursuant to 30 ILCS 500/50-10 from conducting business with the State of Illinois or any agency as a result of being convicted of a felony and also certifies in accordance with 30 ILCS 500/50-10.5 that no officer, director, partner or other managerial agent of the contracting business has been convicted 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 for a period of five years prior to the date of the bid or contract. The vendor acknowledges that the University shall declare the contract void if this certification is false.

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

RECORDS RETENTION: In accordance with 30 ILCS 500/20-65, vendor (and any subcontractors) shall maintain, for a minimum of 3 years after completion of Agreement, adequate books, records & supporting documents to verify amounts, receipts, & uses of all disbursements of funds passing in conjunction with this Agreement. Records shall be available for review & audit by 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 Comptroller General of the U.S. and/or the Inspector General of the federal sponsoring agency. Vendor agrees to cooperate fully with any such audit & shall provide full access to all relevant materials. Failure to maintain records required by this provision shall establish a presumption in favor of the State for recovery of any funds paid by State under Agreement for which adequate records are not available to support their purported disbursement.

BOYCOTT: In accordance w/Public Act 88-671, 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. This certification applies only to purchase orders which exceed \$10,000.

UNLAWFUL DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY: 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 Contractor 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 Contractor agrees to incorporate this clause into all subcontracts under this order.

CONFLICT OF INTEREST: Vendor certifies it is not a State of Illinois employee, nor is any State of Illinois employee entitled to more than seven & one half percent (7 ½%), or together with a spouse or minor child more than fifteen percent (15%), of the total distributable income of Seller (30 ILCS 500/50-13).

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.

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

PREVAILING WAGE: 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 Prevailing Wage Rate Table for Coles County, Illinois (820 ILCS 130/3 et. seq.).

LABOR CERTIFICATION: The vendor certifies in accordance with 30 ILCS 583/10 that 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.

ENVIRONMENTAL CERTIFICATION: The vendor certifies in accordance with 30 ILCS 500/50-14 that 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 the University shall declare the contract void if this certification is false.

LEAD POISONING ACT: Pursuant to P.A. 94-879, if vendor [contractor, bidder, proposer] is the owner of residential rental property in Illinois, vendor [contractor, bidder, proposer] certifies that it has not committed a willful or knowing violation of the Illinois Lead Poisoning Prevention Act that has not been mitigated.

PRICES: The commodities and/or services furnished on this order shall not exceed those charged to your most favored customer for like commodities and/or services under similar circumstances.

RECYCLED MATERIALS (30 ILCS 500/45-30): When a public contract is to be awarded to the lowest responsible bidder, an otherwise qualified bidder who will 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 bidders 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.

DEBT CERTIFICATION: The vendor certifies that it, or any affiliate, is not barred from being awarded a contract under 30 ILCS 500. Section 50-11 prohibits a person from entering into a contract with a State agency if it 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. Section 50-12 prohibits a person from entering into a contract with a State agency if it, 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 University may declare the contract void if the preceding certification is false or if the vendor, or any affiliate, is determined to be delinquent in the payment of any debt to the State during the term of the contract.

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PROHIBITION OF GOODS FROM CHILD LABOR: The vendor certifies in accordance with Public Act 94-0264 that no foreign-made equipment, material, or supplies furnished to the State under the contract have been produced in whole or in part by the labor of any child under the age of 12.

PLEASE NOTE: Eastern Illinois University pays all invoices in accordance with the State of Illinois Prompt Payment Act (30 ILCS 540).

STEEL PRODUCTS: Contractor/vendor certifies in accordance with the State of Illinois Steel Products Procurement Act (30 ILCS 565/) that each contract for the construction, reconstruction, alteration, repair, improvement or maintenance of public works of \$500 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 United States.

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 bidder or offer or on a service contract (except for heating and air conditioning, plumbing, or electrical services) must certify to the University 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.

INFORMATION TECHNOLOGY ACCESSIBILITY ACT: Vendor certifies all information technology, including electronic information, software, systems and equipment, developed or provided under this contract must comply with the applicable requirements of the Illinois Information Technology Accessibility Act Standards (Public Act 095-0307).

MINORITY OWNED BUSINESS means a business concern which 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 & the management & 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 United States & who is Black, Hispanic, Asian American, American Indian or Alaskan Native. For clarification of ethnic categories, contact the Minority & Female Business Enterprise Division of the Illinois Department of Central Management Services (CMS). New State of Illinois legislation (Public Act 87-701) amends the BEP Act to include qualified disabled persons as a minority group.

_____ Check here if you have been certified by the Minority & Female Business Enterprise Division of the IL Dept of Central Management Services & show your BEP # _____. We reserve the right to verify this information with CMS.

Public Act 87-701 states the BEP goal for State contracts is 19 % and requires that at least 1/6 of the total amount of State contracts awarded under the BEP Act shall be awarded to businesses controlled at least 51 percent owned by disabled persons, or to not-for-profit agencies employing disabled persons. ****WE ARE REQUIRED BY STATE LAW TO PROVIDE THIS INFORMATION TO THE MINORITY & FEMALE BUSINESS ENTERPRISE DIVISION.****

TAXPAYER IDENTIFICATION NUMBER (TIN): Enter taxpayer identification number in appropriated space on Bid Form. For individuals & sole proprietors, this is social security number. For other entities, it is employer identification number. Federal Employer Identification number (FEINs) must not be used for sole proprietorships. If you fail to furnish correct TIN to Agency, you are subject to an IRS penalty of \$50 for each such failure unless your failure is due to reasonable cause & not to willful neglect.

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

LEGAL STATUS: Under penalties of perjury, I certify _____ is my correct Federal Taxpayer Identification/Social Security Number 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)

- Individual
- Sole Proprietor
- Partnership/Legal Corporation
- Tax Exempt
- Corporation providing or billing medical and/or health care services
- Corporation NOT providing or billing medical and/or health care services
- Governmental
- Nonresident alien
- Estate or Trust
- Pharmacy (Non Corp.)
- Pharmacy/Funeral Home/Cemetery (Corp)

- Other: _____
- Limited Liability Company (select applicable tax Classification.)
 - D = disregarded entity
 - C = corporation
 - P = partnership

DISCLOSURE OF BUSINESS IN IRAN: P.A. 95-616 added to Section 50-36 of the Procurement Code, effective January 1, 2008. **You must respond to the following request for information. Failure to respond will 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 bidder, offeror, or 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;

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(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 the University is required to notify the State Comptroller of this disclosure.

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 United States" means in the case of assembled articles that final assembly occurred in the United States.

- ___ We certify that all offered articles were/will be manufactured in the United States.
We understand that, if we are awarded a contract based on a preference for US manufactured goods under the Procurement of Domestic Products Act (PA 93-0954), this certification will become part of the contract. And, if we knowingly supply non-US manufactured goods, we will be subject to penalties that include debarment for 5 years, voiding of the contract, and civil damages.
- ___ We are unable to certify that all offered articles were/will be manufactured in the United States.

State Board of Elections Registration (P.A. 95-971): You must check the line that applies to you. The bidder/proposer certifies that:

- ___ it 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) it 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; (c) it has submitted a copy of its Certificate of Registration to the Chief Procurement Officer for Higher Education; and (d) it acknowledges a continuing duty to update its registration.

The bidder/proposer also acknowledges that any contracts entered into with bidder/proposer are voidable by the University if bidder/proposer fails to comply with the requirements of Section 20-160 of the Procurement Code.

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 SSN or EIN. For all other entities, enter the name of the entity as used to apply for the entity's EIN and the EIN.

COMPANY NAME _____ TELEPHONE _____ FAX _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____ EMAIL _____

SIGNATURE _____ Title _____ Date _____

PRINT NAME _____

This form is mandatory. Be certain you have completed all necessary information.