



OFFICE OF STATEWIDE PRETRIAL SERVICES VENDOR BID CERTIFICATIONS

All vendors submitting bids on contracts with the Office of Statewide Pretrial Services must complete the following disclosures and certifications.

I. DISCLOSURES

CONFLICTS OF INTEREST. Sections 50-13 and 50-35 of the Office of Statewide Pretrial Services' Procurement Code require that vendors desiring to enter into certain contracts with the State of Illinois must disclose financial and potential conflict of interest information specified below as a condition of receiving an award or contract.

If the Vendor is a wholly owned subsidiary of a parent organization, separate disclosures (Sections 2, 3, and 4 below) must be made by the Vendor and the parent. For purposes of this form, a parent organization is any entity that owns 100% of the Vendor. When determining ownership or distributive income shares, use the most current information that you consider reliable, but in no event for a period before your last completed fiscal period. A designee may submit this form on behalf of the vendor (or its parent). However, that person must have verified the information with each affected individual.

Vendor Information. This disclosure information is submitted on behalf of (show official name of Vendor, and if applicable, DBA and parent):

(Name of vendor): _____

(DBA, if used): _____

(Name of any parent organization): _____

Address: _____

Contact Person:

Name: _____

Title: _____

Address: _____

Phone/Fax: _____

Section 1:

Sec. 50-13 Conflicts of Interest.

- 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 **\$136,080**, 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 **\$226,800.00**, 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 **\$453,600.00**, to have or acquire any such contract or direct pecuniary interest therein.
- D. Securities.** Nothing in this Section invalidates the provisions of any bond or other security previously offered or to be offered for sale or sold by or for the State of Illinois.

E. Prior interests. This Section does not affect the validity of any contract made between the State and an officer or employee of the State or member of the General Assembly, his or her spouse, minor child or any combination of those persons if that contract was in existence before his or her election or employment as an officer, member, or employee. The contract is voidable, however, if it cannot be completed within 365 days after the officer, member, or employee takes office or is employed.

F. Exceptions.

- (1) **Public aid payments.** This Section does not apply to payments made for a public aid recipient.
- (2) **Teaching.** This Section does not apply to a contract for personal services as a teacher or school administrator between a member of the General Assembly or his or her spouse, or a State officer or employee or his or her spouse, and any school district, public community college district, or State University.
- (3) **Ministerial duties.** This Section does not apply to a contract for personal services of a wholly ministerial character, including but not limited to services as a laborer, clerk, typist, stenographer, page, bookkeeper, receptionist, or telephone switchboard operator, made by a spouse or minor child of an elective or appointive State officer or employee or of a member of the General Assembly.
- (4) **Child and family services.** This Section does not apply to payments made to a member of the General Assembly, a State officer or employee, his or her spouse or minor child acting as a foster parent, homemaker, advocate, or volunteer for or in behalf of a child or family served by the Department of Children and Family Services.
- (5) **Licensed professionals.** Contracts with licensed professionals, provided they are competitively bid or part of a reimbursement program for specific, customary goods and services through the departments of Children and Family Services, Human Services, Public Aid, Public Health, or Aging.

CHECK ONE:

- _____ No Conflict 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 2: Disclosure of Financial Interest in the Vendor

All vendors, except for publicly traded corporations subject to SEC reporting requirements must complete subsection "A", below. Publicly traded corporations may complete subsection "B".

A. General disclosure. For each individual having any of the following financial interests in the vendor (or its parent), please mark each that apply and show the applicable name and address. Then complete Sections 3 and 4. If no individual has any of the following financial interests in the vendor (or its parent), check this blank _____, skip Section 3, but complete Section 4.

- Ownership exceeding 5% _____
- Ownership value exceeding \$106,447.20 _____
- Distributive Income Share exceeding 5% _____
- Distributive Income Share exceeding \$106,447.20 _____

Name: _____

Address: _____

For each individual identified above, show:
the dollar value of the ownership interest: \$ _____

or
the proportionate share of the ownership interest: _____ %*

and
the type of ownership/distributable income share:
sole proprietorship _____ stock _____ partnership _____ other (explain) _____

* For partnerships with more than 50 but fewer than 400 partners, the proportionate share of ownership interest of each individual identified above may be shown in the following ranges:

1% _____ 1 up to 2% _____ 2 up to 3% _____ 3 up to 4% _____
4 up to 5% _____ and in additional 1% increments as appropriate _____ %

For partnerships with more than 400 partners, the proportionate share of ownership may be shown in the following ranges:

0.5% or less _____ >0.5 to 1.0% _____ >1.0 to 1.5% _____
and as appropriate in additional 0.5 increments _____ %

B. Publicly traded corporations subject to SEC reporting requirements. These Vendors may 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 Office of Statewide Pretrial Services Procurement Code. FORM 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. Vendor may skip Section 3 of this form, but must complete Section 4.

check here if submitting a 10k _____, 20f _____, or 40f _____.

Section 3: Disclosure of Potential Conflicts of Interest.

For each individual having the level of financial interest identified in Section 2(a) above, indicate which, if any, of the following potential conflict of interest relationships apply. If "Yes," please describe each situation (label with appropriate letter) using the space at the end of Section 3 (attach additional pages as necessary).

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. Identify contracts with the VENDOR in Section "4".	Yes ____	No ____
B.	State employment of spouse, father, mother, son, or daughter, including contractual employment for services in the previous 2 years.	Yes ____	No ____
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.	Yes ____	No ____
D.	Relationship to anyone holding elective office currently or in the previous 2 years; spouse, father, mother, son or daughter.	Yes ____	No ____
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.	Yes ____	No ____
F.	Relationship to anyone holding appointive office currently or the previous 2 years; spouse, father, mother, son or daughter.	Yes ____	No ____
G.	Employment, currently or in the previous 3 years, as or by any registered lobbyist of the State government.	Yes ____	No ____
H.	Relationship to anyone who is or was a registered lobbyist in the previous 2 years; spouse, father, mother, son or daughter.	Yes ____	No ____
I.	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.	Yes ____	No ____
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 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 ____

Explanation of potential conflicts of interest:

Section 4: Current and Pending Contracts and Offers (bids and proposals).

- A. VENDOR shall identify each contract it has with other units of State of Illinois government by showing agency name and other descriptive information such as purchase order or contract reference number (attach additional pages as necessary). Show "none" if appropriate.
- B. VENDOR shall identify whether it has pending contracts (including leases), bids, proposals, or other ongoing procurement relationships with other units of State of Illinois government by showing agency name and other descriptive information such as bid or project number (attach additional pages as necessary). Show "none" if appropriate.

BUSINESS WITH IRAN. Section 50-36 of the Office of Statewide Pretrial Services Procurement Code requires that VENDORS desiring to submit any bid, offer or proposal for a State contract disclose 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, or 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.

CHECK ONE:

- _____ No business with Iran as defined in Section 50-36.
- _____ Business with Iran as defined in Section 50-36. If checked, identify company and explain time frame and nature of said business with Iran.

II. CERTIFICATIONS

- A. VENDOR, its employees and subcontractors will comply with applicable provisions of the U.S. Civil Rights Act, Section 504 of the Federal Rehabilitation Act, the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and applicable rules in performance under this contract.
- B. VENDOR is not in default on an educational loan (5 ILCS 385/3).
- C. VENDOR has informed the Director of the OSPS in writing if he/she was formerly employed by that agency and has received an early retirement incentive prior to 1993 under section 14-108.3 or 16-133.3 of the Illinois Pension Code, and acknowledges that contracts made without the appropriate filing with the Auditor General are not payable from the "contractual services" or other appropriation line items. VENDOR has not received an early retirement incentive in or after 2002 under section 14-108.3 or 16-133.3 of the Illinois Pension Code, and acknowledges that contracts in violation of Section 15a of the State Finance Act are not payable from the "contractual services" or other appropriation line items (**30 ILCS 105/15a**).
- D. VENDOR has not been convicted of bribing or attempting to bribe an officer or employee of the State of Illinois or any other State, nor has made an admission on the record of having so bribed or attempted to bribe (Section 50-5 of the Office of Statewide Pretrial Services Procurement Code).
- E. If VENDOR has been convicted of a felony, at least five years have passed after 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 (Section 50-10 of the Office of Statewide Pretrial Services Procurement Code).
- F. VENDOR, or any affiliate, is not delinquent in the payment of any debt to the State (or if delinquent has entered into a deferred payment plan to pay the debt), and VENDOR acknowledges that the OSPS Director may declare the contract void if this certification is false (**Section 50-11 of the Office of Statewide Pretrial Services Procurement Code**) or if VENDOR, or any affiliate, later becomes delinquent and has not entered into a deferred payment plan to pay off the debt (**Section 50-60 of the Office of Statewide Pretrial Services Procurement Code**).
- G. VENDOR has not paid any money or valuable thing to induce any person to refrain from bidding on a State contract, nor has VENDOR accepted any money or other valuable thing, or acted upon the promise of same, for not bidding on a State contract (**Section 50-25 of the Office of Statewide Pretrial Services Procurement Code**).
- H. VENDOR is not in violation of the "Revolving Door" section of the Office of Statewide Pretrial Services Procurement Code (**Section 50-30 of the Office of Statewide Pretrial Services Procurement Code**).
- I. VENDOR will report to the Illinois Attorney General and the Chief Procurement Officer any suspected collusion or other anticompetitive practice among any bidders, offerors, contractors, proposers or employees of the State (**Sections 50-40, 50-45, 50-50 of the Office of Statewide Pretrial Services Procurement Code**).
- J. Pursuant to the Drug Free Workplace Act, VENDOR will provide a drug free workplace, and an individual shall not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the performance of the CONTRACT. This certification applies to contracts of \$5000 or more with individuals; and to entities with twenty-five (25) or more employees (**30 ILCS 580**).
- K. Neither VENDOR nor any substantially owned affiliate is participating or shall participate in an international boycott in violation of the U.S. Export Administration Act of 1979 or the applicable regulations of the U.S. Department of Commerce.

This certification applies to Contracts that exceed \$10,000 **(30 ILCS 582)**.

- L.** VENDOR has not been convicted of the offense of bid rigging or bid rotating or any similar offense of any State or of the United States **(720 ILCS 5/33E-3, 5/33E-4)**.
- M.** VENDOR complies with the Illinois Department of Human Rights Act and rules applicable to public contracts, including equal employment opportunity, refraining from unlawful discrimination, and having written sexual harassment policies **(775 ILCS 5/2-105)**.
- N.** VENDOR does not pay dues to, or reimburse or subsidize payments by its employees for any dues or fees to any "discriminatory club" **(775 ILCS 25/2)**.
- O.** VENDOR certifies that he/she/it is not barred from being awarded a contract under Section 50-14 of the Office of Statewide Pretrial Services Procurement Code. Section 50-14 prohibits bidding on or entering into contracts with the Office by a person or business found by a court or the Pollution Control Board to have committed a willful or knowing violation of Section 42 of the Environmental Protection Act for a period of five years from the date of the order. Vendor acknowledges that the OSPS Director may declare the contract void if this certification is false.
- P.** Each business entity (i) whose aggregate bids and proposals on State contracts annually total more than \$50,000, (ii) whose aggregate bids and proposals on State contracts combined with the business entity's aggregate annual total value of State contracts exceed \$50,000, or (iii) whose contracts with State agencies, in the aggregate, annually total more than \$50,000 shall register with the State Board of Elections in accordance with Section 9-35 of the Election Code.

CHECK ONE:

_____ VENDOR is not required to register as a business entity with the State Board of Elections pursuant to Section 20-160 of the Office of Statewide Pretrial Services Procurement Code (same as section 20-160 of the Illinois Procurement Code (30 ILCS 500/20- 160))

_____ VENDOR has registered as a business entity with the State Board of Elections and acknowledges a continuing duty to update the registration pursuant to Section 20-160 of the Office of Statewide Pretrial Services Procurement Code (same as section 20-160 of the Illinois Procurement Code (30 ILCS 500/20-160)).

- Q.** VENDOR certifies that it is not barred from being awarded a contract under 30 ILCS 500/50-10. 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 5 years have not passed from the completion of the sentence for that felony. Vendor further acknowledges that the OSPS Director may declare the related contract void if this certification is false.
- R.** VENDOR certifies that Vendor, or any affiliate, is not barred from being awarded a contract under 30 ILCS 500/50-12. Section 50-12 of the Illinois Procurement Code prohibits a vendor from entering into an agreement if 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 (35 ILCS 105/1 et seq.). Vendor further acknowledges that the Director of the Office of Statewide Pretrial Services may declare the agreement void if this certification is false or if Vendor, or any affiliate, is determined to be delinquent in the payment of any debt to the State during the term of this agreement.

THE UNDERSIGNED PERSON AFFIRMS, UNDER PENALTIES OF PERJURY, THAT HE OR SHE IS AUTHORIZED TO EXECUTE THE DISCLOSURES AND CERTIFICATIONS CONTAINED HEREIN ON BEHALF OF THE VENDOR.

Signature

Type/Print Title

Type/Print Name

Date

*** A copy of the Office of Statewide Pretrial Services Procurement Code is available upon written request.*