

**REQUEST FOR PROPOSAL
TO PROVIDE PROFESSIONAL SERVICES**

Relating to

State of Illinois Shared Services Consulting Services

**Issued by the
State of Illinois
Executive Office of the Governor
Governor's Office of Management and Budget**

August 3, 2005

PROPOSAL DUE BY 5:00 PM (CDT), August 24, 2005

**Governor's Office of Management and Budget
603 Stratton
Springfield, Illinois 62706**

**REQUEST FOR PROPOSALS (RFP) TO PROVIDE
PROFESSIONAL SHARED ADMINISTRATIVE SERVICES MODELLING AND
CONSULTING SERVICES TO THE
STATE OF ILLINOIS**

I. INTRODUCTION AND GENERAL INFORMATION

The State of Illinois (the "State"), through the Governor's Office of Management and Budget ("GOMB"), is requesting proposals for assistance in modeling the feasibility of the creation of a shared administrative services model. GOMB is responsible for, among other duties, the development, implementation and management of initiatives to increase the operational efficiency of State agencies and organizations. GOMB often needs expert assistance to assist the State in creating opportunities to increase efficiencies and reduce operating and administrative costs.

Over the past three state fiscal years, the State of Illinois has increased the productivity of state administrative functions by undertaking a major reconstruction and centralization of certain statewide administrative functions. GOMB believes that establishing a shared services model for certain administrative functions will provide additional efficiencies to the State while also improving service delivery and service quality.

The services of a firm selected under this RFP (the "Shared Services Advisor") are expected to be provided through a contract extending to December 31, 2005, subject to early termination as provided in such contract. This contract can be extended at the State's option for up to two three-month extensions. The State reserves the right to issue additional RFPs and enter into additional contracts for these or any other types of services during this time period. Additionally, the State reserves the right to assign certain of its obligations (not related to the Scope of Services) under the contract entered into pursuant to this RFP to one or more State agencies or entities, as may be appropriate.

*Proposals must be received no later than 5:00 p.m. (Central Daylight Savings Time), August 24, 2005 to be considered. Bidders may submit electronic copies of their proposals in Adode.pdf format only in lieu of hard copy for purposes of the submission deadline, provided that the required hard copies described below are transmitted to the State with a postmark or other relevant unalterable third-party delivery confirmation of transmission of not later than the deadline set forth above. Electronic copies are to be transmitted to "rfp_responses@omb.state.il.us". Do not submit any fee-related bid information in electronic form, and hard copy of all required sealed fee-related bid information described in this RFP must be received by GOMB at either the Springfield or Chicago address set forth below by the 5:00 p.m., August 24, 2005 deadline. The State will retain, and is under no obligation to return, all materials submitted in response to this request. Firms mailing a proposal should allow sufficient mail delivery time to ensure timely receipt. Failure to furnish all information may disqualify a proposal. Four hard copies of your proposal (**limited to 10 pages, including any appendices you create but excluding the appendices, certifications and disclosures required herein**) should be submitted to either the Springfield or Chicago offices of GOMB care of Shared Services RFP Responses, Governor's Office of Management and Budget at 603 Stratton Building, Springfield, Illinois 62706 or J.R. Thompson Center, Suite 15-100, 100 West Randolph Street, Chicago, Illinois 60601. **Please provide one copy of your proposal unbound among the four hard copies.** Failure to provide all requested information or otherwise comply with these provisions may disqualify your proposal.*

Parties that intend to respond are asked to confirm receipt of the entire RFP document via fax at (217) 524-4876, attention: "Shared Services RFP Responses" no later than August 24, 2005. GOMB plans to select finalist(s) as soon as possible after the RFP submission deadline.

In the discretion of OMB, if appropriate and advisable, there will be a bidders' conference call to address any questions about this RFP tentatively scheduled for August 10, 2005.

Please watch the GOMB website (www.state.il.us/budget) for time and location details on this conference call, and any other additional information regarding this RFP.

This RFP (including certifications) also is available on GOMB's website or on the Illinois Procurement Bulletin at www.purchase.state.il.us. The State may also post of its website of send out supplemental information before the response date to firms indicating intent to respond. The State is not liable for any costs incurred by respondents in replying to this RFP and reserves the right to reject any and all proposals with or without cause.

II. PROJECT GOALS

- A. To develop a feasibility review and a business plan for the implementation of certain shared administrative services models on a statewide basis.
- B. To achieve meaningful and sustainable economic efficiencies within the first year of implementation of such a model, with incremental growth in efficiencies and cost reductions continuing over a multi-year implementation period.
- C. Through the implementation of the shared services model, to improve quality of service delivery to state agencies from clustered or regional administrative functions and accordingly improve delivery of core services by these agencies to their clients.
- D. To obtain benchmarking data to measure the performance of shared services models versus centralized service delivery models to client agencies.

III. SCOPE OF SERVICES

GOMB seeks consulting services to provide the benchmarking data, implementation strategies and efficiency analysis for various shared services concepts so that GOMB may develop a multi-year business plan relating to the development and implementation of a statewide shared services model.

For each project described below, GOMB will retain the sole discretion to determine whether the Vendor will perform any services set forth in any plan of work developed by the Vendor and/or GOMB.

These services are expected to include:

- 1) ***Statement of Objectives*** - Development of a Statement of Objectives which will identify the potential goals and expectations of a shared services model for state agencies. The Statement of Objectives will contain at least sufficient detail to determine the parameters of additional services described below;
- 2) ***Identification of Opportunities*** - Review and quantification of the value of economic efficiencies associated with a shared services model. The scope of this identification will be determined in accordance with the Statement of Objectives described above. The identification of opportunities shall quantify anticipated value of savings opportunities associated with each component outlined in the Statement of Objectives and present a thorough cost/benefit analysis of each component;
- 3) ***Benchmarking Data*** - Review State programs and processes, as well as those of selected comparable states and other entities to determine appropriate benchmarks for shared services outcomes. Service categories to be benchmarked shall be those outlined in the Statement of Objectives;

- 4) ***Development of Shared Services Model*** - In conjunction with the Implementation Plan described above, develop an organizational model for shared services on which the State's business plan for a shared services model may be based; and
- 5) ***Implementation Plan*** - Based upon the model set forth above and those opportunities identified by the activities set forth herein, provide detailed analysis of the process changes needed to implement identified savings and of the manner in which identified savings can be actualized. Identify any additional resources required by the State for the model, such as technology upgrades, as well as any changes needed in legislation, regulation, agency policies and procedures to realize identified opportunities. The project design must encompass implementation, initial operation and ongoing operation of each project.

No work shall be commenced without the prior approval of GOMB. All work is to be performed to meet anticipated deadlines and provide deliverables in advance of various budgeting process milestones, often under significant time constraints.

IV. RESPONSE TO REQUEST FOR PROPOSALS

All respondents must respond to questions A through F. **Respondents must present proposals in the same sequence and with the same letter scheme as in this Section IV.**

- A. Describe your firm and its capabilities, highlighting prior involvement with the State of Illinois, the State's administrative operations and/or other operations of comparable size and complexity. Identify similar projects that your firm has overseen, providing reference names and contact information of clients for which your firm undertook similar projects. Expound upon your subject matter expertise as it would apply to the matters described in the Scope of Services portion of this RFP. Clearly indicate any current or past contracts your firm has held to provide advisory services of a similar nature to GOMB or any other State entities.
- B. Provide a list of your firm's relevant clients, especially any government pension funds. Identify any shared services model design and implementation engagements in the last three years. If applicable, summarize the most recent engagement.
- C. Identify the person or persons in your firm who would be the project leader(s) and team members for work under this RFP, and describe in detail each person's background, including their educational and professional background, their professional certifications, and their knowledge of and experience in working with government operations and administrative services. Provide a staffing plan for work under this RFP, and indicate the roles and responsibilities of each assigned individual.
- D. Detail any criminal investigation, indictment, prosecution or other proceeding that has ever been brought against your firm (provide attachment if necessary). Also describe any civil litigation pending or concluded within the last three years against your firm (provide attachments if necessary). Also describe the nature of any conflicts of interest that you believe exist or may arise.
- E. Summarize your firm's anti-discrimination and affirmative action/equal opportunity policies. Summarize your firm's female and minority employment practices, including the number of women, minority and disabled professionals in your firm and if they would be used to provide services to the State.

F. Provide one copy only of fee-related information in a separate sealed envelope as required by the Illinois Procurement Code. The pricing for your bid should be formulated in three alternatives: 1) with a schedule of hourly rates for professionals whom you believe would be assigned to the matters covered by this RFP, 2) on the basis of a single blended hourly rate for all professionals (regardless of level) to be assigned to the matters covered by this RFP, and 3) as a single fixed fee for the engagement. All out-of-pocket expenses approved in advance by GOMB under the contract issued pursuant to this RFP will be reimbursed at actual cost. Do not include any reference to fees in the body of your RFP response. Your firm name should be clearly labeled on the outside of your bid envelope. Failure to comply with these provisions may result in disqualification of your firm.

V. EVALUATION AND SELECTION PROCESS

Responses to the RFP will be evaluated on the responses to A through F above, and the following criteria: the qualifications of the responding firms and the assigned individual(s), with emphasis on knowledge of and experience with shared services model design and implementation under circumstances similar to those described in this RFP, and ability to provide low cost quality service to the State. Fees and services may be subject to negotiation.

A point ranking system or other evaluation methods are tools GOMB often, but not always, uses to aid it in the evaluation process. GOMB reserves the right to use its discretion to eliminate offers that are deemed unacceptable.

We will determine how well offers satisfy the scope of services required from the Vendor in terms of “responsiveness” to the requirements. We will rank offers, without consideration of price, from best to least qualified using a point ranking system (unless otherwise specified) as an aid in conducting the evaluation. References may be considered again in this portion of the evaluation.

We will determine whether any failure to supply information, or the quality of the information, will result in rejection or downgrading the offer. Vendors who do not rank sufficiently high need not be considered for price evaluation and award.

The offeror whose offer meets OMB's services requirements will be eligible for award consideration. If we do not consider the price submitted in response to the RFP to be fair and reasonable and that price cannot be negotiated to an acceptable level, we reserve the right to award to another Vendor. We will determine whether the price is fair and reasonable by considering the Offer, including the Vendor's qualifications, the Vendor's reputation, all prices submitted, other known prices, the project budget and other relevant factors. The point evaluation system is described below:

The total number of points for "responsiveness" is 700.

Vendors who do not receive 450 of the total "responsiveness" points need not be considered for price evaluation and award.

The elements of responsiveness that will be evaluated and their relative weights are:

<u>Elements</u>	<u>Weight</u>
Ability to Achieve Goals	200
Methodology/Workplan	250
Vendor Experience	250

Price will be a weighted element except for Requests for Proposals for Professional & Artistic Services (RFP P&A). For RFP P&As, price will not be considered in determining the most qualified Vendor, but prices submitted by all Vendors will be used in negotiating a fair and reasonable price.

The total number of points for "price" is 300. We will determine "price" points using the following formula:

Maximum Price Points X (Lowest Price/Offeror's Price) = Total Price Points

The maximum number of points is 1000 (Responsiveness 700 + Price 300).

Alternative Evaluation: If three or fewer Offers are received, the Offers may be evaluated using simple comparative analysis of the elements of responsiveness (and price where applicable) instead of any announced method of evaluation (such as points).

Appendix A

CERTIFICATIONS

The undersigned (“VENDOR”) certifies its compliance or agreement to comply with the following legal requirements, and that it is not barred from being awarded a contract or subcontract due to violation of, or inability or unwillingness to comply with those requirements.

Non-discrimination--Federal Requirements. VENDOR, its employees and subcontractors, agree to comply with applicable provisions of the U.S. Civil Rights Act, Section 504 of the Federal Rehabilitation Act, and rules applicable to each. The Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and rules (28 CFR 35.130) (ADA) prohibit discrimination against persons with disabilities by the State, whether directly or through contractual arrangements, in the provision of any aid, benefit or service. As a condition of receiving this contract, the VENDOR certifies that services, programs and activities provided under this contract are and will continue to be in compliance with the ADA.

(5 ILCS 385/3) Default on Repayment of Educational Loan. No State agency shall contract with an individual for goods or services if that individual is in default on an educational loan. A partnership shall be considered barred if any partner is in default on an educational loan.

(30 ILCS 105/15a) Early Retirement.

- a) VENDOR has informed the director of GOMB 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.
- b) 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 500/50-5) Bribery.

- a) No person or business entity shall be awarded a contract or sub-contract if that person or business entity: (1) has been convicted under the laws of Illinois or any other state of bribery or attempting to bribe an officer or employee of the State of Illinois or any other state in that officer’s or employee’s official capacity; or (2) has made an admission of guilt of such conduct that is a matter of record but has not been prosecuted for such conduct.
- b) No business shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of the business if the employee or agent is no longer employed by the business and; (1) the business has been finally adjudicated not guilty; or (2) the business demonstrates to the governmental entity with which it seeks to contract, and that entity finds that the commission of the offense was not authorized, requested, commanded, or performed by a director, officer or a high managerial agent on behalf of the business as provided in paragraph (2) of subsection (a) of Section 5-4 of the Criminal Code of 1961.

- c) For purposes of this Section, when an official, agent, or employee of a business committed the bribery or attempted bribery on behalf of the business and pursuant to the direction or authorization of a responsible official of the business, the business shall be chargeable with the conduct.

(30 ILCS 500/50-10) Felony Conviction. Unless otherwise provided, no person or business entity convicted of a felony shall do business with the State of Illinois or any State agency from the date of conviction until 5 years after the date of completion of the sentence for such felony, unless no person held responsible by a prosecutorial office for the facts upon which the conviction was based continues to have any involvement with the business.

(30 ILCS 500/50-10.5) Sarbanes-Oxley Felony Conviction. Unless otherwise provided, no person or business entity, nor any officer, director, partner, or other managerial agent of person or business entity, who 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 shall do business with the State of Illinois or any State agency until at least 5 years have passed since the date of the conviction. VENDOR further certifies that it is not barred from being awarded a contract under 30 ILCS 500/50-10.5, and acknowledges that the contracting State agency shall declare the contract void if this certification is false.

(30 ILCS 500/50-11) Debt Delinquency.

- a) No person shall submit a bid for or enter into a contract with a State agency under this Code if that person knows or should know that he or she is delinquent in the payment of any debt to the State, unless the person has entered into a deferred payment plan to pay off the debt. For purposes of this Section, the phrase "delinquent in the payment of any debt" shall be determined by the Debt Collection Board.
- b) Every bid submitted to and contract executed by the State shall contain a certification by the bidder or contractor that the contractor is not barred from being awarded a contract under this Section and that the contractor acknowledges that the contracting State agency may declare the contract void if the certification completed pursuant to this subsection (b) is false.

(30 ILCS 500/50-12) Illinois Use Tax. VENDOR and all affiliates shall collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with provisions of the Illinois Use Tax Act (30 ILCS 500/50-12) and acknowledge that failure to comply can result in the contract being declared void.

(30 ILCS 500/50-13) Interest of State Employee, Spouse and Minor Children.

- 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 (\$90,420.00), 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 1/2% of the total distributable income or

- (ii) an amount in excess of the salary of the Governor (\$150,700.00), 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 (\$301,400.00), 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, the University of Illinois, Southern Illinois University, Illinois State University, Eastern Illinois University, Northern Illinois University, Western Illinois University, Chicago State University, Governor State University, or Northeastern Illinois 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 Department of Children and Family Services, the Department of Human Services, the Department of Public Aid, the Department of Public Health, or the Department on Aging.
- g) Penalty. A person convicted of a violation of this Section is guilty of a business offense and shall be fined not less than \$1,000 nor more than \$5,000.

(30 ILCS 500/50-25) Inducements. Any person who offers or pays any money or valuable thing to any person to induce him or her not to bid on a State contract is guilty of a Class 4 felony. Any person who accepts money or other valuable thing for not bidding on a State contract or who withholds a bid in

consideration of the promise for the payment of money or other valuable thing is guilty of a Class 4 felony.

(30 ILCS 500/50-30) Revolving Door Prohibition. Chief procurement officers, associate procurement officers, State purchasing officers, their designees whose principal duties are directly related to State procurement, and executive officers confirmed by the Senate are expressly prohibited for a period of 2 years after terminating an affected position from engaging in any procurement activity relating to the agency most recently employing them in an affected position for a period of at least 6 months. The prohibition includes but is not limited to: lobbying the procurement process; specifying; bidding; proposing bid, proposal, or contract documents; on their own behalf or on behalf of any firm, partnership, association, or corporation. This Section applies only to those persons who terminate an affected position on or after January 15, 1999.

(30 ILCS 500/50-40) Reporting Anticompetitive Practices. When, for any reason, any vendor, bidder, contractor, or designee suspects collusion or other anticompetitive practice among any bidders, offerors, contractors, proposers or employees of the State, a notice of the relevant facts shall be transmitted to the Illinois Attorney General and the chief procurement officer. This includes reporting any chief procurement officer, State purchasing officer, designee, or executive officer who willfully uses or allows the use of specifications, competitive bid documents, proprietary competitive information, proposals, contracts, or selection information to compromise the fairness or integrity of the procurement, bidding, or contract process **(30 ILCS 500/50-45)**, or any current or former elected or appointed State official or State employee to knowingly uses confidential information available only by virtue of that office or employment for actual or anticipated gain for themselves or another person **(30 ILCS 500/50-50)**.

(30 ILCS 580) Drug-free Workplace. No grantee or contractor shall receive a grant or be considered for the purposes of being awarded a contract from the State for the procurement of any property or services unless that grantee or contractor will provide a drug free workplace. No individual engaged in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance may have a contract or grant. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of the contract or grant and debarment of contracting or grant opportunities with the State for at least one (1) year but not more than five (5) years. **CONTRACTOR/GRANTEE:** For the purpose of this certification, "grantee" or "contractor" means a corporation, partnership, or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division, or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State.

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

- a) Publishing a statement for the purpose of: (1) notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace; (2) specifying the actions that will be taken against employees for violations of such prohibition; and (3) notifying the employee that, as a condition of employment on such contract or grant, the employee will abide by the terms of the statement and notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- b) Establishing a drug free awareness program to inform employees about: (1) the dangers of drug abuse in the workplace; (2) the grantee's or contractor's policy of maintaining a drug free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon employees for drug violations.

- c) Providing a copy of the statement required by subparagraph (a) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.
- d) Notifying the contracting or granting agency within ten (10) days after receiving notice under subsection (a)(3) above from an employee or otherwise receiving actual notice of such conviction.
- e) Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted, as required by Section 5 of the Drug Free Workplace Act.
- f) Assisting employees in selecting a course of action in the event drug counseling, treatment, and rehabilitation is required and indicating that a trained referral team is in place.
- g) Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act.

INDIVIDUALS: If VENDOR is an individual, or an individual doing business in the form of a sole proprietorship, the individual certifies that the individual will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance. This requirement applies to contracts of more than \$5000.

(30 ILCS 582) International Anti-boycott. Every contract entered into by the State of Illinois for the manufacture, furnishing, or purchasing of supplies, material, or equipment or for the furnishing of work, labor, or services, in an amount exceeding \$10,000 shall contain certification, as a material condition of the contract, by which the contractor agrees that neither the contractor nor any substantially-owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act.

(720 ILCS 5/33E-3) Bid-rigging. A person commits the offense of bid-rigging when he knowingly agrees with any person who is, or but for such agreement would be, a competitor of such person concerning any bid submitted or not submitted by such person or another to a unit of State or local government when with the intent that the bid submitted or not submitted will result in the award of a contract to such person or another and he either (1) provides such person or receives from another information concerning the price or other material term or terms of the bid which would otherwise not be disclosed to a competitor in an independent noncollusive submission of bids or (2) submits a bid that is of such a price or other material term or terms that he does not intend the bid to be accepted.

Bid-rigging is a Class 3 felony. Any person convicted of this offense or any similar offense of any state or the United States which contains the same elements as this offense shall be barred for five years from the date of conviction from contracting with any unit of State or local government. No corporation shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation and: (1) it has been finally adjudicated not guilty or (2) if it demonstrates to the governmental entity with which it seeks to contract and that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer or a high managerial agent in behalf of the corporation as provided in paragraph (2) of subsection (a) of Section 5-4 of the Criminal Code.

(720 ILCS 5/33E-4) Bid-rotating. A person commits the offense of bid rotating when, pursuant to any collusive scheme or agreement with another, he engages in a pattern over time (which, for the purposes of this Section, shall include at least 3 contract bids within a period of 10 years, the most recent of which occurs after the effective date of this amendatory Act of 1988) of submitting sealed bids to units of State or local government with the intent that the award of such bids rotates or is distributed among persons or business entities which submit bids on a substantial number of the same contracts. Bid rotating is a Class 2 felony. Any person convicted of this offense or any similar offense of any state or the United States which contains the same elements as this offense shall be permanently barred from contracting with any unit of State or local government. No corporation shall be barred from contracting with any unit of State or local government as a result of a conviction under this Section of any employee or agent of such corporation if the employee so convicted is no longer employed by the corporation and: (1) it has been finally adjudicated not guilty or (2) if it demonstrates to the governmental entity with which it seeks to contract and that entity finds that the commission of the offense was neither authorized, requested, commanded, nor performed by a director, officer or a high managerial agent in behalf of the corporation as provided in paragraph (2) of subsection (a) of Section 5-4 of this Code.

(775 ILCS 5/2-105) Equal Employment Opportunities -- Affirmative Action/Sexual Harassment. Every party to a public contract and every eligible bidder shall:

- a) Refrain from unlawful discrimination and discrimination based on citizenship status in employment and undertake affirmative action to assure equality of employment opportunity and eliminate the effects of past discrimination;
- b) Comply with the procedures and requirements of the Illinois Department of Human Rights' regulations concerning equal employment opportunities and affirmative action; the equal employment opportunity clause of the Department' rules is specifically incorporated herein.
- c) Provide such information, with respect to its employees and applicants for employment, and
- d) Have written sexual harassment policies that shall include, at a minimum, the following information: (i) the illegality of sexual harassment; (ii) the definition of sexual harassment under State law; (iii) a description of sexual harassment, utilizing examples; (iv) the VENDOR's internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Illinois Department of Human Rights and the Illinois Human Rights Commission; (vi) directions on how to contact the Department and Commission; and (vii) protection against retaliation as provided by Section 6-101 of this Act. A copy of the policies shall be provided to the Department upon request. Out of state vendors may utilize the VENDOR's state's equivalent of the Department and Commission.

(775 ILCS 25/2) Discriminatory Club Dues. No private organization which sells goods or services to the State pursuant to the Illinois Procurement Code, nor any private organization which receives any award or grant from the State, nor any public body may pay any dues or fees on behalf of its employees or agents or may subsidize or otherwise reimburse them for payments of their dues or fees to any discriminating club. "Discriminatory club" means a membership club, organization, association, or society, or the premises thereof, which practices discrimination in its membership policy or in access to its services and facilities, except any facility, as to discrimination based on sex, which is distinctly private in nature such as restrooms, shower rooms, bath houses, health clubs and other similar facilities for which the Illinois Department of Human Rights, in its rules and regulations, may grant exemptions based on bona fide considerations of public policy.

(PA 93-0307) Forced Labor. VENDOR complies with the State Prohibition of Goods from Forced Labor Act, and certifies that no foreign-made equipment, materials, or supplies furnished to the State under the contract have been or will be produced in whole or in part by forced labor, convict labor, or

indentured labor under penal sanction.

(30 ILCS 500/20-65) Audit/Retention of Records. VENDOR and its subcontractors shall maintain books and records related to performance of this CONTRACT or subcontract and necessary to support amounts charged to the State in accordance with applicable law, terms and conditions of this CONTRACT, and generally accepted accounting practice. VENDOR shall maintain these books and records for a minimum of three (3) years after the completion of the CONTRACT, final payment, or completion of any CONTRACT audit or litigation, whichever is later. All books and records shall be available for review or audit by GOMB, its representatives, the Illinois Auditor General, and other governmental entities with monitoring authority upon reasonable notice and during normal business hours. VENDOR agrees to cooperate fully with any such review or audit. If any audit indicates overpayment to VENDOR, or subcontractor, GOMB shall adjust future or final payments otherwise due. If no payments are due and owing to VENDOR, or if the overpayment exceeds the amount otherwise due, VENDOR shall immediately refund all amounts which may be due to GOMB. Failure to maintain the books and records required by this Section shall establish a presumption in favor of GOMB for the recovery of any funds paid by GOMB under the CONTRACT for which adequate books and records are not available to support the purported disbursement.

BACKGROUND CHECK: The State may conduct criminal and driver history background checks of VENDOR'S officers, employees or agents who would directly supervise or physically perform the CONTRACT requirements at State facilities. Any such officer, employee or agent deemed unsuitable by the State must be replaced immediately.

AVAILABILITY OF APPROPRIATIONS (30 ILCS 500/20-60): GOMB shall use its best efforts to secure sufficient appropriations to fund this CONTRACT. However, GOMB'S obligations hereunder shall cease immediately, without penalty or further payment being required, if the Illinois General Assembly or federal funding source fails to make an appropriation sufficient to pay such obligation. GOMB shall determine whether amounts appropriated are sufficient. AGENCY shall give VENDOR notice of insufficient funding as soon as practicable. VENDOR'S obligation to perform shall cease upon receipt of the notice.

SOLICITATION AND EMPLOYMENT: VENDOR shall not employ any person employed by GOMB at any time during the term of this CONTRACT to perform any work required by the terms of this CONTRACT. As a condition of this CONTRACT, the VENDOR shall give notice immediately to GOMB'S director if VENDOR solicits or intends to solicit for employment any of GOMB'S employees during the term of this CONTRACT. AGENCY has no authority to contractually refuse to hire VENDOR'S employees who apply to the State for employment.

This information is submitted on behalf of:

(name of VENDOR)

Official authorized to sign on behalf of VENDOR:

Name (printed) _____

Title _____

Signature _____

Date _____

TAXPAYER IDENTIFICATION NUMBER

I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), **and**
2. 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**
3. I am a U.S. person (including a U.S. resident alien).

Name: _____

Taxpayer Identification Number:

Social security number _____

or

Employee identification number _____

(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 to 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.)

Legal Status (check one):

- | | |
|---|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Government |
| <input type="checkbox"/> Sole Proprietor | <input type="checkbox"/> Nonresident Alien |
| <input type="checkbox"/> Partnership/Legal Corporation | <input type="checkbox"/> Estate or Trust |
| <input type="checkbox"/> Tax-exempt | <input type="checkbox"/> Pharmacy (Non-Corp.) |
| <input type="checkbox"/> Corporation providing or
billing medical and/or
health care services | <input type="checkbox"/> Pharmacy/Funeral Home/Cemetery
(Corp) |
| <input type="checkbox"/> Corporation NOT providing
or billing medical and/or
health care services | <input type="checkbox"/> Other: _____ |

Official authorized to sign on behalf of vendor:

Name (printed) _____

Title _____

Signature _____

Date _____

CONFLICTS OF INTERESTS DISCLOSURES

Instructions. The Illinois Procurement Code requires that vendors desiring to enter into certain contracts with the State of Illinois must disclose the financial and potential conflict of interest information that is specified below (**30 ILCS 500/50-13 and 50-35 a,b,h**).

VENDOR shall disclose the financial interest, potential conflict of interest and contract information identified in Sections 1, 2, 3 and 4 below as a condition of receiving an award or contract. Please submit this information along with your bid or offer.

Section 1 applies to all contracts regardless of dollar amount. Sections 2, 3 and 4 apply to contracts with an annual value exceeding \$10,000 that must be procured using one of the authorized competitive methods of source selection.

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, d.b.a. and parent):

(Name of VENDOR)_____

(d.b.a., 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 (\$90,420.00), 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 1/2% of the total distributable income or (ii) an amount in excess of the salary of the Governor (\$150,700.00), 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 (\$301,400.00), 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 and privately held corporations with more than 400 shareholders, must complete subsection "a," below. Publicly traded corporations may complete subsection "b" and privately held corporations with more than 400 shareholders may complete subsection "c" in lieu of completing subsection "a."

(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 \$90,414.6 (____)
Distributive Income Share exceeding 5% (____)
Distributive Income Share exceeding \$90,414.6 (____)

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 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 _____.

- (c) **Privately held corporations 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 subsections **50-35 a** and **b** of the Procurement Code. Vendor may skip Section 3 of this form, but must complete Section 4.

Check here if submitting 17 CFR information _____.

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 end of this 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 in 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 | Yes ____ | No ____ |

State or the Federal Board of Elections.

This information is submitted on behalf of:

(name of **VENDOR**)

Official authorized to sign on behalf of **VENDOR**:

Name (printed) _____

Title _____

Signature _____

Date _____