**CERTIFICATION / DISCLOSURE FORMS A GUIDELINES**

New Certification / Disclosure forms (V.18.1) have been provided by the State in accordance with amendments to sections of the Illinois Procurement Code (30/ILCS/500) per Public Act 97-0895 (SB 2958). FORMS A are to be used when responding to an Invitation for Bid (IFB) or a Request for Proposal (RFP) if the vendor is NOT registered in the Illinois Procurement Gateway (IPG). If the Vendor has a valid IPG registration number then Forms B may be used. The IPG may be accessed at the following link: <https://ipg.vendorreg.com/>.

Failure to submit completed certification/disclosure forms may render the submission non-responsive and result in disqualification.

Additionally, those known subcontractors whose annual contract value exceeds $50,000 shall SEPARATELY complete and submit the Certification/Disclosure forms to the Prime Vendor within 15 days (was previously 20) of contract execution (generally the Notice to Proceed date), or after execution of the subcontract, whichever is later. Submit each page of the forms, even if the information is not required to be completed by the Subcontractors. The Prime Vendor shall submit the completed forms to the State Purchasing Officer (SPO) via the General Manager of Engineering. See the Tollway website for additional information and to obtain current forms.

Suppliers and Truckers do not need to complete the certification/disclosure forms unless they have been included in the Prime Contractor's approved DBE plan and their annual contract value exceeds $50,000.

In general, insert the appropriate information in the forms fields provided. The Prime Vendor and subcontractors whose annual contract value exceeds $50,000 shall return all pages.

**Vendor Instructions for pages 1-22:**

* Page 1 – Title Page: The Prime Vendor and subcontractors are to complete all fields in the table on this page.
* Pages 3-4 – Business and Directory Information: The Prime Vendor is to complete all applicable fields on these pages.
* Page 5 – Illinois Department of Human Rights Public Contract Number: The Prime Vendor shall complete this page.
* Page 6 – Authorized to Do Business in Illinois: The Prime Vendor shall submit a copy of the Secretary of State Certificate of Good Standing per the example on page 6 (the only exception to this requirement is if the Contractor checks A under Item 4.32 on page 10).
* Pages 7-11 – Standard Certifications: The Prime Vendor and subcontractors are to review and check off the appropriate box in Item 4.30.
* Page 12 – State Board of Elections: The Prime Vendor must be registered with the Illinois State Board of Elections at the time of bid/offer submittal and shall submit a copy of the State Board of Elections Certificate of Registration per the example on page 12.
* Page 13 – Disclosure of Business Operations with Iran: The Prime Vendor is to complete the form **(Failure to complete and submit this disclosure will result in the bid / offer being deemed as non-responsive).**
* Pages 14-21 – Financial Disclosures and Conflicts of Interest: The Prime Vendor and subcontractors are to complete this section. See instructions beginning on the next page.
* Page 22 - Taxpayer Identification Number: The Prime Vendor shall complete this page.

**FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST – Instructions for pages 14‑21:**

* First Page (page 14): This disclosure form must be completed and submitted for the Prime Vendor and each subcontractor whose annual contract value exceeds $50,000. The disclosing entity shall check the appropriate box under "This disclosure is submitted for:" and provide the information in the table on the bottom half of page 14.
  + **Project Name:** Enter the Tollway Project Name.
    - Professional Services Contracts: This is the Item Description from the Professional Services Bulletin.
    - Construction: This is the full description listed after the contract number on the cover page of the Volume 1 Contract Requirements Book.
  + **Illinois Procurement Bulletin Number:** Enter the Illinois Procurement Bulletin Number.
    - This number can be found on the Illinois Procurement Bulletin website: [www.purchase.state.il.us](http://www.purchase.state.il.us). Click on Illinois Bid at the top right side of the page. Enter the Tollway contract number in the box below Illinois Bid on the left side of the page and click Search. A list should appear. Check the Title to verify that you have the correct solicitation. The Illinois Procurement Bulletin Number is the number listed in the Reference Number column.
  + **Contract Number:**  Enter the Tollway Contract Number (example: RR-13-4444).
  + **Vendor Name:** Enter the General Contractor's name. This will always be the name of the vendor entering into the contract with the Tollway.
  + **Doing Business As (DBA):** Completed if the Prime Vendor is conducting business under a different name, otherwise, left blank.
  + **Disclosing Entity:** Enter the name of the company that is completing the form.
  + **Disclosing Entity's Parent Entity (If the disclosing Entity has a Parent Entity relationship):** List the name of the Parent Entity and in parenthesis indicate "parent of disclosing entity name". Example: XYZ Company (parent of ABC Company).
  + **Subcontractor:** Completed when the disclosing entity is a Subcontractor, otherwise, left blank.
  + **Instrument of Ownership or Beneficial Interest:** Consider the following options:
    - Corporate Stock (C-Corporation, S-Corporation, Professional Corporation, Service Corporation)
    - Limited Liability Company Membership Agreement (Series LLC, Low Profit Limited Liability Company)
    - Partnership Agreement (General Partnership, Limited Partnership, Limited Liability Partnership, Limited Liability Limited Partnership)
    - Not-for-Profit Corporation
    - Other
    - Trust Agreement (Beneficiary)
* STEP 1 – SUPPORTING DOCUMENTATION SUBMITTAL (page 15): The answers must correspond with the type of ownership disclosed previously, as well as with the vendor’s Taxpayer Identification Number information.
* STEP 2 – DISCLOSURE OF FINANCIAL INTEREST OR BOARD OF DIRECTORS (pages 16-17)
  + Option A:
    - **Ownership Share – Table-X:** Vendors are to provide full legal names of individuals/entities and complete addresses including city, state and zip code. (No PO Boxes will be accepted.) Vendors are also to provide percentage of ownership when it exceeds 5%. If ownership percentage is 5% or less but the value exceeds $106,447.20 then the $ Value must be provided instead of the percentage. If a dollar value is entered – it must be exact, not estimated or rounded. Firms reporting numerous ownership shares may submit an attachment in the same format as Table-X.
    - Typically, any individuals listed under Table-X whose ownership share exceeds 5% would also be listed under Table-Y.
    - **Distributive Income – Table Y:** If you selected Option 1.A., 2.A., 3.A., or 4.A. in Step 1, be aware that distributive income is defined as “any type of distribution of profits”. This includes reinvestment of profits into the company, as well as any bonus or other benefits (above annual salary) distributed that were funded, bought or paid for with profit earnings. Firms reporting numerous distributive income shares may submit an attachment in the same format as Table-Y.
    - If no owner qualifies to be listed on either Table-X or Table-Y, an explanation to that affect is to be included with the form (no single owner with more than 5% ownership or distributive income or no single owner with an ownership value or distributive income dollar amount greater than $106,447.20.)
    - At the end of Step 2, Option A, be sure to certify that Ownership and Distributive Information was provided for all individuals or entities by marking the Yes box for the last two questions of Option A (page 17).
  + Option B (page 17):
    - This section is to be completed for Not-for-Profits as chosen in Step 1, Option 5.
* STEP 3 – DISCLOSURE OF LOBBYIST OR AGENT (page 17): This section must be completed. If the ”Yes” box is chosen, the information in the table shall be provided along with information on the related fee structure per the last statement of the section.
* STEP 4 – PROHIBITED CONFLICTS OF INTEREST (page 18):
  + This set of questions must be completed for each person identified in Step 2, Table-X and for sole proprietors identified in Step 1, Option 6. If the answer is “No” to questions 1 through 4 in Step 4, questions 5 and 6 in Step 4 should not be answered and are to be left blank.
  + You may list more than one name in response to “Please provide the name of the person for which responses are provided” as long as all the answers are the same. Firms reporting numerous ownership shares may submit an attachment listing the names and reference Step 4.
* STEP 5 – POTENTIAL CONFLICTS OF INTEREST RELATING TO PERSONAL RELATIONSHIPS (pages 18-19):
  + This set of questions must be completed for each person identified in Step 2 Table-X and for sole proprietors identified in Step 1, Option 6.
  + You may list more than one name in response to “Please provide the name of the person for which responses are provided” as long as all the answers are the same. Firms reporting numerous ownership shares may submit an attachment listing the names and referencing Step 5.
* STEP 6 – EXPLANATION OF AFFIRMATIVE RESPONSES (page 19): If you answered “Yes” in Step 4 or Step 5, a detailed explanation including, but not limited to, the name, salary, State agency or university, and position title of each individual for which Yes was answered shall be provided.
* STEP 7 – POTENTIAL CONFLICTS OF INTEREST RELATING TO DEBARMENT & LEGAL PROCEEDINGS (page 20):
  + These questions must be completed for each person and entity identified in Step 2 Table-X, **and** for the disclosing entity that is filling out the forms (entity or sole proprietor disclosed in Step 1).
  + You may list more than one name in response to “Please provide the name of the person or entity for which responses are provided” as long as all the answers are the same. Firms reporting numerous ownership shares may submit an attachment listing the names and referencing Step 7. Be sure to include the disclosing entity in the list.
  + If any question in Step 7 is answered "Yes," a detailed explanation should be provided.
* STEP 8 – DISCLOSURE OF CURRENT AND PENDING CONTRACTS (pages 20-21):
  + The Yes box should be checked.
  + List the Tollway contract for this set of disclosures with the corresponding information.
  + All active and pending contracts and subcontracts with units of State of Illinois Government should be listed. If you have any other Tollway or any IDOT, CDB, CMS, State University or other State agency contracts/subcontracts, they should be listed as well.
  + Value to be entered is the “total contract value” – not the remaining balance.
  + An attachment may be submitted in the same format as the table on page 20. Many vendors with numerous contracts have prepared a separate contract list which can be updated as needed. Then in the table for Step 8 all that would be required is the notation "See Attached."
  + At the end of Step 8, provide a response to the question “Please explain the procurement relationship.” Appropriate answers include: Vendor, Subcontractor, Vendor/Subcontractor, Bidder, Offeror, Supplier or Trucker.
* STEP 9 – SIGN THE DISCLOSURE (page 21):
  + Enter the appropriate text for “Name of Disclosing Entity.”
  + Sign the form and provide the date.
  + Enter the appropriate text for “Printed Name”, “Title”, “Phone Number” and “Email Address”.