




CHIEF PROCUREMENT OFFICE
Fred Hahn, Capital Development Board

Notice 2013.01 Capital Development Board

To: Jim Underwood, Capital Development Board, Executive Director

From: Fred Hahn, Chief Procurement Officer 

Date: April 10, 2013

Subject: Subcontractor Disclosures and Certifications

Applicability: All contract awards in excess of \$25,000.

Effective May 1, 2013, in accordance with the Article 50 of the Illinois Procurement Code, and specifically Section 50-35, [30 ILCS 500/50-35], subcontractors who hold subcontracts in excess of \$50,000 are required to submit financial disclosures and certifications when the prime contract is in excess of \$25,000. This requirement applies to all contracts, including contracts for construction and professional services. The financial disclosure and certifications for both the contractor and the subcontractors shall be incorporated into the contract and be maintained by the Capital Development Board as part of the Procurement File.

(30 ILCS 500/50-35)

Sec. 50-35. Financial disclosure and potential conflicts of interest.

(a) All offers from responsive bidders or offerors with an annual value of more than \$25,000 shall be accompanied by disclosure of the financial interests of the contractor, bidder, or proposer and each subcontractor to be used. In addition, all subcontracts identified as provided by Section 20-120 of this Code with an annual value of more than \$50,000 shall be accompanied by disclosure of the financial interests of each subcontractor. The financial disclosure of each successful bidder or offeror and its subcontractors shall be incorporated as a material term of the contract and shall become part of the publicly available contract or procurement file maintained by the appropriate chief procurement officer. Each disclosure under this Section shall be signed and made under penalty of perjury by an authorized officer or employee on behalf of the bidder or offeror, and must be filed with the Procurement Policy Board.

(30 ILCS 500/1-15.107)

Sec. 1-15.107. Subcontract. "Subcontract" means a contract between a person and a person who has a contract subject to this Code, pursuant to which the subcontractor provides to the contractor, or, if the contract price exceeds \$50,000, another subcontractor, some or all of the goods, services, real property, remuneration, or other monetary forms of consideration that are the subject of the primary contract and includes, among other things, subleases from a lessee of a State agency.

Subcontractor financial disclosure and certifications are required to be submitted and approved by the Chief Procurement Office prior to the subcontractor performing work or payment being made for the work. Subcontractor financial disclosure and standard certifications are also required for change orders or modifications when the total of the change order and any original subcontracts exceed \$50,000. For contracts,



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change orders or modifications awarded before August 22, 2012, the financial disclosure and standard certifications shall be required when the value of the subcontract or change order is in excess of \$25,000.