

CHIEF PROCUREMENT OFFICER FOR CAPITAL DEVELOPMENT BOARD

NOTICE OF PUBLIC INFORMATION

NOTICE OF CAMPAIGN CONTRIBUTION VIOLATION OF PROCUREMENT CODE

1. Statutory Authority: Section 50-37 of the Illinois Procurement Code [30 ILCS 500/50-37] prohibits business entities with contracts and solicitations worth in excess of \$50,000 in combined annual value pending with a given officeholder responsible for awarding the contracts from making campaign contributions to campaign committees established to promote the candidacy of the officeholder or any other declared candidate for that office. The prohibition also extends to contributions made by various affiliated persons and businesses of a business entity that is subject to the prohibition. Section 50-37 requires that notice of violation of the prohibition and the penalty imposed is to be published in the Illinois Register.
2. Name of Contributor: Mr. Ferrell Winemiller, Jr., Owner, FW Electric, Inc.
3. Date of Violation: June 30, 2010.
4. Description of Violation: Mr. Ferrell Winemiller, Jr., an affiliated person of the business entity FW Electric, Inc., made a contribution of \$10,000.00 to Brady for Senate, Inc., a campaign committee established to support the election of Bill Brady to public office. At the time of the contribution, Bill Brady was a declared candidate for the office of governor, and FW Electric, Inc. had in place active contracts with the Capital Development Board, the total annual combined value of which was in excess of \$50,000.
5. Summary of Action Taken by the Agency: Section 50-37 provides that State contracts with a business entity that violate the campaign contribution prohibition are voidable at the discretion of the chief procurement officer. The Chief Procurement Officer for the Capital Development Board has notified Mr. Winemiller, Jr. of the apparent violation, reviewed responsive material provided by Mr. Winemiller, Jr., and has considered the value, status, and necessity of the contracts. In addition, the CPO has taken into consideration the recognition by Mr. Winemiller, Jr. of the violation and his understanding of the necessity to avoid such situations in the future. The CPO finds that voiding affected contracts, bids or proposals would not be in the best interest of the State.

As required by Section 50-37(e) of the Procurement Code, Brady for Senate, Inc., is required to pay to the State an amount equal to the value of the contribution within 30 days after the publication of this notice.