**Section 4.5010 Prohibited Bidders and Contractors**

a) *Unless otherwise provided, no business shall bid, offer, enter into a contract or subcontract under the Code, or make a submission to a vendor portal if the business or any officer, director, partner or other managerial agent of the business has been convicted of a felony under the Sarbanes-Oxley Act of 2002* (PL 107-204) *or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953* [815 ILCS 5] *for a period of 5 years from the date of conviction.* [30 ILCS 500/50-10.5(a)]

b) *Every bid and offer submitted to the State, every contract executed by the State, every vendor's submission to a vendor portal, and every subcontract subject to Section 20-120 of the Code shall contain a certification by the bidder, offeror, potential contractor, contractor, or subcontractor, respectively, that the bidder, offeror, potential contractor, contractor, or subcontractor is not barred from being awarded a contract or subcontract under Section 50-10.5 of the Code and acknowledges that the CPO-HE shall declare the related contract void if any of the certifications completed pursuant to Section 50-10.5(b) of the Code are false. If the false certification is made by a subcontractor, then the contractor's submitted bid and the executed contract may not be declared void, unless the contractor refuses to terminate the subcontract upon the State's request after a finding that the subcontract's certification was false.* [30 ILCS 500/50-10.5(b)]

c) *If a business is not a natural person, the prohibition in subsection (a) applies only if:*

1) *the business itself is convicted of a felony referenced in subsection (a); or*

2) *the business is ordered to pay punitive damages based on the conduct of any officer, director, partner, or other managerial agent who has been convicted of a felony referenced in subsection (a).* [30 ILCS 500/50-10.5(c)]

d) *A natural person who is convicted of a felony referenced in subsection (a) remains subject to Section 50-10 of the Code.* [30 ILCS 500/50-10.5(d)]

(Source: Amended at 43 Ill. Reg. 1781, effective February 15, 2019)