**Section 6.930 Organizational Conflict of Interest Requirements**

a) All conflict provisions contained in the Code will be included in the RFQ or RFP documents, including, but not limited to, Section 50-35 of the Code addressing financial disclosures and potential conflicts of interest.

b) The Department will take into consideration the mulit-faceted nature of this procurement and related procurements when forming proposal and selection team members. An understanding of public private partnerships will be required with some members having, at a minimum, expertise in private and public financing, construction and engineering.

c) The Department will make available specific instructions applicable to proposal and selection team members. These instructions will include all applicable provisions of the State Officials and Employees Ethics Act, including, but not limited to, ethical conduct and gift bans. [5 ILCS 430]

d) Notwithstanding disclosure requirements under the Code, the Department will address the following situation, as appropriate:

1) Consultants or subconsultants who assist the Department in the preparation of the RFP document under contract will be prohibited from submitting a proposal and from participating on a team submitting a proposal in response to the RFP. However, the Department, with the CPO's concurrence, may determine there is not an organizational conflict of interest for a consultant or subconsultant when:

A) The role of the consultant or subconsultant (subcontractor) was limited to the provision of preliminary design, reports or similar "low-level" documents that will be incorporated into the RFP and did not include assistance in the development of instructions to offerors or evaluation criteria; or

B) All documents and reports delivered to the agency by the consultant or subconsultant are made available to all offerors.

2) This practice may be reviewed pursuant to the provisions of the Code. (See 23 CFR 636.116.)

(Source: Added at 37 Ill. Reg. 15878, effective September 27, 2013)