**Section 8.3130 Construction Manager Procurement Limitations**

a) A CM cannot participate in a selection process if it or a substantially affiliated vendor is under contract or in the process of contracting with CDB for other goods or services required for the project and the CM's duties will involve or relate to those goods or services.

b) A CM selected to provide construction management services, or a substantially affiliated vendor, may not bid on or otherwise be awarded a construction contract for the project.

c) Notwithstanding the provisions of subsections (a) and (b), when it is determined in writing to be in the State's best interest, the CM may provide or perform, directly or through unrelated contractors, basic services for which reimbursement is provided in the general conditions of the CM contract, or any other goods or service that does not conflict with or give the appearance of conflicting with the CM's duties.

d) A vendor is considered to be "substantially affiliated" for the purpose of this Section if:

1) the affiliated firm shares more than 5% common ownership with the CM; or

2) the individuals with more than 5% ownership interest, any officer or director of the CM firm, or any individual authorized to sign bids, proposals or contracts for the CM firm has any of these same relationships with, or owns or controls more than 5% of, the affiliated firm or is an officer or director of, or is authorized to sign bids, proposal or contracts for, the affiliated firm.