**Section 8.5560 Suspension and Debarment**

a) This Part applies to all debarments or suspensions of vendors from consideration for award of contracts under the Code. For the purposes of this Part, all references to "vendors" includes subcontractors. This Part provides for general provisions for suspension and debarment recommendation by CDB and approval by the CPO as authorized by Sections 20-75 and 50-65 of the Code and under the jurisdiction of the CPO. A vendor may be suspended or debarred by the CPO due to acts or omissions that indicate that the vendor lacks integrity and honesty in the conduct of business or the performance of contracts. Acts or omissions that indicate the lack of business integrity and honesty include, but are not limited to:

1) fraud, bribery, embezzlement, theft, collusion, conspiracy, anti-competitive activity or other misconduct and offenses prohibited by law, whether or not the misconduct or offense is in connection with a CDB contract or subcontract;

2) making a material false statement in any procurement documents, including the application for prequalification or any forms or affidavits required as part of the procurement or prequalification process;

3) materially violating any rule or procurement procedure or making a material false statement in connection with any rules or procurement procedures of CDB;

4) making a material false statement, representation, claim or report respecting the character, quality, quantity or cost of any work performed or materials furnished in connection with a contract or subcontract administered or supervised by CDB;

5) doing business with a suspended contractor or subcontractor in connection with a contract or subcontract of CDB;

6) being debarred or suspended by another agency of this State or the United States; or

7) violation of the Code or this Part or failure to conform to specifications or terms of delivery;

b) CDB may recommend suspension or debarment of a vendor from doing business with CDB, or with respect to certain types of supplies or services. A suspension may be approved by the CPO upon a showing that adequate evidence supports a finding that the vendor has engaged in conduct proscribed by subsection (a).

c) When the CPO agrees cause exists for the suspension or debarment, a notice of suspension or debarment, including a copy of that determination, shall be sent to the vendor by CDB. Notice shall be furnished in writing by personal service or by certified or registered mail. Bids or proposals will not be accepted from the vendor and, if received, will not be considered during the period of suspension or debarment.

d) Upon receipt of notice of suspension or debarment, the vendor may submit a written request for a hearing. The hearing will be conducted by a Hearing Officer who will hear the evidence presented and make a written recommendation to the CPO.

e) The CPO shall issue the final written determination that results from any hearing regarding a suspension or debarment.

f) The CPO may suspend a vendor for a period of time commensurate with the seriousness of the offense, but for no more than 10 years. The suspension will be effective 7 calendar days after delivery of notice to the vendor of intent to suspend or debar, unless a request for hearing is filed. If a request for hearing is filed, suspension shall not become effective until the CPO issues a final written determination. In cases of emergency, suspension shall be effective immediately, subject to scheduling a hearing within 30 days.

g) The CPO may debar a vendor. Debarment is the permanent suspension of a vendor from doing business with the State. A debarment may only take place in those instances involving bribery or attempted bribery of a State of Illinois officer or employee, or as otherwise allowed or required by law. Bids or proposals received from the debarred vendor or proposing the use of a debarred subcontractor will not be considered. The debarment will be effective 7 calendar days after receipt of notice, unless a request for hearing is filed. If a request for hearing is filed, the debarment shall not become effective until the CPO makes a final written determination.

h) In the event of a suspension or debarment, the vendor's prequalification shall be rescinded.

i) The CPO shall determine, after consultation with CDB, whether to void any existing or pending contracts as a result of a suspension or debarment.

j) The CPO shall post the record of suspensions and debarments on his or her web page and on the Bulletin.

k) Suspension or debarment hearings shall be conducted in accordance with Subpart T.

l) CPO shall maintain all records related to this Part, including a master list of all suspensions and debarments. The master list shall retain information concerning suspensions and debarments as public records. These records will be maintained for a period of at least 3 years following the end of the suspension or debarment. This public information may be considered in determining responsibility.