**Section 8.5620 Violation of Statute or Rule**

a) Determination that Solicitation or Award Violates Statute or Rule

If CDB determines or suspects that the solicitation or proposed award is in violation of statute or rule, it shall report the circumstances to the CPO or SPO. If the CPO or the SPO finds that the solicitation or proposed award is in violation of statute or rule, he or she shall report the circumstances to CDB and the CPO or SPO may cancel the solicitation or proposed award, or make modifications to correct the violation, if the correction may be legally accomplished.

b) Determination that Contract Violates the Code or this Part

1) If any contract or amendment to a contract is entered into, or purchase or expenditure of funds is made, at any time in violation of this Part or any other law, the contract or amendment may be declared void by the CPO or may be ratified or affirmed, provided the CPO determines that ratification is in the best interest of the State. If the contract is ratified and affirmed, it shall be without prejudice to the State's right to any appropriate damages.

2) If, during the term of a contract, the SPO determines that the contractor is delinquent in the payment of debt as set forth in Section 50-11 of the Code, the CPO may declare the contract void if it determines that voiding the contract is in the best interest of the State.

3) If, during the term of a contract, the CPO learns from an annual certification or otherwise determines that the contractor or subcontractor no longer qualifies to enter into State contracts, the CPO may declare the contract void if it determines that voiding the contract is in the best interest of the State. If the voiding is the result of an action taken by a subcontractor, the contract shall not be void as long as the contractor terminates the subcontract.

c) Effect of Declaring a Contract Null and Void

In all cases in which a contract is voided, the State agency shall endeavor to return those supplies delivered under the contract that have not been used or distributed. No further work shall be performed under the contract. Resolution of any outstanding invoices related to the contract are subject to approval by the CPO.