

**CONTRACT CERTIFICATION**

**EDUCATIONAL LOANS** -- The Contractor certifies that it is not in default on an educational loan as provided in the Educational Loan Default Act (5 ILCS 385).

**BRIBERY** -- The Contractor certifies that it has not been convicted of bribery, attempting to bribe or made an admission of guilt of bribery of a State officer or employee in accordance with the Illinois Procurement Code (30 ILCS 500/50-5).

**BID-RIGGING/BID-ROTATING LAW** -- The Contractor certifies that it has not been barred from contracting with a unit of State or local government as a result of bid-rigging or bid rotating as those terms are defined in the Illinois Criminal Code of 1961 (720 ILCS 5/33E-3 and 5/33E-4).

**DRUG FREE WORKPLACE** -- The Contractor certifies that it will comply with the Drug Free Workplace Act (30 ILCS 580) and will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of this contract.

**FOREIGN EQUIPMENT/CHILD LABOR** -- The Contractor certifies in accordance with Public Act 94-0264 no foreign-made equipment, materials, or supplies furnished to the State under the contract have been produced in whole or in part by the labor of any child under the age of 12.

**NON-DISCRIMINATION IN EMPLOYMENT** -- The Contractor agrees to comply with the Public Employment Works Act (775 ILCS 10), which disallows discrimination on the basis of race, color, religion, national origin, ancestry, age, sex, marital status, handicap, military status, or unfavorable discharge from military service in employment or contracting.

**LACK OF APPROPRIATION** --The Contractor agrees that the contractual obligations of SIUE Shall cease immediately without penalty or further payment if, in any fiscal year, the Illinois General Assembly or federal funding sources fails to appropriate or otherwise make available funds for this contract. The Contractor will be paid for satisfactory performance during the periods for which funds were available.

**USE OF SUBCONTRACTORS** -- The Contractor will not utilize the services of a subcontractor in fulfilling its obligations under this contract without obtaining SIUE's prior written approval.

**INTERNATIONAL ANTI-BOYCOTT** -- The Contractor certifies that neither it nor any substantially-owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under the Act.

**MAINTENANCE OF DOCUMENTATION** -- With respect to each annual Contract term, Contractor shall maintain, for a minimum of 5 years after such annual Contract term, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements of funds passing in conjunction with the Contract; the Contract and all books, records, and supporting documents related to the Contract shall be available for review and audit by the Auditor General; and the Contractor agrees to cooperate fully with any audit conducted by the Auditor General and to provide full access to all relevant materials. Failure to maintain the books, records, and supporting documents required by this Section shall establish a presumption in favor of the State for the recovery of any funds paid by the State under the Contract for which adequate books, records, and supporting documentation are not available to support their purported disbursement.

**DEBT CERTIFICATION** -- The Contractor certifies that it is not delinquent in the payment of any debt to the State of Illinois in accordance with the Illinois Procurement Code (30 ILCS 500/50-11).

**FOREIGN-MADE MATERIALS PRODUCED BY FORCED LABOR** -- The Contractor certifies that no foreign-made equipment, materials or supplies furnished to SIUE under this contract will be or have been produced, in whole or in part, by forced labor, convict labor or indentured labor under penal sanction.

**CORPORATE INTEGRITY** -- The Contractor certifies that it, its officers, directors, partners or other managerial agents have not been convicted of a felony under the Sarbanes-Oxley Act of 2002 or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953 (815 ILCS 5) within the last five years. These laws prohibit falsifying corporate financial records, selling unregistered securities, and fraudulent purchases or sales of securities.

**ENVIRONMENTAL VIOLATIONS** -- The Contractor certifies that it has not been found liable for any violation of the Illinois Environmental Protection Act ("Act") (415 ILCS 5) by a court or the Pollution Control Board within the last five years. Violations of the Act may include dumping hazardous wastes, air pollution, water pollution, land pollution, and permit non-compliance.

**GOVERNING LAW** -- Notwithstanding anything in the Contract or purchase order to the contrary, this Contract shall be governed by the laws of the State of Illinois without reference to conflict of laws principles. The parties acknowledge that SIUE is a State entity and as such any claims brought against it must be brought in the Illinois Court of Claims in accordance with the Illinois Court of Claims Act (705 ILCS 505).

**ILLINOIS USE TAX CERTIFICATION** -- The Contractor certifies that it is collecting and remitting Illinois Use Tax of all sales of tangible personal property in accordance with the Illinois Procurement Code (30 ILCS 500/50-12).

**FALSE CERTIFICATIONS** -- The Contractor acknowledges that SIUE may declare this Contract void if any of the certifications made herein by the CONTRACTOR are false.

**CONFLICTING DOCUMENTS** -- In the event of a conflict between these contract certifications and Contract or purchase order, whichever may be the case, these contract certifications shall control.

**BUSINESS ENTERPRISE PROGRAM FOR MINORITIES, FEMALES AND PERSONS WITH DISABILITIES** -- In order to promote the development and use of minority-owned businesses or services, Southern Illinois University, as an Illinois public university, is required to participate in the State of Illinois' Business Enterprise Program (BEP) for minorities, females, and persons with disabilities by Public Act 88-597 (30 ILCS 575/0.01, et seq.). This Act requires that each State of Illinois public university annually report its utilization of businesses owned by minorities, females and persons with disabilities. The completion of this section will play an important role in our University's goal to obtain goods and services from qualifying individuals or businesses.

PLEASE SELECT THE APPROPRIATE BOXES:

If an individual: <input type="checkbox"/> Female <input type="checkbox"/> Male
If a company: <input type="checkbox"/> Female Owned (must own 51% or more) <input type="checkbox"/> Not Applicable
Select appropriate category: <input type="checkbox"/> African American <input type="checkbox"/> Alaskan American <input type="checkbox"/> Asian American <input type="checkbox"/> Caucasian <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American <input type="checkbox"/> Decline To Answer
If disabled, please check: <input type="checkbox"/> Person with Disability

**CONTRACTOR FEDERAL IDENTIFICATION NUMBER AND LEGAL STATUS DISCLOSURE (NOTE: Instructions On Reverse Side)**

Under penalties of perjury, I certify that \_\_\_\_\_ is my correct Federal Taxpayer Identification Number. I am doing business as a (please check one):

<input type="checkbox"/> Individual	<input type="checkbox"/> Not-For-Profit Corporation	<input type="checkbox"/> Trust or Estate
<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Real Estate Agent	<input type="checkbox"/> Medical and Health Care Service Provider
<input type="checkbox"/> Partnership	<input type="checkbox"/> Governmental Entity	
<input type="checkbox"/> Corporation	<input type="checkbox"/> Tax Exempt Organization (IRC 501(a) only)	

\_\_\_\_\_  
Firm/Company Name

\_\_\_\_\_  
Vendor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Purchasing Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Vendor Name Typed or Printed

In order to meet Form 1099 Information reporting rules formulated by the Internal Revenue Service, please complete the following:

#### **INSTRUCTIONS**

1. Enter your Taxpayer Identification Number (TIN) in the appropriate space. For individuals and sole proprietorships:
2. If you do not have a TIN, apply for one immediately. To apply, obtain the form Application for a Social Security Number Card (for individuals) from your local office of the Social Security Administration, or form, Application for Employer Identification Number (for businesses and all other entities), from your local Internal Revenue Service office.
3. If you do not have a TIN, fill out the certification indicating that a TIN has been applied for, sign and date the form, and return it to this agency. As soon as you receive your TIN, fill out another such form indicating your TIN, sign and date the form, and give it to this agency.
4. If you fail to furnish your correct TIN to this agency, you are subject to an IRS penalty of \$50.00 for each such failure unless your failure is due to reasonable cause and not to willful neglect.
5. **WILLFULLY FALSIFYING CERTIFICATIONS OR AFFIRMATIONS MAY SUBJECT YOU TO CRIMINAL PENALTIES, INCLUDING FINES AND/OR IMPRISONMENT.**