

## **SOUTHERN ILLINOIS UNIVERSITY - EDWARDSVILLE**

### **GENERAL TERMS AND CONDITIONS**

The following General Terms and Conditions will apply **UNLESS OTHERWISE SPECIFIED IN THE BID PROPOSAL.**

1. This transaction is subject to Regulations Governing Procurement and Bidding at State Systems Universities in Illinois adopted pursuant to Illinois Procurement Code.
2. TAXES: The University is exempted by the Illinois Use Tax Act (35 ILCS 105/3-5) from paying any of the taxes imposed by the Act, and sales to the University are exempt by the Illinois Retailer's Occupation Tax Act (35ILCS 120/2-5) from any of the taxes imposed by that Act. The University is exempt from Federal Excise Tax and an exemption certificate will be provided upon request.
3. Bid proposals shall be executed and submitted on the form/s provided by the Director of Purchases of Southern Illinois University at Edwardsville. Only the Proposal Sheet's and attachments or brochures (if any) are to be returned. The sealed bid (proposal) shall be delivered to the Office of the Director of Purchases of Southern Illinois University Edwardsville, Box 1012, Edwardsville, IL 62026. The Purchasing Office is located in the Supporting Services Building on the Edwardsville Campus.
4. Bid proposals may be either delivered by hand, or sent through U.S. Mail to the address shown above. In either event, bidders remain responsible for insuring that bids are actually received at the time, date, place and office required.
5. Bidders may withdraw, change, or modify proposals at any time prior to the time and date of official opening. No oral (only written, telegraphic, or other electronically transmitted hard copy modifications) to the proposal will be considered. All such transmittals shall be confirmed in writing (signed by an authorized representative) and postmarked no later than the date of the bid opening.
6. The Director of Purchases of the University reserves the right to reject any and all bids or any part thereof, to waive informalities, and to accept the bid deemed most favorable to the University.
7. Unit and total price for each line item must be clearly shown. In the event of a discrepancy, the unit price shall govern unless otherwise expressly stated in the bid proposal.

8. Packing, deposits, and other costs, including transportation costs will not be allowed in billing unless specifically stated in your bid proposal.
9. Time is of essence; therefore, accurate delivery schedules may be considered in making an award.
10. No person shall be eligible to be awarded a contract subject to the competitive bidding requirements of the Illinois Procurement Code, unless such person, is prequalified by the Commission or is not subject to a current order of non-compliance and has prior to bid opening, filed with the Illinois Department of Human Rights, 100 West Randolph, Room 10-100, Chicago, IL 60601, a completed and sworn Employer Report Form (Form PC-1).
11. Illinois State Board of Elections  
Effective January 1, 2009 - New Vendor Requirements: Public Act 095-0971 requires vendors who wish to bid on State of Illinois contracts to register with the Illinois State Board of Elections. The Act applies to all for-profit vendors, including out-of-state and non-U.S. vendors. Vendors that are not in compliance with the Act cannot be awarded contracts by the state universities. Vendors who registered with the Illinois State Board of Elections by mail or e-mail prior to August 1, 2009 should have re-registered online by September 30, 2009 at <https://BEREP.elections.il.gov>.
12. A Foreign Corporation is responsible for obtaining A CERTIFICATE OF AUTHORITY to transact business in the State of Illinois. A Foreign Corporation is a corporation organized under the laws of the state or country other than Illinois. Contact: Secretary of State, (217) 782-6961.
13. Prompt payment discounts involving periods of less than 30 days will not be considered for bid evaluation purposes. However, applicable discounts will be taken if processed within the stated time limit.
14. Approximately 30 days are likely to elapse between an awardee's submission of a bill and payment thereof.
15. If any one or more specifications is deemed by the bidder to be unnecessarily restrictive in nature, consideration will be given to changing same if the buyer is so advised a minimum of five (5) days before the bid opening. Any verbal notification is to be confirmed immediately in writing to all bidders.

16. Subcontracting of Services

The services provided for herein shall be performed by Vendor, and not person other than Vendor shall be engaged in such services. In the event the Vendor requires the service of other vendors, an amendment to this purchase order stating the name, taxpayer identification number, addresses, and anticipated amounts to be paid to said additional vendors shall be required. This provision shall not apply to secretarial and clerical services needed by vendor to assist in the performance of this order. Vendor shall not hire University's employees to perform any portion of the work or services provided for herein, including clerical, secretarial and similar incidental services, except upon the written approval of the University.

17. Conflict of Interest

Vendor affirms, that to the best of his/her knowledge, there exist no actual or potential conflict between vendor's family, business, or financial interest and his/her services under this order. He/She further affirms that he/she is not an SIUE officer or employee of the spouse thereof.

18. Vendor as Independent Contract

Vendor will not be considered to be an agent or employee of the University for any purpose.

19. Illinois Campus Security Enhancement Act of 2008

The Illinois General Assembly has recently adopted new statutory requirements affecting all institutions of higher education in the State of Illinois relating to campus violence prevention. Specifically, the Illinois Campus Security Enhancement Act of 2008 mandates all institutions of higher education to create a campus violence prevention plan and training program. In response to this statutory mandate, Southern Illinois University Edwardsville ("University") has developed a campus violence prevention plan which sets forth violence prevention strategies, measures, policies and programs for the purpose of preventing violence and enhancing safety on campus. This plan incorporates the statutory requirements which include the plan itself, the formation of a violence prevention committee and training/notification procedures for the campus community.