

## CHIEF PROCUREMENT OFFICER FOR CAPITAL DEVELOPMENT BOARD

## NOTICE OF PUBLIC INFORMATION

## NOTICE OF CAMPAIGN CONTRIBUTION VIOLATION OF PROCUREMENT CODE

1. Statutory Authority: Section 50-37 of the Illinois Procurement Code, 30 ILCS 500/50-37, prohibits business entities with contracts and solicitations worth in excess of \$50,000 in combined annual value pending with a given officeholder responsible for awarding the contracts from making campaign contributions to campaign committees established to promote the candidacy of the officeholder or any other declared candidate for that office. The prohibition also extends to contributions made by various affiliated persons and businesses of a business entity that is subject to the prohibition. Section 50-37 requires that notice of violation of the prohibition and the penalty imposed is to be published in the *Illinois Register*.
2. Name of Contributor: Thomas Rakow, IHC Construction Companies, Inc.
3. Date of Violation: September 8, 2014
4. Description of Violation: Thomas Rakow, an affiliated person of the business entity, IHC Construction Companies Inc., made a contribution of \$1,000.00 to Citizens for Rauner, a campaign committee established to support the election of Bruce Rauner to Governor. At the time of the contribution, Bruce Rauner was a declared candidate for the office of Governor, and IHC Construction Companies, Inc. had contracts with the Illinois Toll Highway Authority and had received an August 29, 2014 notice of award of a Capital Development Board contract for a project to construct the Chicago Veterans Home, all of which valued in total over \$50,000.
5. Summary of Action Taken by the Agency: Section 50-37 provides that State contracts with a business entity that violates the campaign contribution prohibition are voidable at the discretion of the chief procurement officer. This is IHC Construction Companies, Inc.'s second violation of Section 50-37. This violation occurred prior to the issuance of the CPO's notice of the first violation. The Chief Procurement Officer for the Capital Development Board has notified the entity of the apparent violation, reviewed responsive material, and has considered the value, status, and necessity of the CDB contract. In addition, the Chief Procurement Officer has taken into consideration the recognition by the entity of the violation and its understanding of the necessity to avoid such situations in the future. The Chief Procurement Officer finds that voiding affected CDB contracts, bids or proposals would not be in the best interest of the State.

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As required by Section 50-37(e) of the Procurement Code, Citizens for Rauner is required to pay to the State an amount equal to the value of the contribution within 30 days of the publication of this notice.