

circumstances surrounding the acts rendering the person subject to disqualification including, but not limited to, the nature of the acts involved, whether and to what extent he subsequently cooperated with the appropriate authorities in their investigation of the matter, the conditions under which he cooperated, and the time when the acts occurred, and (2) the conduct of the person since the acts were performed, and conclude whether or not the integrity of the contracting process and the best interests of the State would be served by disqualifying the person from entering into contracts with governmental entities within the State. Upon making its determination, the Board shall notify the person subject to disqualification in writing either that (i) he is disqualified or (ii) he is no longer subject to disqualification for the acts which were the subject of the hearing and determination.

(f) (1) Any person disqualified under the provisions of this section may, after a period of 5 years from the date of his disqualification, petition the Board for removal of his disqualification. Within 90 days after receipt of such a petition, the Board or a hearing examiner appointed by the Board shall conduct a hearing and the Board shall determine whether the person's disqualification should be removed. The time for hearing and determination may be extended by the Board for good cause shown. In making its determination, the Board shall consider the factors set forth in subsection (e) and conclude whether or not the integrity of the contracting process and the best interests of the State would be served by continuing the person's disqualification. Upon making its determination, the Board shall notify the petitioner in writing either that (i) his disqualification has been removed or (ii) his disqualification has been continued.

(2) If the conviction forming the basis for disqualification of any person under subsection (b) or (e) is reversed or otherwise rendered void, that person's disqualification shall automatically terminate.

(g) The Attorney General shall conduct an investigation of the matters to be determined by the Board in any hearing under this section and shall present to the Board, as a party to the proceedings, such evidence as he deems appropriate. Hearings under this section shall be conducted in accordance with the Administrative Procedure Act, and any party aggrieved by a decision of the Board is entitled to judicial review.

(h) (1) Every business entity, including an individual, upon submitting a bid or otherwise applying for a contract with the State, or any county or other subdivision of the State, shall submit an affidavit stating, to its best knowledge, whether it or any of its officers, directors, or partners, or any of its employees who are directly involved in obtaining contracts with the State, or with any county or other subdivision of the State, has been convicted of bribery, attempted bribery, or conspiracy