

**45A.860 Certification of circumstances that may or may not constitute violation of statutes -- Retention and inspection of logs and evaluation sheets.**

- (1) After a winning underwriter or bond counsel contract has been awarded by the secretary of the Finance and Administration Cabinet pursuant to KRS. 45A.853 and 45A.857, the executive director shall supply the name of the firm to each member of the selection committee. The executive director shall also send a letter to each firm which responded to the request for proposals, informing the firm of the name of the underwriter or bond counsel which has been awarded the contract.
- (2) The secretary of the Finance and Administration Cabinet, executive director, head of the relevant bond issuing agency, and each voting member of the selection committee shall sign separate certificates, devised by the office, which shall certify that, to the best of his knowledge, he is either aware or unaware of circumstances which may constitute a willful violation of KRS 45A.840 to 45A.879 which has arisen in the procurement process.
- (3) Any employee of the Auditor of Public Accounts, who was appointed to serve as a nonvoting member of the selection committee and who attended any committee proceeding, shall participate in the preparation of a report for filing with the Capital Projects and Bond Oversight Committee certifying that the applicable procedural provisions of KRS 45A.840 to 45A.879 were, or were not, met. Before filing the report, the employee or employees who participated in its preparation shall sign it.
- (4) The Finance and Administration Cabinet shall retain the logs created pursuant to KRS 45A.853(7)(c)4. and the completed selection evaluation sheets required by KRS 45A.853(7)(c)5. The Finance and Administration Cabinet shall permit the public to inspect these documents. Each evaluation sheet and each log shall be signed by the person who completed it. The cabinet shall permit the public to inspect these documents and shall not black out the signature of the person who signed the evaluation sheet or the log.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 92, sec. 5, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 139, sec. 5, effective July 15, 1996. -- Created 1994 Ky. Acts ch. 409, sec. 7, effective July 15, 1994.