



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4205

by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

30 ILCS 500/15-25

Amends the Illinois Procurement Code. Provides that the requisite notice regarding every contract that is let shall include the number of unsuccessful bidders (currently unsuccessful responsive bidders). Effective immediately.

LRB098 16774 OMW 51843 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Procurement Code is amended by
5 changing Section 15-25 as follows:

6 (30 ILCS 500/15-25)

7 Sec. 15-25. Bulletin content.

8 (a) Invitations for bids. Notice of each and every contract
9 that is offered, including renegotiated contracts and change
10 orders, shall be published in the Bulletin, and all businesses
11 listed on the Department of Transportation Disadvantaged
12 Business Enterprise Directory, the Department of Central
13 Management Services Business Enterprise Program and Small
14 Business Vendors Directory, and the Capital Development
15 Board's Directory of Certified Minority and Female Business
16 Enterprises shall be furnished written instructions and
17 information on how to register on each Procurement Bulletin
18 maintained by the State. Such information shall be provided to
19 each business within 30 days after the business' notice of
20 certification. The applicable chief procurement officer may
21 provide by rule an organized format for the publication of this
22 information, but in any case it must include at least the date
23 first offered, the date submission of offers is due, the

1 location that offers are to be submitted to, the purchasing
2 State agency, the responsible State purchasing officer, a brief
3 purchase description, the method of source selection,
4 information of how to obtain a comprehensive purchase
5 description and any disclosure and contract forms, and
6 encouragement to prospective vendors to hire qualified
7 veterans, as defined by Section 45-67 of this Code, and
8 qualified Illinois minorities, women, persons with
9 disabilities, and residents discharged from any Illinois adult
10 correctional center.

11 (b) Contracts let. Notice of each and every contract that
12 is let, including renegotiated contracts and change orders,
13 shall be issued electronically to those bidders or offerors
14 submitting responses to the solicitations, inclusive of the
15 unsuccessful bidders, immediately upon contract let. Failure
16 of any chief procurement officer to give such notice shall
17 result in tolling the time for filing a bid protest up to 5
18 business days. The apparent low bidder's award and all other
19 bids from bidders responding to solicitations shall be posted
20 on the agency's website the next business day.

21 (b-5) Contracts awarded. Notice of each and every contract
22 that is awarded, including renegotiated contracts and change
23 orders, shall be issued electronically to the successful
24 responsible bidder or offeror, posted on the agency's website
25 the next business day, and published in the next available
26 subsequent Bulletin. The applicable chief procurement officer

1 may provide by rule an organized format for the publication of
2 this information, but in any case it must include at least all
3 of the information specified in subsection (a) as well as the
4 name of the successful responsible bidder or offeror, the
5 contract price, the number of unsuccessful ~~responsive~~ bidders,
6 and any other disclosure specified in any Section of this Code.
7 This notice must be posted in the online electronic Bulletin
8 prior to execution of the contract.

9 (c) Emergency purchase disclosure. Any chief procurement
10 officer or State purchasing officer exercising emergency
11 purchase authority under this Code shall publish a written
12 description and reasons and the total cost, if known, or an
13 estimate if unknown and the name of the responsible chief
14 procurement officer and State purchasing officer, and the
15 business or person contracted with for all emergency purchases
16 in the next timely, practicable Bulletin. This notice must be
17 posted in the online electronic Bulletin no later than 3
18 business days after the contract is awarded. Notice of a
19 hearing to extend an emergency contract must be posted in the
20 online electronic Procurement Bulletin no later than 5 business
21 days prior to the hearing.

22 (c-5) Business Enterprise Program report. Each purchasing
23 agency shall, with the assistance of the applicable chief
24 procurement officer, post in the online electronic Bulletin a
25 copy of its annual report of utilization of businesses owned by
26 minorities, females, and persons with disabilities as

1 submitted to the Business Enterprise Council for Minorities,
2 Females, and Persons with Disabilities pursuant to Section 6(c)
3 of the Business Enterprise for Minorities, Females, and Persons
4 with Disabilities Act within 10 business days after its
5 submission of its report to the Council.

6 (c-10) Renewals. Notice of each contract renewal shall be
7 posted in the online electronic Bulletin within 10 business
8 days of the determination to renew the contract and the next
9 available subsequent Bulletin. The notice shall include at
10 least all of the information required in subsection (b).

11 (c-15) Sole source procurements. Before entering into a
12 sole source contract, a chief procurement officer exercising
13 sole source procurement authority under this Code shall publish
14 a written description of intent to enter into a sole source
15 contract along with a description of the item to be procured
16 and the intended sole source contractor. This notice must be
17 posted in the online electronic Procurement Bulletin before a
18 sole source contract is awarded and at least 14 days before the
19 hearing required by Section 20-25.

20 (d) Other required disclosure. The applicable chief
21 procurement officer shall provide by rule for the organized
22 publication of all other disclosure required in other Sections
23 of this Code in a timely manner.

24 (e) The changes to subsections (b), (c), (c-5), (c-10), and
25 (c-15) of this Section made by this amendatory Act of the 96th
26 General Assembly apply to reports submitted, offers made, and

1 notices on contracts executed on or after its effective date.

2 (f) Each chief procurement officer shall, in consultation
3 with the agencies under his or her jurisdiction, provide the
4 Procurement Policy Board with the information and resources
5 necessary, and in a manner, to effectuate the purpose of this
6 amendatory Act of the 96th General Assembly.

7 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793
8 for the effective date of changes made by P.A. 96-795);
9 96-1444, eff. 8-20-10; 97-895, eff. 8-3-12.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.