**Section 1.4020 Request for Information − Real Property and Capital Improvement Leases**

a) RFI-Real Property Leases Form

When required, an RFI-Real Property Lease shall be issued and include, but not be limited to, the following:

1) *The type of property to be leased;*

2) *The proposed uses of the property;*

3) *The duration of the lease;*

4) *The preferred location of the property,* including acceptable geographic boundaries;

5) *A general description of the configuration desired* [30 ILCS 500/40-20(b)];

6) Special and standard lease terms and conditions, qualifications and responsibility requirements, disclosures and certifications;

7) The permissible methods of submission, including the address to which responses may be sent; and

8) The criteria for evaluating responses based on the minimum standards and conditions for occupancy.

b) All required documents of the RFI-Real Property Leases will be available in electronic format from the Bulletin. Notice shall begin when first published electronically. RFI-Real Property Leases document packages may also be mailed to owners of property that may meet the State's needs after the RFI-Real Property Leases have been published in the Bulletin.

c) RFI-Real Property Leases document packages shall, at a minimum, include:

1) Response forms and instructions for completing forms;

2) A copy of spatial and performance guidelines required to meet the needs of the State agency to occupy the real property being procured; and

3) The date and time responses must be submitted.

d) Public Notice

*Public notice of the* RFI-Real Property Leases *shall be published in the Bulletin at least 14 days before the date set forth in the request for receipt of responses and shall also be published in a similar manner in a newspaper of general circulation in the community or communities where the State agency is seeking space* [30 ILCS 500/40-20(c)].

e) Response

*The* RFI-Real Property Leases *response shall consist of written information sufficient to show that the respondent can meet minimum criteria set forth in the* RFI-RPL. [30 ILCS 500/40-20(d)] All responses to the RFI-Real Property Leases will be publicly opened on the announced date. Names of all parties submitting proposals will be made available to the public immediately following the opening of the proposals.

f) Negotiation and Determination

1) *The SPO or* those who conduct leasing activities *may enter into discussions with respondents to the* RFI-Real Property Leases *for the purpose of clarifying State agency needs and the information supplied by the respondents, On the basis of the information supplied and discussions, if any, the SPO shall make a written determination identifying the responses that meet the minimum criteria set forth in the* RFI-Real Property Leases*. Negotiations shall be entered into with all qualified respondents for the purpose of securing a lease that is in the best interest of the State.* [30 ILCS 500/40-20(d)] Site visits may be made as part of the discussion and/or negotiation process.

2) The SPO reserves the right to reject any responses and to request and evaluate "best and final" proposals. Best and final offers shall be sought after a written determination is made by the SPO or designee that it is in the best interest of the State to request best and final proposals. A best and final proposal shall not be requested from any vendor deemed non-responsive or who does not meet the minimum criteria set forth in the RFI.

3) The State agency advertised in the RFI may be substituted by another State agency prior to award as long as the elements listed in subsections (a)(1) through (6) do not change materially as a result of the substitution and the solicitation allows for that substitution.

g) Contract Award, Reporting and Filing

1) The SPO shall review all relevant information and shall make the final award, which will be published in the Bulletin. Notification of award will be sent to all respondents.

2) When the lowest response by price is selected, a written report of the negotiation shall be retained in the procurement file and shall include the reasons for the final selection.

3) *When the lowest response by price is not* recommended*, the SPO shall forward to the CPO-GS, along with the lease, notice of the identity of the lowest respondent by price, and written reasons for the* recommendation *of a different response. The* CPO-GS *shall publish the written reasons for selection in the next volume of the Bulletin.* [30 ILCS 500/40-20(d)] The written reasons for the selection of the vendor shall be retained in the procurement file.

h) PPB Review

*PPB shall review any proposed lease of real property of more than 10,000 square feet or any proposed lease of real property with annual rent payments of $100,000 or more. The PPB shall have 30 days to review the proposed lease.* No contract may be entered into until the 30-day period has expired, unless the State agency requests in writing that the PPB waive the period and the PPB grants the waiver in writing. *If the PPB does not object within 30 days, the proposed lease shall become effective.* [30 ILCS 500/40-20(e)]

i) State Agency Cooperation

A State agency shall provide any materials or provide any assistance the PPB determines is required for its review. PPB may request in writing from the State agency and the State agency shall promptly, but in no event later than 5 business days after receipt of the request, provide to PPB documentation of information in the possession of the State agency.

j) Actions and determination made in this subsection shall be made in consultation with the Department of Central Management Services, the State agency responsible for the purchasing and leasing of real property as defined in 20 ILCS 405/405-300 (Department of Central Management Services Law).

(Source: Amended at 46 Ill. Reg. 10208, effective June 2, 2022)