**Section 4.2040 Cancellation of Solicitations; Rejection of Bids or Proposals**

a) Policy

Any solicitation shall be cancelled before or after opening when a university requests or when the SPO determines cancellation to be in the State's best interest. Any cancellation shall be justified in writing. Prior to an SPO cancelling a solicitation, the SPO shall consult with the university in reaching a determination of whether cancellation is in the university's best interest. Nothing shall compel the award of a contract.

b) Cancellation of Solicitation; Rejection of All Bids or Proposals

1) A solicitation may be canceled in whole or in part when the SPO determines in writing that the action is in the State's best interest for reasons including, but not limited to:

A) the university no longer requires the supplies or services;

B) the university no longer can reasonably expect to fund the procurement;

C) proposed amendments to the solicitation would be of such magnitude that a new solicitation is desirable;

D) ambiguous or otherwise inadequate specifications;

E) the solicitation did not provide for consideration of all factors of significance to the university;

F) prices exceed available funds and it would not be appropriate to adjust quantities to come within available funds;

G) all otherwise acceptable bids or proposals received are at clearly unreasonable prices; or

H) there is reason to question whether the bids or proposals may not have been independently arrived at in open competition, may have been collusive, or may have been submitted in bad faith.

2) When a solicitation is cancelled, notice of cancellation shall be posted to the Bulletin.

3) The notice of cancellation shall:

A) identify the solicitation;

B) briefly explain the reason for cancellation; and

C) when appropriate, explain that an opportunity will be given to compete on any re-solicitation or any future procurements of similar supplies or services.

c) Rejection of Individual Bids or Proposals

1) Individual bids or proposals may be rejected for reasons including, but not limited to:

A) the vendor that submitted the bid or proposal is non-responsible as determined under Section 4.2046 (Responsibility);

B) the bid or proposal is not responsive, that is, it does not conform in all material respects to the solicitation, including submission requirements;

C) the supply or service item offered in the bid or proposal is unacceptable by reason of its failure to meet the announced requirements of the solicitation, including but not limited to specifications or permissible alternates or other acceptability criteria set forth in the solicitation, statement of work or quotation; or

D) the proposed price, including options, is clearly unreasonable.

2) Notice of Rejection. Upon request, bidders or offerors whose bid or proposal has been rejected shall be advised of the reasons for rejection.

d) Documentation

The reason for cancellation or rejection shall be made a part of the procurement file and shall be available for public inspection.

(Source: Amended at 40 Ill. Reg. 456, effective January 15, 2016)