**Section 1300.15 Definitions of Terms Used in This Part**

As used throughout this Part, terms defined in the Illinois Procurement Code shall have the same meaning as in the Code and as further defined in this Section, and each term listed in this Section shall have the meaning set forth in this Section unless its use clearly requires a different meaning. Terms may be defined in particular Sections for use in that Section.

"Amendment" – A written unilateral or bilateral modification to a contract term, as permitted by the original contract. These modifications shall alter the performance and completion of the contract, including but not limited to such matters as extra work, increases or decreases in quantities of goods not included within the scope of the original contract, and increases or decreases in the cost of the contract or the time for completion of the contract.

"Award" – The selection of a vendor for a contract.

"Bid" − The *response submitted by a bidder in a competitive sealed bidding process,* in response *to an Invitation for Bids, or to a multi-step sealed bidding process* [30 ILCS 500/1-15.01].

"Bidder" − Any person, other than an individual acting as a sole proprietor, who submits a bid. The terms "bidder" and "offeror" are used interchangeably for purposes of this Part.

"Bidder or Offeror Authorized to Transact Business or Conduct Affairs in Illinois" or "Qualified Bidder" – A person, other than an individual acting as a sole proprietor, that is a legal entity authorized to transact business or conduct affairs in Illinois as evidenced by its registration with the Secretary of State Department of Business Services.

"Brand Name or Equal Specification" − A specification that uses one or more manufacturer's names or catalogue numbers to describe the standard of quality, performance, and other characteristics needed to meet State requirements, and that allows the submission of equivalent products.

"Brand Name Specification" − A specification limited to one or more items by manufacturers' names or catalogue numbers.

"Bulletin" or "BidBuy" – The Illinois Procurement Bulletin, which can be found at https://bidbuy.illinois.gov/bso.

"Change Order" – A change order shall have the same meaning as an "amendment".

"Code" – The Illinois Procurement Code [30 ILCS 500].

"Concession" – The right or a lease to engage in a certain activity for profit on the lessor's premises (e.g., a refreshment or parking concession).

"Consulting Services" – Services provided by a business or person as an independent contractor to advise and assist the OAG in solving specific management or programmatic problems involving the organization, planning, direction, control or operations of the OAG. The services may or may not rise to the level of professional and artistic as defined in the Code and this Part.

"Contract" − A contract may be in written or oral form. The term contract as used in the Code and this Part does not include: goods or services the terms governing which are established by tariff of the Illinois Commerce Commission or the Federal Communications Commission, bonds issued by or on behalf of any State agency, or contracts, other than for "concessions", that the State agency signs, but has no financial obligation to the other parties.

"Contractor" or "Vendor" – A person or entity having a contract with the OAG. The terms "contractor" and "vendor" are used interchangeably for purposes of the Code and this Part.

"Day" − Calendar day. In computing any period of time, the day of the event from which the designated period of time begins to run shall not be included, but the last day of the period shall be included unless it is a Saturday, Sunday, or a State holiday, in which event the period shall run to the end of the next business day.

"DCMS" or "CMS" − The Department of Central Management Services.

"Items" – Anything that may be procured under the Code or this Part.

"Invitation for Bids" or "IFB" – *the process by which a purchasing agent requests information from bidders, including all documents, whether attached or incorporated by reference, used for soliciting bids* [30 ILCS 500/1-15.45].

"Multi-Year Contract" – A multi-year contract is a contract with a performance term of more than 12 months.

"OAG" − The Office of the Attorney General.

"Offer" – *a response submitted by an offeror in a competitive sealed proposal process or* in response *to a Request for Proposal* [30 ILCS 500/1-15.51]. The terms "offer" and "proposal" are used interchangeably for purposes of this Part.

"Offeror" – A person who responds to an Invitation for Bids, Request for Proposals or other form of solicitation. The terms "offeror" and "bidder" are used interchangeably for purposes of this Part.

"Procurement Officer" – The Chief Procurement Officer (CPO) or appropriate Purchasing Officer who conducts a particular procurement, or a designee of either.

"Proposal" − The response to a Request for Proposals. The terms "proposal" and "offer" are used interchangeably for purposes of this Part.

"Protest Review Office" – The office address of the person designated in the solicitation documents to which protests must be directed. The person designated in the solicitation documents will respond to or coordinate the response to the protest.

"Purchase of Care" − *Purchase of care means a contract with a person for the furnishing of medical, educational, psychiatric, vocational, rehabilitative, social, or human services directly to a recipient of a State aid program.* [30 ILCS 500/1-15.68] Services provided to a recipient include those that are a necessary adjunct to the provision of the State aid program services (e.g., obtaining intake information prior to commencement of medical treatment). Services provided to an applicant for a State aid program necessary to determine eligibility for the program are included within this definition.

"Qualified Products List" − An approved list of supplies, services, or construction items described by model or catalogue numbers that, prior to competitive solicitation, the State has determined will meet the applicable specification requirements.

"Renewal" – An extension of an original contract with materially identical terms to the original contract.

"Request for Information" or "RFI" – The process by which the OAG requests information from offerors for OAG contracts for leases of real property or capital improvements.

"Request for Proposals" or "RFP" – The process by which the OAG requests information from offerors, including all documents, whether attached or incorporated by reference, used for soliciting proposals*.*

"Responsible Bidder", "Potential Contractor" or "Offeror" – A person who has the capability in all respects to perform fully the contract requirements and the integrity and reliability that will assure good faith performance. A responsible bidder, potential contractor or offeror shall not include a business or other entity that does not exist as a legal entity at the time the bid or proposal was submitted in response to an OAG solicitation. The terms "responsible bidder", "potential contractor" and "offeror" are used interchangeably for purposes of this Part.

"Services" – *The furnishing of labor, time or effort by a contractor, not involving the delivery of a specific end product other than reports or supplies that are incidental to the required performance* [30 ILCS 500/1-15.90], and the financing thereof.

"Solicitation" – An Invitation for Bids, a Request for Proposals or other request to one or more vendors to respond to a procurement need expressed by the OAG.

"Specification" − Any description of the physical, functional, or performance characteristics, or of the nature of supply, service, or construction items. A specification includes, as appropriate, requirements for inspecting, testing, or preparing a supply, service, or construction item for delivery. Unless the context requires otherwise, the terms "specification" and "purchase description" are used interchangeably throughout this Part.

"Specification for a Common or General Use Item" − A specification that has been developed and approved for repeated use in procurements.

"Subcontract" – A contract between one person and another person who has or is seeking a contract subject to this Part, pursuant to which the subcontractor provides to the contractor some or all of the goods, services, property, remuneration or other forms of consideration that are the subject of the primary contract and includes, among other things, subleases from a lessee of a State agency. A *"subcontract" does not include purchases of goods or supplies that are incidental to the performance of a contract by a person who has a contract* subject to this Part [30 ILCS 500/1-15.107].

"Subcontractor" – A person or entity that enters into a contractual agreement, for an amount greater than the small purchases limits set by Section 20-20 of the Code (or an amount set by rule pursuant to Section 20-20(c) of the Code) or Section 35-35 of the Code or Section 45 of the Architectural, Engineering and Land Surveying Qualifications Based Selection Act [30 ILCS 535/45], with a contractor who has or is seeking a contract subject to the Code and this Part, to provide the contractor with some or all of the goods, services, property, remuneration or other forms of consideration that are the contractor's contractual obligations. *A person or entity is not a "subcontractor" if that person only provides goods or supplies that are incidental to the performance of a contract by a person who has a contract* subject to this Part [30 ILCS 500/1-15.108].

"Unsolicited Offer" – Any offer other than one submitted in response to a solicitation.

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