**Section 1400.4510 Resident Vendor Preference**

a) "Illinois resident vendor", as used in this Section, means *a person authorized to transact business in this State and having a bona fide establishment for transacting business within this State where* *it was actually transacting business on the date when any* competitive solicitation *for a public contract is first advertised or announced, including a foreign corporation duly authorized to transact business in this State that has a bona fide establishment for transacting business within this State where* *it was actually transacting business on the date when any* competitive solicitation *for a public contract is first advertised or announced.* [30 ILCS 500/45-10(b)]

b) In breaking a tie bid or proposal, as described in Section 1400.2510, an Illinois resident vendor shall be given the award.

c) An Illinois resident vendor shall be allowed a preference over a non-resident vendor equal to any in-state vendor given or required by the state of the non-resident vendor.

d) If only non-resident bidders are bidding, the purchasing agency has the right to specify that Illinois labor and manufacturing locations be used as part of the manufacturing process. This specification may be negotiated as part of the solicitation process.

e) *This Section does not apply to any contract for any project as to which federal funds are available for expenditure when its provisions may be in conflict with federal law or federal regulation.* [30 ILCS 500/45-10(c)]

(Source: Amended at 48 Ill. Reg. 2924, effective February 7, 2024)