**Section 2000.1005 Conduct and Oversight of Procurements**

a) Chief Procurement Officer. The Secretary of State shall designate a chief procurement officer (CPO) for purposes of the Code and this Part. The CPO may conduct any or all procurements on behalf of the SOS. The CPO must have at least 5 years of experience in State budgeting or procurement activities or be a certified professional public buyer or certified public purchasing officer by the Universal Public Purchasing Certification Council. The CPO must be a resident of the State of Illinois and shall owe a fiduciary duty to the State. The CPO is responsible for signing all written award determination letters, stating the reasoning for any contract award decision. The CPO performs other duties as required by law.

b) State Purchasing Officer (SPO). The Secretary may appoint one or more SPOs to conduct procurement in accordance with the terms of the appointment and this Part. The employee performing the duties of the SPO will be classified as a Merit Compensation employee pursuant to Secretary of State Department of Personnel rules (80 Ill. Adm. Code 410 and 420) and, upon attaining certified status, will have the employment protections afforded that status. SPOs must be certified as a professional public buyer or a public purchasing officer by the Universal Public Purchasing Certification Council within 18 months after appointment. In the absence of an SPO, the CPO may designate a temporary acting SPO. The SPO exercises procurement authority at the direction of the CPO, and the decisions of an SPO are subject to review by the CPO. The SPO may enter into contracts on behalf of the Office of the Secretary of State. The SPO performs other duties as required by law.

c) Procurement Compliance Monitor. The Secretary of State Inspector General appointed pursuant to Section 14 of the Secretary of State Act [15 ILCS 305], or a designee, shall serve as the Procurement Compliance Monitor. If a designee is appointed to serve as the monitor, that designee will be classified as a Merit Compensation employee pursuant to Secretary of State Department of Personnel rules (80 Ill. Adm. Code 410 and 420) and, upon attaining certified status, will have the employment protections afforded that status. It is the duty of the monitor to oversee and review the procurement processes. The monitor communicates directly with the Secretary and:

1) has the right to review all contracts, attend any procurement meeting, and access reports and files;

2) issues reports to the CPO regarding outstanding procurement problems;

3) ensures transparency and compliance with procurement laws;

4) reports findings of waste to SOS departments. If the department does not correct circumstances causing the waste, the monitor will report to the CPO and the Inspector General; and

5) performs other duties as required by law.

d) Procurement Policy Board. The Secretary shall appoint a Secretary of State Procurement Policy Board (SOS PPB). The SOS PPB consists of 5 members. In making appointments to the SOS PPB, the Secretary will consider an individual's knowledge and experience in State government procurements and operations. The members shall receive no compensation for serving on the SOS PPB other than reimbursement for expenses reasonably incurred in the performance of their duties. Except as provided in subsection (e), the SOS PPB will:

1) be authorized to review, comment upon, and recommend rules and practices governing the procurement, management, control and disposal of supplies, services, professional or artistic services, construction, and capital improvements procured by the Office of the Secretary of State;

2) be authorized to review any proposal, bid or contract, and may issue recommendations regarding procurement matters;

3) be notified by the CPO if a conflict of interest is identified, discovered, or reasonably suspected to exist. In the event of such notification, the SOS PPB is to recommend action and give its recommendation to the CPO and Secretary. The SOS PPB's recommendation is published in the Bulletin;

4) report to the Inspector General whenever the PPB has cause to believe there has been a violation of the Procurement Code; and

5) perform other duties as required by law.

e) Real Estate Review Committee. The Secretary shall appoint a Secretary of State Real Estate Review Committee (RRC), consisting of 4 members plus the Chief of Staff. The 4 appointed members will include professionals with real estate experience. The RRC is authorized to review, comment upon, and recommend rules and practices governing the procurement, leasing, management, control, and disposal of real property by the Secretary of State. Reviews of real property transactions shall consider issues related to: legality; fair market value; verifications of property information, including square footage, property taxes, etc.; accuracy of rent allocation schedules; accuracy of vendor disclosure documents; and possible conflicts of interest.

f) Chief Internal Auditor. The Secretary shall appoint a chief internal auditor. The auditor must have a bachelor's degree, and must be either a certified internal auditor, a certified public accountant with at least 4 years of auditing experience, or an auditor with 5 years of experience. Any chief internal auditor appointed on or after July 1, 2010, shall be appointed for a period of 5 years and may only be removed for cause. The chief internal auditor reports directly to the Secretary. Subject to the approval of the Secretary, and consistent with the Fiscal Control and Internal Auditing Act [30 ILCS 10], the chief internal auditor:

1) directs the internal audit functions and activities;

2) prepares audit reports and assesses program goals;

3) is responsible for the preparation of an annual audit plan for submission to and subject to the approval of the Secretary; and

4) performs other duties as required by law.

(Source: Amended at 47 Ill. Reg. 10622, effective July 3, 2023)