



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB3467

Introduced 2/16/2018, by Sen. Dale Fowler

SYNOPSIS AS INTRODUCED:

30 ILCS 500/45-95 new

Amends the Illinois Procurement Code. Provides that when a contract is to be awarded through a competitive bidding process, the price offered by a qualified HUBZone small business concern shall be deemed to be lower than the price offered by another responsible bidder, potential contractor, or offeror, if the price offered by the qualified HUBZone small business concern is not more than 10% higher than the price offered by the other responsible bidder, potential contractor, or offeror. Requires each chief procurement officer to establish rules related to the eligibility of qualified HUBZone small business concerns to receive preference, and to verify the accuracy of any information submitted by a qualified HUBZone small business concern with respect to a contract awarded. Provides that the provisions regarding HUBZone business contracts shall not apply to construction procurements and construction-related services procurements. Defines terms.

LRB100 18273 RJF 33476 b

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Procurement Code is amended by
5 adding Section 45-95 as follows:

6 (30 ILCS 500/45-95 new)

7 Sec. 45-95. HUBZone business contracts.

8 (a) For the purposes of this Section:

9 "HUBZone business" means a business that operates and
10 employs people in Historically Underutilized Business
11 Zones (HUBZone) as designated by the federal HUBZone
12 Empowerment Act.

13 "Qualified HUBZone small business concern" means a
14 business that qualifies under the HUBZone program
15 administered by the United States Small Business
16 Administration.

17 "Responsible bidder, potential contractor, or offeror"
18 has the same meaning ascribed to that term in Section
19 1-15.80 of this Code.

20 (b) When a contract is to be awarded through a competitive
21 bidding process as provided under this Code, the price offered
22 by a qualified HUBZone small business concern shall be deemed
23 to be lower than the price offered by another responsible

1 bidder, potential contractor, or offeror, if the price offered
2 by the qualified HUBZone small business concern is not more
3 than 10% higher than the price offered by the other responsible
4 bidder, potential contractor, or offeror.

5 (c) Each chief procurement officer shall establish rules,
6 in consultation with the procuring agency, related to the
7 eligibility of qualified HUBZone small business concerns to
8 receive preference under this Section, and shall verify the
9 accuracy of any information submitted by a qualified HUBZone
10 small business concern with respect to a contract awarded under
11 this Section.

12 (d) The provisions of this Section shall not apply to
13 construction procurements and construction-related services
14 procurements.