AN ACT concerning finance.

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

Section 5. The Illinois Procurement Code is amended by adding Section 45-77 as follows:

(30 ILCS 500/45-77 new)

Sec. 45-77. Low-embodied-carbon concrete.

(a) When a State contract is to be awarded to the lowest responsible bidder, an otherwise qualified bidder who will fulfill the contract through the use of low-embodied-carbon concrete may be given preference over other bidders unable to do so, provided that the cost included in the bid using low-embodied-carbon concrete is not more than 10% greater than the cost in the bid not using low-embodied-carbon concrete.

(b) Contracts entered into under this Section may also include, at the discretion of the contracting State agency, a price preference of up to 10% for environmentally preferable materials. If federal funds are to be used for a contract that is awarded under this Section, then the contracting State agency shall conduct the procurement and include in the contract any specifications needed to comply with federal procurement standards. This subsection (b) does not apply to any contract if the application of the provisions of this
Section would create a conflict with a federal law or a federal regulation.

(c) For purposes of this Section:

"Low-embodied-carbon concrete" means concrete mixes and products that have been verified to result in a Global Warming Potential value that is equal to or less than the Global Warming Potential value of the presently approved green procurement specifications, and do not result in the elevation of hazardous pollutants that have been verified to be harmful to human health and ecosystems.

The Global Warming Potential value shall be provided in a manner that is consistent with criteria in an Environmental Product Declaration. Such information shall be used to acknowledge those companies that have invested in emissions reduction technologies and practices and to encourage other companies to take action to reduce emissions to become more competitive in the bidding process.