



Sen. Jeffrey M. Schoenberg

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LRB096 06455 JAM 25695 a

1 AMENDMENT TO SENATE BILL 420

2 AMENDMENT NO. _____. Amend Senate Bill 420 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Governmental Joint Purchasing Act is
5 amended by changing Sections 2, 3, and 4 as follows:

6 (30 ILCS 525/2) (from Ch. 85, par. 1602)

7 Sec. 2. Joint purchasing authority.

8 (a) Any governmental unit may purchase personal property,
9 supplies and services jointly with one or more other
10 governmental units. All such joint purchases shall be by
11 competitive bids as provided in Section 4 of this Act. The
12 provisions of any other acts under which a governmental unit
13 operates which refer to purchases and procedures in connection
14 therewith shall be superseded by the provisions of this Act
15 when the governmental units are exercising the joint powers
16 created by this Act.

1 (a-5) The Department of Central Management Services may
2 purchase personal property, supplies, and services jointly
3 with a governmental entity of another state or with a
4 consortium of governmental entities of one or more other
5 states. Subject to provisions of the joint purchasing
6 solicitation, the Department of Central Management Services
7 may designate the resulting contract as available to
8 governmental units in Illinois.

9 (b) Any not-for-profit agency that qualifies under Section
10 45-35 of the Illinois Procurement Code ~~7-1 of the Illinois~~
11 ~~Purchasing Act~~ and that either (1) acts pursuant to a board
12 established by or controlled by a unit of local government or
13 (2) receives grant funds from the State or from a unit of local
14 government, shall be eligible to participate in contracts
15 established by the State.

16 (Source: P.A. 87-960.)

17 (30 ILCS 525/3) (from Ch. 85, par. 1603)

18 Sec. 3. Conduct of bid-letting. Under any ~~Any~~ agreement of
19 ~~the~~ governmental units that ~~which~~ desire to make joint
20 purchases pursuant to subsection (a) of Section 2, one of the
21 governmental units shall conduct the letting of bids. Where the
22 State of Illinois is a party to the joint purchase agreement,
23 the Department of Central Management Services shall conduct the
24 letting of bids. Expenses of such bid-letting may be shared by
25 the participating governmental units in proportion to the

1 amount of personal property, supplies or services each unit
2 purchases.

3 When the State of Illinois is a party to the joint purchase
4 agreement pursuant to subsection (a) of Section 2, the
5 acceptance of bids shall be in accordance with the Illinois
6 Procurement Code and rules promulgated under that Code. When
7 the State of Illinois is not a party to the joint purchase
8 agreement, the acceptance of bids shall be governed by the
9 agreement.

10 When the State of Illinois is a party to a joint purchase
11 agreement pursuant to subsection (a-5) of Section 2, the State
12 may act as the lead state or as a participant state. When the
13 State of Illinois is the lead state, all such joint purchases
14 shall be conducted in accordance with the Illinois Procurement
15 Code. When Illinois is a participant state, all such joint
16 purchases shall be conducted in accordance with the procurement
17 laws of the lead state; provided that all such joint
18 procurements must be by competitive sealed bid. All resulting
19 awards shall be published in the appropriate volume of the
20 Illinois Procurement Bulletin as may be required by Illinois
21 law governing publication of the solicitation, protest, and
22 award of Illinois State contracts. Contracts resulting from a
23 joint purchase shall contain all provisions required by
24 Illinois law and rule.

25 The personal property, supplies or services involved shall
26 be distributed or rendered directly to each governmental unit

1 taking part in the purchase. The person selling the personal
2 property, supplies or services may bill each governmental unit
3 separately for its proportionate share of the cost of the
4 personal property, supplies or services purchased.

5 The credit or liability of each governmental unit shall
6 remain separate and distinct. Disputes between bidders and
7 governmental units shall be resolved between the immediate
8 parties.

9 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

10 (30 ILCS 525/4) (from Ch. 85, par. 1604)

11 Sec. 4. Bids. The purchases of all personal property,
12 supplies and services under this Act shall be based on
13 competitive, sealed bids. For purchases pursuant to subsection
14 (a) of Section 2, bids ~~Bids~~ shall be solicited by public notice
15 inserted at least once in a newspaper of general circulation in
16 one of the counties where the materials are to be used and at
17 least 5 calendar days before the final date of submitting bids.
18 Where the State of Illinois is a party to the joint purchase
19 agreement, public notice soliciting the bids shall be inserted
20 in the appropriate volume of the Illinois Procurement Bulletin
21 ~~official newspaper of the State~~. Such notice shall include a
22 general description of the personal property, supplies or
23 services to be purchased and shall state where all blanks and
24 specifications may be obtained and the time and place for the
25 opening of bids. The governmental unit conducting the

1 bid-letting may also solicit sealed bids by sending requests by
2 mail to prospective suppliers and by posting notices on a
3 public bulletin board in its office.

4 All purchases, orders or contracts shall be awarded to the
5 lowest responsible bidder, taking into consideration the
6 qualities of the articles or services supplied, their
7 conformity with the specifications, their suitability to the
8 requirements of the participating governmental units and the
9 delivery terms.

10 Where the State of Illinois is not a party, all bids may be
11 rejected and new bids solicited if one or more of the
12 participating governmental units believes the public interest
13 may be served thereby. Each bid, with the name of the bidder,
14 shall be entered on a record, which record with the successful
15 bid indicated thereon shall, after the award of the purchase or
16 order or contract, be open to public inspection. A copy of all
17 contracts shall be filed with the purchasing agent or clerk or
18 secretary of each participating governmental unit.

19 (Source: P.A. 76-641.)

20 Section 99. Effective date. This Act takes effect January
21 1, 2010."