



Sen. Martin A. Sandoval

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1 AMENDMENT TO SENATE BILL 268

2 AMENDMENT NO. _____. Amend Senate Bill 268 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Transportation Law of the
5 Civil Administrative Code of Illinois is amended by adding
6 Sections 2705-594 and 2705-596 as follows:

7 (20 ILCS 2705/2705-594 new)

8 Sec. 2705-594. Outreach events for businesses.

9 (a) In order to aid in its efforts to achieve greater
10 participation in its construction design projects, the
11 Department shall host periodic outreach events designed to
12 increase the number of businesses that participate in
13 contracting opportunities within the Department.

14 (b) Events hosted pursuant to this Section shall:

15 (i) notify and educate businesses about State
16 contracting opportunities within the Department;

1 (ii) assist prime contractors in locating businesses;

2 (iii) provide information for businesses which have
3 been newly prequalified or are interested in learning more
4 about Department project procedures;

5 (iv) provide compliance technicians to aid in the
6 clarification of Department programs and procedures;

7 (v) provide opportunities for contractors and
8 consultants to meet with representatives from the
9 Department's Division of Highways and Consultant Selection
10 Committee; and

11 (vi) contain any other features designed to increase
12 the number of businesses that participate in contracting
13 opportunities within the Department.

14 (c) The Department may adopt appropriate rules to implement
15 this Section.

16 (20 ILCS 2705/2705-596 new)

17 Sec. 2705-596. Contracts for professional services.

18 (a) The Department may not award a contract for
19 professional services unless at least 3 distinct proposals for
20 the contract have been submitted.

21 (b) The Department may request an oral presentation for a
22 contract for professional services from a potential vendor for
23 the contract.

24 Section 10. The Illinois Procurement Code is amended by

1 changing Section 50-39 as follows:

2 (30 ILCS 500/50-39)

3 Sec. 50-39. Procurement communications reporting
4 requirement.

5 (a) Any written or oral communication which is received by
6 a State employee who, by the nature of his or her duties has
7 the authority to participate personally and substantially in
8 the award of a State contract, and which ~~that~~ imparts or
9 requests material information or makes a material argument
10 regarding potential action concerning an active a procurement
11 matter, including, but not limited to, an application, a
12 contract, or a project, shall be reported to the Procurement
13 Policy Board. For purposes of this Section, "active procurement
14 matter" means a contractual process currently being
15 administered, beginning with publication in the Illinois
16 Procurement Bulletin. These communications do not include the
17 following: (i) statements by a person publicly made in a public
18 forum; (ii) statements regarding matters of procedure and
19 practice, such as format, the number of copies required, the
20 manner of filing, and the status of a matter; and (iii)
21 statements made by a State employee of the agency to the agency
22 head or other employees of that agency or to the employees of
23 the Executive Ethics Commission. The provisions of this Section
24 shall not apply to communications regarding the administration
25 and implementation of an existing contract, except

1 communications regarding change orders or the renewal or
2 extension of a contract.

3 (b) The report required by subsection (a) shall be
4 submitted monthly and include at least the following: (i) the
5 date and time of each communication; (ii) the identity of each
6 person from whom the written or oral communication was
7 received, the individual or entity represented by that person,
8 and any action the person requested or recommended; (iii) the
9 identity and job title of the person to whom each communication
10 was made; (iv) if a response is made, the identity and job
11 title of the person making each response; (v) a detailed
12 summary of the points made by each person involved in the
13 communication; (vi) the duration of the communication; (vii)
14 the location or locations of all persons involved in the
15 communication and, if the communication occurred by telephone,
16 the telephone numbers for the callers and recipients of the
17 communication; and (viii) any other pertinent information.

18 (c) Additionally, when an oral communication made by a
19 person required to register under the Lobbyist Registration Act
20 is received by a State employee that is covered under this
21 Section, all individuals who initiate or participate in the
22 oral communication shall submit a written report to that State
23 employee that memorializes the communication and includes, but
24 is not limited to, the items listed in subsection (b).

25 (d) The Procurement Policy Board shall make each report
26 submitted pursuant to this Section available on its website

1 within 7 days after its receipt of the report. The Procurement
2 Policy Board may promulgate rules to ensure compliance with
3 this Section.

4 (e) The reporting requirements shall also be conveyed
5 through ethics training under the State ~~Employees and Officials~~
6 and Employees Ethics Act. An employee who knowingly and
7 intentionally violates this Section shall be subject to
8 suspension or discharge. The Executive Ethics Commission shall
9 promulgate rules, including emergency rules, to implement this
10 Section.

11 (f) This Section becomes operative on January 1, 2011.

12 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793
13 for the effective date of changes made by P.A. 96-795); 96-920,
14 eff. 7-1-10; revised 9-27-10.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."