

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 Governmental Joint Purchasing Act is amended
5 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14 therewith shall be superseded by the provisions of this Act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.

17 (a-5) The Department of Central Management Services may
18 purchase personal property, supplies, and services jointly
19 with a governmental entity of another state or with a
20 consortium of governmental entities of one or more other
21 states. Subject to provisions of the joint purchasing
22 solicitation, the Department of Central Management Services
23 may designate the resulting contract as available to

1 governmental units in Illinois.

2 (b) Any not-for-profit agency that qualifies under Section
3 45-35 of the Illinois Procurement Code ~~7-1 of the Illinois~~
4 ~~Purchasing Act~~ and that either (1) acts pursuant to a board
5 established by or controlled by a unit of local government or
6 (2) receives grant funds from the State or from a unit of local
7 government, shall be eligible to participate in contracts
8 established by the State.

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

10 (30 ILCS 525/3) (from Ch. 85, par. 1603)

11 Sec. 3. Conduct of bid-letting. Under any ~~Any~~ agreement of
12 ~~the~~ governmental units that ~~which~~ desire to make joint
13 purchases pursuant to subsection (a) of Section 2, one of the
14 governmental units shall conduct the letting of bids. Where the
15 State of Illinois is a party to the joint purchase agreement,
16 the Department of Central Management Services shall conduct the
17 letting of bids. Expenses of such bid-letting may be shared by
18 the participating governmental units in proportion to the
19 amount of personal property, supplies or services each unit
20 purchases.

21 When the State of Illinois is a party to the joint purchase
22 agreement pursuant to subsection (a) of Section 2, the
23 acceptance of bids shall be in accordance with the Illinois
24 Procurement Code and rules promulgated under that Code. When
25 the State of Illinois is not a party to the joint purchase

1 agreement, the acceptance of bids shall be governed by the
2 agreement.

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

18 The personal property, supplies or services involved shall
19 be distributed or rendered directly to each governmental unit
20 taking part in the purchase. The person selling the personal
21 property, supplies or services may bill each governmental unit
22 separately for its proportionate share of the cost of the
23 personal property, supplies or services purchased.

24 The credit or liability of each governmental unit shall
25 remain separate and distinct. Disputes between bidders and
26 governmental units shall be resolved between the immediate

1 parties.

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

3 (30 ILCS 525/4) (from Ch. 85, par. 1604)

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

22 All purchases, orders or contracts shall be awarded to the
23 lowest responsible bidder, taking into consideration the
24 qualities of the articles or services supplied, their
25 conformity with the specifications, their suitability to the

1 requirements of the participating governmental units and the
2 delivery terms.

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

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

13 Section 99. Effective date. This Act takes effect January
14 1, 2010.