



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5313

Introduced 2/8/2012, by Rep. Jason Barickman

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Procurement Code. Provides that the Code shall not apply to contracts for services to public institutions of higher education (now, to Northern Illinois University) by a person, acting as an independent contractor who is selected by negotiation for the purpose of providing educational (now, non-credit educational) services. Provides that determinations by a public institution of higher education related to its ability to adequately fulfill its academic and research missions shall be made in writing by the institution. Makes changes to provisions concerning notice and hearing requirements for sole source procurements and emergency purchases. Provides that a public institution of higher education may accept modified vendor qualifications if it determines that failure to accept such modified qualifications may impair its ability to adequately fulfill its academic and research missions. Provides that certain statements are exempt from reporting requirements for procurement communications. Provides that a State employee who knowingly and intentionally violates the reporting requirements for procurement communications may (rather than shall) be subject to suspension or discharge. Amends the Governmental Joint Purchasing Act. Provides that joint purchases under that Act shall be made by competitive selection (rather than competitive bids). Provides that a public institution of higher education may purchase property, supplies, and services jointly with governmental or other entities, where such joint purchasing is in the best interests of the institution. Effective immediately.

LRB097 16200 PJG 61353 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 changing Sections 1-10, 20-25, 20-30, 20-43, 25-15, and 50-39
6 and adding Section 1-35 as follows:

7 (30 ILCS 500/1-10)

8 Sec. 1-10. Application.

9 (a) This Code applies only to procurements for which
10 contractors were first solicited on or after July 1, 1998. This
11 Code shall not be construed to affect or impair any contract,
12 or any provision of a contract, entered into based on a
13 solicitation prior to the implementation date of this Code as
14 described in Article 99, including but not limited to any
15 covenant entered into with respect to any revenue bonds or
16 similar instruments. All procurements for which contracts are
17 solicited between the effective date of Articles 50 and 99 and
18 July 1, 1998 shall be substantially in accordance with this
19 Code and its intent.

20 (b) This Code shall apply regardless of the source of the
21 funds with which the contracts are paid, including federal
22 assistance moneys. This Code shall not apply to:

23 (1) Contracts between the State and its political

1 subdivisions or other governments, or between State
2 governmental bodies except as specifically provided in
3 this Code.

4 (2) Grants, except for the filing requirements of
5 Section 20-80.

6 (3) Purchase of care.

7 (4) Hiring of an individual as employee and not as an
8 independent contractor, whether pursuant to an employment
9 code or policy or by contract directly with that
10 individual.

11 (5) Collective bargaining contracts.

12 (6) Purchase of real estate, except that notice of this
13 type of contract with a value of more than \$25,000 must be
14 published in the Procurement Bulletin within 7 days after
15 the deed is recorded in the county of jurisdiction. The
16 notice shall identify the real estate purchased, the names
17 of all parties to the contract, the value of the contract,
18 and the effective date of the contract.

19 (7) Contracts necessary to prepare for anticipated
20 litigation, enforcement actions, or investigations,
21 provided that the chief legal counsel to the Governor shall
22 give his or her prior approval when the procuring agency is
23 one subject to the jurisdiction of the Governor, and
24 provided that the chief legal counsel of any other
25 procuring entity subject to this Code shall give his or her
26 prior approval when the procuring entity is not one subject

1 to the jurisdiction of the Governor.

2 (8) Contracts for services to public institutions of
3 higher education ~~Northern Illinois University~~ by a person,
4 acting as an independent contractor, who is qualified by
5 education, experience, and technical ability and is
6 selected by negotiation for the purpose of providing
7 ~~non-credit~~ educational services and ~~service~~ activities or
8 products by means of specialized programs offered by the
9 university.

10 (9) Procurement expenditures by the Illinois
11 Conservation Foundation when only private funds are used.

12 (10) Procurement expenditures by the Illinois Health
13 Information Exchange Authority involving private funds
14 from the Health Information Exchange Fund. "Private funds"
15 means gifts, donations, and private grants.

16 (11) Public-private agreements entered into according
17 to the procurement requirements of Section 20 of the
18 Public-Private Partnerships for Transportation Act and
19 design-build agreements entered into according to the
20 procurement requirements of Section 25 of the
21 Public-Private Partnerships for Transportation Act.

22 (c) This Code does not apply to the electric power
23 procurement process provided for under Section 1-75 of the
24 Illinois Power Agency Act and Section 16-111.5 of the Public
25 Utilities Act.

26 (d) Except for Section 20-160 and Article 50 of this Code,

1 and as expressly required by Section 9.1 of the Illinois
2 Lottery Law, the provisions of this Code do not apply to the
3 procurement process provided for under Section 9.1 of the
4 Illinois Lottery Law.

5 (e) This Code does not apply to the process used by the
6 Capital Development Board to retain a person or entity to
7 assist the Capital Development Board with its duties related to
8 the determination of costs of a clean coal SNG brownfield
9 facility, as defined by Section 1-10 of the Illinois Power
10 Agency Act, as required in subsection (h-3) of Section 9-220 of
11 the Public Utilities Act, including calculating the range of
12 capital costs, the range of operating and maintenance costs, or
13 the sequestration costs or monitoring the construction of clean
14 coal SNG brownfield facility for the full duration of
15 construction.

16 (f) This Code does not apply to the process used by the
17 Illinois Power Agency to retain a mediator to mediate sourcing
18 agreement disputes between gas utilities and the clean coal SNG
19 brownfield facility, as defined in Section 1-10 of the Illinois
20 Power Agency Act, as required under subsection (h-1) of Section
21 9-220 of the Public Utilities Act.

22 (g) ~~(e)~~ This Code does not apply to the processes used by
23 the Illinois Power Agency to retain a mediator to mediate
24 contract disputes between gas utilities and the clean coal SNG
25 facility and to retain an expert to assist in the review of
26 contracts under subsection (h) of Section 9-220 of the Public

1 Utilities Act. This Code does not apply to the process used by
2 the Illinois Commerce Commission to retain an expert to assist
3 in determining the actual incurred costs of the clean coal SNG
4 facility and the reasonableness of those costs as required
5 under subsection (h) of Section 9-220 of the Public Utilities
6 Act.

7 (Source: P.A. 96-840, eff. 12-23-09; 96-1331, eff. 7-27-10;
8 97-96, eff. 7-13-11; 97-239, eff. 8-2-11; 97-502, eff. 8-23-11;
9 revised 9-7-11.)

10 (30 ILCS 500/1-35 new)

11 Sec. 1-35. Determinations by public institutions of higher
12 education. Determinations by a public institution of higher
13 education related to its ability to adequately fulfill its
14 academic and research missions shall be made in writing by the
15 institution.

16 (30 ILCS 500/20-25)

17 Sec. 20-25. Sole source procurements.

18 (a) In accordance with standards set by rule, contracts may
19 be awarded without use of the specified method of source
20 selection when there is only one economically feasible source
21 for the item. A State contract may not be awarded as a sole
22 source procurement unless approved by the chief procurement
23 officer. If any person files an objection to the notice of a
24 sole source procurement during the notice period required by

1 subsection (c), the chief procurement officer shall provide
2 ~~following~~ a public hearing at which the chief procurement
3 officer, State purchasing officer, or State agency presents ~~and~~
4 ~~purchasing agency present~~ written justification for the
5 procurement method. The Procurement Policy Board and the public
6 may present testimony.

7 (b) This Section may not be used as a basis for amending a
8 contract for professional or artistic services if the amendment
9 would result in an increase in the amount paid under the
10 contract of more than 5% of the initial award, or would extend
11 the contract term beyond the time reasonably needed for a
12 competitive procurement, not to exceed 2 months. This
13 subsection does not apply to the amendment of contracts by
14 public institutions of higher education if the institution
15 determines that failure to enter into any such amendment may
16 impair its ability to adequately fulfill its academic and
17 research missions.

18 (c) Notice of intent to enter into a sole source contract
19 shall be provided to the Procurement Policy Board and published
20 in the online electronic Bulletin at least 14 days before the
21 public hearing required in subsection (a). The notice shall
22 include the sole source procurement justification form
23 prescribed by the Board, a description of the item to be
24 procured, the intended sole source contractor, and the date,
25 time, and location of the public hearing. A copy of the notice
26 and all documents provided at the hearing shall be included in

1 the subsequent Procurement Bulletin.

2 (d) By August 1 each year, each chief procurement officer
3 shall file a report with the General Assembly identifying each
4 contract the officer sought under the sole source procurement
5 method and providing the justification given for seeking sole
6 source as the procurement method for each of those contracts.

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

10 (30 ILCS 500/20-30)

11 Sec. 20-30. Emergency purchases.

12 (a) Conditions for use. In accordance with standards set by
13 rule, a purchasing agency may make emergency procurements
14 without competitive sealed bidding or prior notice when there
15 exists a threat to public health or public safety, or when
16 immediate expenditure is necessary for repairs to State
17 property in order to protect against further loss of or damage
18 to State property, to prevent or minimize serious disruption in
19 critical State services that affect health, safety, or
20 collection of substantial State revenues, or to ensure the
21 integrity of State records; provided, however, that the term of
22 the emergency purchase shall be limited to the time reasonably
23 needed for a competitive procurement, not to exceed 90 days. A
24 contract may be extended beyond 90 days if the chief
25 procurement officer determines additional time is necessary

1 and that the contract scope and duration are limited to the
2 emergency. If any person files an objection to the notice of
3 extension required by subsection (b), the chief procurement
4 officer shall provide a public hearing at which the chief
5 procurement officer, State purchasing officer, or State agency
6 presents written justification for the extension. The
7 Procurement Policy Board and members ~~Prior to execution of the~~
8 ~~extension, the chief procurement officer must hold a public~~
9 ~~hearing and provide written justification for all emergency~~
10 ~~contracts. Members~~ of the public may present testimony.
11 Emergency procurements shall be made with as much competition
12 as is practicable under the circumstances. A written
13 description of the basis for the emergency and reasons for the
14 selection of the particular contractor shall be included in the
15 contract file.

16 (b) Notice. Notice of all emergency procurements shall be
17 provided to the Procurement Policy Board and published in the
18 online electronic Bulletin no later than 3 business days after
19 the contract is awarded. Notice of intent to extend an
20 emergency contract shall be provided to the Procurement Policy
21 Board and published in the online electronic Bulletin at least
22 14 days before the public hearing. Notice shall include at
23 least a description of the need for the emergency purchase, the
24 contractor, and if applicable, the date, time, and location of
25 the public hearing. A copy of this notice and all documents
26 provided at the hearing shall be included in the subsequent

1 Procurement Bulletin. Before the next appropriate volume of the
2 Illinois Procurement Bulletin, the purchasing agency shall
3 publish in the Illinois Procurement Bulletin a copy of each
4 written description and reasons and the total cost of each
5 emergency procurement made during the previous month. When only
6 an estimate of the total cost is known at the time of
7 publication, the estimate shall be identified as an estimate
8 and published. When the actual total cost is determined, it
9 shall also be published in like manner before the 10th day of
10 the next succeeding month.

11 (c) Affidavits. A chief procurement officer making a
12 procurement under this Section shall file affidavits with the
13 Procurement Policy Board and the Auditor General within 10 days
14 after the procurement setting forth the amount expended, the
15 name of the contractor involved, and the conditions and
16 circumstances requiring the emergency procurement. When only
17 an estimate of the cost is available within 10 days after the
18 procurement, the actual cost shall be reported immediately
19 after it is determined. At the end of each fiscal quarter, the
20 Auditor General shall file with the Legislative Audit
21 Commission and the Governor a complete listing of all emergency
22 procurements reported during that fiscal quarter. The
23 Legislative Audit Commission shall review the emergency
24 procurements so reported and, in its annual reports, advise the
25 General Assembly of procurements that appear to constitute an
26 abuse of this Section.

1 (d) Quick purchases. The chief procurement officer may
2 promulgate rules extending the circumstances by which a
3 purchasing agency may make purchases under this Section,
4 including but not limited to the procurement of items available
5 at a discount for a limited period of time.

6 (e) The changes to this Section made by this amendatory Act
7 of the 96th General Assembly apply to procurements executed on
8 or after its effective date.

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

11 (30 ILCS 500/20-43)

12 Sec. 20-43. Bidder or offeror authorized to do business in
13 Illinois. In addition to meeting any other requirement of law
14 or rule, a person (other than an individual acting as a sole
15 proprietor) may qualify as a bidder or offeror under this Code
16 only if the person is a legal entity authorized to do business
17 in Illinois prior to submitting the bid, offer, or proposal. A
18 public institution of higher education may consider a bid or
19 offer from a person not authorized to do business in Illinois
20 if the institution determines that failure to accept a bid or
21 offer may impair its ability to adequately fulfill its academic
22 and research missions and if such authorization to do business
23 in Illinois, if required, is obtained prior to execution of
24 contract.

25 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793

1 for the effective date of P.A. 96-795).)

2 (30 ILCS 500/25-15)

3 Sec. 25-15. Method of source selection.

4 (a) Competitive sealed bidding. Except as provided in
5 subsection (b) and Sections 20-20, 20-25, and 20-30, all State
6 contracts for supplies and services shall be awarded by
7 competitive sealed bidding in accordance with Section 20-10.

8 (b) Other methods. Unless otherwise provided by law, the
9 ~~The~~ chief procurement officer may establish by rule (i)
10 categories of purchases, including non-governmental joint
11 purchases, that may be made without competitive sealed bidding
12 and (ii) the most competitive alternate method of source
13 selection that shall be used for each category of purchase.

14 (c) Academic and research mission needs of public
15 institutions of higher education. A public institution of
16 higher education may accept modified vendor qualifications,
17 including applicable registrations, certifications,
18 disclosures, and other requirements if it determines in writing
19 that failure to accept such modified qualifications may impair
20 its ability to adequately fulfill its academic and research
21 missions.

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

23 (30 ILCS 500/50-39)

24 Sec. 50-39. Procurement communications reporting

1 requirement.

2 (a) Any written or oral communication that (i) is received
3 by a State employee who, by nature of his or her duties has the
4 authority to participate personally and substantially in the
5 award of a State contract and (ii) ~~that~~ imparts or requests
6 material information or makes a material argument regarding
7 potential action concerning a procurement matter, including,
8 but not limited to, an application, a contract, or a project,
9 shall be reported to the Procurement Policy Board, and, with
10 respect to the Illinois Power Agency, by the initiator of the
11 communication, and may be reported also by the recipient. When
12 multiple State employees are party to the same communication,
13 only one need report. Any person communicating orally, in
14 writing, electronically, or otherwise with the Director or any
15 person employed by, or associated with, the Illinois Power
16 Agency to impart, solicit, or transfer any information related
17 to the content of any power procurement plan, the manner of
18 conducting any power procurement process, the procurement of
19 any power supply, or the method or structure of contracting
20 with power suppliers must disclose to the Procurement Policy
21 Board the full nature, content, and extent of any such
22 communication in writing by submitting a report with the
23 following information:

- 24 (1) The names of any party to the communication.
25 (2) The date on which the communication occurred.
26 (3) The time at which the communication occurred.

1 (4) The duration of the communication.

2 (5) The method (written, oral, etc.) of the
3 communication.

4 (6) A summary of the substantive content of the
5 communication.

6 These communications do not include the following: (i)
7 statements by a person publicly made in a public forum; (ii)
8 statements regarding matters of procedure and practice, such as
9 format, the number of copies required, the manner of filing,
10 and the status of a matter; ~~and~~ (iii) statements made by a
11 State employee of the agency to the agency head or other
12 employees of that agency or to the employees of the Executive
13 Ethics Commission; (iv) statements made by an employee of a
14 State agency or a public institution of higher education
15 concerning cooperative procurement activities among or between
16 State agencies or public institutions of higher education and
17 any institutional cooperatives, organizations, and entities
18 where a public institution of higher education is a member; (v)
19 communications related to grants, research, or sponsored
20 programs administered by public institutions of higher
21 education; (vi) communications regarding transactions less
22 than the small purchase amount set forth in this Code for
23 procurements made on behalf of public institutions of higher
24 education; and (vii) proprietary information. The provisions
25 of this Section shall not apply to communications regarding the
26 administration and implementation of an existing contract,

1 except 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 Officials and Employees
6 Ethics Act. An employee who knowingly and intentionally
7 violates this Section may ~~shall~~ be subject to suspension or
8 discharge. The Executive Ethics Commission shall promulgate
9 rules, including emergency rules, to implement this Section.

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

11 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793
12 for the effective date of changes made by P.A. 96-795); 96-920,
13 eff. 7-1-10; 97-333, eff. 8-12-11; 97-618, eff. 10-26-11.)

14 Section 10. The Governmental Joint Purchasing Act is
15 amended by changing Sections 2, 3, and 4 as follows:

16 (30 ILCS 525/2) (from Ch. 85, par. 1602)

17 Sec. 2. Joint purchasing authority.

18 (a) Any governmental unit may purchase personal property,
19 supplies and services jointly with one or more other
20 governmental units. All such joint purchases shall be by
21 competitive selection ~~bids~~ as provided in Section 4 of this
22 Act. The provisions of any other acts under which a
23 governmental unit operates which refer to purchases and
24 procedures in connection therewith shall be superseded by the

1 provisions of this Act when the governmental units are
2 exercising the joint powers created by this Act.

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

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

17 (c) Illinois public institutions of higher education may
18 purchase personal property, supplies, and services jointly
19 with a governmental, educational, medical, research, or
20 similar entity, or with a consortium of such entities, where
21 such joint purchasing is in the best interests of the
22 institution. If a public institution of higher education is not
23 the lead party to the joint purchase, Sections 3 and 4 are not
24 applicable.

25 (Source: P.A. 96-584, eff. 1-1-10.)

1 (30 ILCS 525/3) (from Ch. 85, par. 1603)

2 Sec. 3. Conduct of competitive selection ~~bid-letting~~.

3 Under any agreement of governmental units that desire to make
4 joint purchases pursuant to subsection (a) of Section 2, one of
5 the governmental units shall conduct the competitive selection
6 process ~~letting of bids~~. Where the State of Illinois is a party
7 to the joint purchase agreement, the Department of Central
8 Management Services or designated public institution of higher
9 education shall conduct the competitive selection process
10 ~~letting of bids~~. Expenses of such competitive selection
11 processes ~~bid-letting~~ may be shared by the participating
12 governmental units in proportion to the amount of personal
13 property, supplies or services each unit purchases.

14 When the State of Illinois is the lead ~~a~~ party to the joint
15 purchase agreement pursuant to subsection (a) of Section 2, the
16 acceptance of competitive selection process responses ~~bids~~
17 shall be in accordance with the Illinois Procurement Code and
18 rules promulgated under that Code. When the State of Illinois
19 is not the lead ~~a~~ party to the joint purchase agreement, the
20 acceptance of competitive selection process responses ~~bids~~
21 shall be governed by the agreement.

22 When the State of Illinois is a party to a joint purchase
23 agreement pursuant to subsection (a-5) of Section 2, the State
24 governmental unit may act as the lead procurement entity ~~state~~
25 or as a participant state. When the State of Illinois
26 procurement entity is the lead procurement entity ~~state~~, all

1 such joint purchases shall be conducted in accordance with the
2 Illinois Procurement Code. When Illinois is a participant
3 state, all such joint purchases shall be conducted in
4 accordance with the procurement laws of the procurement
5 entity's lead state; provided that all such joint procurements
6 must be by competitive selection process ~~sealed bid~~. For those
7 contracts where the governmental unit is the lead procurement
8 entity, all ~~All~~ resulting awards shall be published in the
9 appropriate volume of the Illinois Procurement Bulletin as may
10 be required by Illinois law governing publication of the
11 solicitation, protest, and award of Illinois State contracts.
12 Contracts resulting from a joint purchase shall contain all
13 provisions required by Illinois law and rule to the extent
14 practical.

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

21 The credit or liability of each governmental unit shall
22 remain separate and distinct. Disputes between bidders and
23 governmental units shall be resolved between the immediate
24 parties.

25 (Source: P.A. 96-584, eff. 1-1-10.)

1 (30 ILCS 525/4) (from Ch. 85, par. 1604)

2 Sec. 4. Bids and proposals. The purchases of all personal
3 property, supplies and services under this Act shall be based
4 on competitive, sealed bids and proposals. For purchases
5 pursuant to subsection (a) of Section 2, bids or proposals
6 shall be solicited by public notice inserted at least once in a
7 newspaper of general circulation in one of the counties where
8 the materials are to be used and at least 5 calendar days
9 before the final date of submitting bids or proposals. Where
10 the State of Illinois is a party to the joint purchase
11 agreement, public notice of the seeking of ~~soliciting the~~ bids
12 or proposals shall be publicized ~~inserted~~ in the appropriate
13 volume of the Illinois Procurement Bulletin. Such notice shall
14 include a general description of the personal property,
15 supplies or services to be purchased and shall state where all
16 blanks and specifications may be obtained and the time and
17 place for the opening of bids or proposals. The governmental
18 unit conducting the competitive selection process ~~bid letting~~
19 may also solicit sealed bids or proposals by sending requests
20 by 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 or proposer, taking into
24 consideration the qualities of the articles or services
25 supplied, their conformity with the specifications, their
26 suitability to the requirements of the participating

1 governmental units and the delivery terms.

2 Where the State of Illinois is not a party, all bids or
3 proposals may be rejected and new bids or proposals solicited
4 if one or more of the participating governmental units believes
5 the public interest may be served thereby. Each bid or
6 proposal, with the name of the bidder, shall be entered on a
7 record, which record with the successful bid or proposal
8 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. 96-584, eff. 1-1-10.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.

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