

HB4737



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4737

Introduced 2/6/2024, by Rep. Terra Costa Howard

SYNOPSIS AS INTRODUCED:

30 ILCS 525/4

from Ch. 85, par. 1604

Amends the Governmental Joint Purchasing Act. Provides that a governmental unit may award contracts based on its own ranking of the offerors without regard to whether or not a cooperative purchasing program has ranked the offerors. Effective immediately.

LRB103 35707 HLH 65783 b

A BILL FOR

1 AN ACT concerning State government.

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
5 amended by changing Section 4 as follows:

6 (30 ILCS 525/4) (from Ch. 85, par. 1604)

7 Sec. 4. Bids, offers, and small purchases. The purchases
8 of all personal property, supplies and services under this
9 Act, except for small purchases, shall be based on competitive
10 solicitations unless, for purchases made pursuant to
11 subsection (a) of Section 2 of this Act, it is the
12 determination of the applicable chief procurement officer that
13 it is impractical to obtain competition. Purchases pursuant to
14 this Section shall follow the same procedures used for
15 competitive solicitations made pursuant to the Illinois
16 Procurement Code when the State is a party to the joint
17 purchase. For purchases made pursuant to subsection (a) of
18 Section 2 of this Act where the applicable chief procurement
19 officer makes the determination that it is impractical to
20 obtain competition, purchases shall either follow the same
21 procedure used for sole source procurements in Section 20-25
22 of the Illinois Procurement Code or the same procedure used
23 for emergency purchases in Section 20-30 of the Illinois

1 Procurement Code. For purchases pursuant to subsection (a) of
2 Section 2, bids and offers shall be solicited by public notice
3 inserted at least once in a newspaper of general circulation
4 in one of the counties where the materials are to be used and
5 at least 5 calendar days before the final date of submitting
6 bids or offers, except as otherwise provided in this Section.
7 Where the State of Illinois is a party to the joint purchase
8 agreement, public notice soliciting the bids or offers shall
9 be published in the appropriate volume of the Illinois
10 Procurement Bulletin. Such notice shall include a general
11 description of the supplies or services to be purchased and
12 shall state where specifications may be obtained and the time
13 and place for the opening of bids and offers. The governmental
14 unit conducting the competitive procurement process may also
15 solicit sealed bids or offers by sending requests by mail to
16 potential contractors and by posting notices on a public
17 bulletin board in its office. Small purchases pursuant to this
18 Section shall follow the same procedure used for small
19 purchases in Section 20-20 of the Illinois Procurement Code.

20 All purchases, orders or contracts shall be awarded to the
21 lowest responsible bidder or highest-ranked offeror, taking
22 into consideration the qualities of the articles or services
23 supplied, their conformity with the specifications, their
24 suitability to the requirements of the participating
25 governmental units and the delivery terms. A governmental unit
26 may award contracts based on its own ranking of the offerors

1 without regard to whether or not a cooperative purchasing
2 program has ranked the offerors.

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

13 (Source: P.A. 100-43, eff. 8-9-17.)

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