HB1123

LRB09706057PJG46130 b

97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1123

Introduced 02/07/11, by Rep. Sidney H. Mathias

SYNOPSIS AS INTRODUCED:

30 ILCS 500/40-20

     Amends the Illinois Procurement Code. Requires that copies of a lease be filed with the Comptroller and the Procurement Policy Board (now, the Comptroller). Authorizes the Board to review a real property lease for 10,000 or more square feet with annual rent payments of $100,000 or more for 30 days after receiving the lease. Permits the Board to object in writing within those 30 days. Provides that if the Board does not object, then the lease becomes effective according to its terms. Requires the leasing agency to provide any and all materials to assist the Board in its review.

LRB097 06057 PJG 46130 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 Section 40-20 as follows:

6   (30 ILCS 500/40-20)

7   Sec. 40-20. Request for information.

8   (a) Conditions for use. Leases shall be procured by request

9   for information except as otherwise provided in Section 40-15.

10   (b) Form. A request for information shall be issued and

11   shall include:

12   (1) the type of property to be leased;

13   (2) the proposed uses of the property;

14   (3) the duration of the lease;

15   (4) the preferred location of the property; and

16   (5) a general description of the configuration

17   desired.

18   (c) Public notice. Public notice of the request for

19   information for the availability of real property to lease

20   shall be published in the appropriate volume of the Illinois

21   Procurement Bulletin at least 14 days before the date set forth

22   in the request for receipt of responses and shall also be

23   published in similar manner in a newspaper of general

1   circulation in the community or communities where the using

2   agency is seeking space.

3   (d) Response. The request for information response shall

4   consist of written information sufficient to show that the

5   respondent can meet minimum criteria set forth in the request.

6   State purchasing officers may enter into discussions with

7   respondents for the purpose of clarifying State needs and the

8   information supplied by the respondents. On the basis of the

9   information supplied and discussions, if any, a State

10   purchasing officer shall make a written determination

11   identifying the responses that meet the minimum criteria set

12   forth in the request for information. Negotiations shall be

13   entered into with all qualified respondents for the purpose of

14   securing a lease that is in the best interest of the State. A

15   written report of the negotiations shall be retained in the

16   lease files and shall include the reasons for the final

17   selection. All leases shall be reduced to writing; one copy

18   shall be filed with the Comptroller ~~and filed~~ in accordance

19   with the provisions of Section 20-80, and one copy shall be

20   filed with the Board.

21   When the lowest response by price is not selected, the

22   State purchasing officer shall forward to the chief procurement

23   officer, along with the lease, notice of the identity of the

24   lowest respondent by price and written reasons for the

25   selection of a different response. The chief procurement

26   officer shall publish the written reasons in the next volume of

1   the Illinois Procurement Bulletin.

2   (e) Board review. Upon receipt of any proposed lease of

3   real property of 10,000 or more square feet with annual rent

4   payments of $100,000 or more, the Procurement Policy Board

5   shall have 30 days to review the proposed lease. If the Board

6   does not object in writing within those 30 days, then the

7   proposed lease shall become effective according to its terms as

8   submitted. The leasing agency shall make any and all materials

9   available to the Board to assist in the review process.

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