

HB3739



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3739

by Rep. Robert W. Pritchard

SYNOPSIS AS INTRODUCED:

30 ILCS 500/40-20

Amends the Procurement Code. Provides that the lease procurement process shall begin at least 3 months in advance of the desired start date of the lease.

LRB099 07991 SXM 28131 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 The lease procurement process shall begin at least 3 months in
11 advance of the desire start date of the lease.

12 (b) Form. A request for information shall be issued and
13 shall include:

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

15 (2) the proposed uses of the property;

16 (3) the duration of the lease;

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

18 (5) a general description of the configuration
19 desired.

20 (c) Public notice. Public notice of the request for
21 information for the availability of real property to lease
22 shall be published in the appropriate volume of the Illinois
23 Procurement Bulletin at least 14 calendar days before the date

1 set forth in the request for receipt of responses and shall
2 also be published in similar manner in a newspaper of general
3 circulation in the community or communities where the using
4 agency is seeking space.

5 (d) Response. The request for information response shall
6 consist of written information sufficient to show that the
7 respondent can meet minimum criteria set forth in the request.
8 State purchasing officers may enter into discussions with
9 respondents for the purpose of clarifying State needs and the
10 information supplied by the respondents. On the basis of the
11 information supplied and discussions, if any, a State
12 purchasing officer shall make a written determination
13 identifying the responses that meet the minimum criteria set
14 forth in the request for information. Negotiations shall be
15 entered into with all qualified respondents for the purpose of
16 securing a lease that is in the best interest of the State. A
17 written report of the negotiations shall be retained in the
18 lease files and shall include the reasons for the final
19 selection. All leases shall be reduced to writing; one copy
20 shall be filed with the Comptroller in accordance with the
21 provisions of Section 20-80, and one copy shall be filed with
22 the Board.

23 When the lowest response by price is not selected, the
24 State purchasing officer shall forward to the chief procurement
25 officer, along with the lease, notice of the identity of the
26 lowest respondent by price and written reasons for the

1 selection of a different response. The chief procurement
2 officer shall publish the written reasons in the next volume of
3 the Illinois Procurement Bulletin.

4 (e) Board review. Upon receipt of (1) any proposed lease of
5 real property of 10,000 or more square feet or (2) any proposed
6 lease of real property with annual rent payments of \$100,000 or
7 more, the Procurement Policy Board shall have 30 calendar days
8 to review the proposed lease. If the Board does not object in
9 writing within 30 calendar days, then the proposed lease shall
10 become effective according to its terms as submitted. The
11 leasing agency shall make any and all materials available to
12 the Board to assist in the review process.

13 (Source: P.A. 98-1076, eff. 1-1-15.)