

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 Illinois Procurement Code is amended by  
5 adding Section 1-35 as follows:

6 (30 ILCS 500/1-35 new)

7 Sec. 1-35. Application to James R. Thompson Center. In  
8 accordance with Section 7.4 of the State Property Control Act,  
9 this Code does not apply to any procurements related to the  
10 sale of the James R. Thompson Center, provided that the process  
11 shall be conducted in a manner substantially in accordance with  
12 the requirements of the following Sections of the Illinois  
13 Procurement Code: 20-160, 50-5, 50-10, 50-10.5, 50-12, 50-13,  
14 50-15, 50-20, 50-21, 50-35, 50-36, 50-37, 50-38, and 50-50. The  
15 exemption contained in this Section does not apply to any  
16 leases involving the James R. Thompson Center, including a  
17 leaseback authorized under Section 7.4 of the State Property  
18 Control Act.

19 Section 10. The State Property Control Act is amended by  
20 changing Section 7.4 and by adding Section 7.7 as follows:

21 (30 ILCS 605/7.4)

1           Sec. 7.4. James R. Thompson Center; ~~Elgin Mental Health~~  
2           Center.

3           (a) Notwithstanding any other provision of this Act or any  
4           other law to the contrary, the administrator is authorized  
5           under this Section to dispose of ~~or mortgage (i)~~ the James R.  
6           Thompson Center located in Chicago, Illinois. ~~and (ii) the~~  
7           ~~Elgin Mental Health Center and surrounding land located at 750~~  
8           ~~S. State Street, Elgin, Illinois in any of the following ways:~~  
9           ~~(1) The administrator may sell the property as provided in~~  
10           ~~subsection (b). (2) The administrator may sell the property as~~  
11           provided in subsection (b), and, either as a condition of the  
12           sale or the administrator may immediately thereafter enter into  
13           a leaseback or other agreement that directly or indirectly  
14           gives the State a right to use, control, and possess the  
15           property. ~~Notwithstanding any other provision of law, a lease~~  
16           ~~entered into by the administrator under this subdivision (a) (2)~~  
17           ~~may last for any period not exceeding 99 years. (3) The~~  
18           ~~administrator may enter into a mortgage agreement, using the~~  
19           ~~property as collateral, to receive a loan or a line of credit~~  
20           ~~based on the equity available in the property. Any loan~~  
21           ~~obtained or line of credit established under this subdivision~~  
22           ~~(a) (3) must require repayment in full in 20 years or less.~~

23           (b) The administrator shall dispose of the property using a  
24           competitive sealed proposal process that includes, at a  
25           minimum, the following:

26           (1) Engagement Prior to Request for Proposal. The

1 administrator may, prior to soliciting requests for  
2 proposals, enter into discussions with interested  
3 purchasers in order to assess existing market conditions,  
4 demands and likely development scenarios provided that no  
5 such interested purchasers shall have any role in drafting  
6 any request for proposals nor shall any request for  
7 proposal be provided to any interested purchaser prior to  
8 its general public distribution. The administrator may  
9 issue a request for qualifications that requests  
10 interested purchasers to provide such information as the  
11 administrator reasonably deems necessary in order to  
12 evaluate the qualifications of such interested purchasers  
13 including the ability of interested purchasers to acquire  
14 and develop the property, all as reasonably determined by  
15 the administrator.

16 (2) Request for proposals. Proposals to acquire and  
17 develop the property shall be solicited through a request  
18 for proposals. Such request for proposals shall include  
19 such requirements and factors as the administrator shall  
20 determine are necessary or advisable with respect to the  
21 disposition of the James R. Thompson Center, including  
22 soliciting proposals designating a portion of the property  
23 after the development or redevelopment thereof in honor of  
24 Governor James R. Thompson.

25 (3) Public notice. Public notice of any request for  
26 qualification or request for proposals shall be published

1 in the Illinois Procurement Bulletin at least 14 calendar  
2 days before the date by which such requests are due. The  
3 administrator may advertise the request in any other manner  
4 or publication which it reasonably determines may increase  
5 the scope and nature of responses to the request. In the  
6 event the administrator shall have already identified  
7 qualified purchasers pursuant to a request for  
8 qualification process as set forth above, notice of the  
9 request for proposals may be delivered only to such  
10 qualified purchasers.

11 (4) Opening of proposals. Proposals shall be opened  
12 publicly on the date, time and location designated in the  
13 Illinois Procurement Bulletin, but proposals shall be  
14 opened in a manner to avoid disclosure of contents to  
15 competing purchasers during the process of negotiation. A  
16 record of proposals shall be prepared and shall be open for  
17 public inspection after contract award, but prior to  
18 contract execution.

19 (5) Evaluation factors. Proposals shall be submitted  
20 in 2 parts: (i) items except price, and (ii) covering  
21 price. The first part of all proposals shall be evaluated  
22 and ranked independently of the second part of all  
23 proposals.

24 (6) Discussion with interested purchasers and  
25 revisions of offers or proposals. After the opening of the  
26 proposals, and under such guidelines as the administrator

1 may elect to establish in the request for proposals, the  
2 administrator and his or her designees may engage in  
3 discussions with interested purchasers who submitted  
4 offers or proposals that the administrator determines are  
5 reasonably susceptible of being selected for award for the  
6 purpose of clarifying and assuring full understanding of  
7 and responsiveness to the solicitation requirements. Those  
8 purchasers shall be accorded fair and equal treatment with  
9 respect to any opportunity for discussion and revision of  
10 proposals. Revisions may be permitted after submission and  
11 before award for the purpose of obtaining best and final  
12 offers. In conducting discussions there shall be no  
13 disclosure of any information derived from proposals  
14 submitted by competing purchasers. If information is  
15 disclosed to any purchaser, it shall be provided to all  
16 competing purchasers.

17 (7) Award. Awards shall be made to the interested  
18 purchaser whose proposal is determined in writing to be the  
19 most advantageous to the State, taking into consideration  
20 price and the evaluation factors set forth in the request  
21 for proposals. The contract file shall contain the basis on  
22 which the award is made. ~~The administrator shall obtain 3~~  
23 ~~appraisals of the real property transferred under~~  
24 ~~subdivision (a) (1) or (a) (2) of this Section, one of which~~  
25 ~~shall be performed by an appraiser residing in the county~~  
26 ~~in which the real property is located. The average of these~~

1 ~~3 appraisals, plus the costs of obtaining the appraisals,~~  
2 ~~shall represent the fair market value of the real property.~~  
3 ~~No property may be conveyed under subdivision (a)(1) or~~  
4 ~~(a)(2) of this Section by the administrator for less than~~  
5 ~~the fair market value. The administrator may sell the real~~  
6 ~~property by public auction following notice of the sale by~~  
7 ~~publication on 3 separate days not less than 15 nor more~~  
8 ~~than 30 days prior to the sale in a daily newspaper having~~  
9 ~~general circulation in the county in which the real~~  
10 ~~property is located. If no acceptable offers for the real~~  
11 ~~property are received, the administrator may have new~~  
12 ~~appraisals of the property made. The administrator shall~~  
13 ~~have all power necessary to convey real property under~~  
14 ~~subdivision (a)(1) or (a)(2) of this Section.~~

15 (b-5) Any contract to dispose of the property is subject to  
16 the following conditions:

17 (1) A commitment from the purchaser to make any  
18 applicable payments to the City of Chicago with respect to  
19 additional zoning density;

20 (2) A commitment from the purchaser to enter into an  
21 agreement with the City of Chicago and the Chicago Transit  
22 Authority regarding the existing operation of the Chicago  
23 Transit Authority facility currently located on the  
24 property, substantially similar to the existing agreement  
25 between the City of Chicago, the Chicago Transit Authority,  
26 and the State of Illinois, and such agreement must be

1 executed prior to assuming title to the property; and

2 (3) A commitment from the purchaser to designate a  
3 portion of the property after the development or  
4 redevelopment thereof in honor of Governor James R.  
5 Thompson.

6 (b-10) The administrator shall have authority to order such  
7 surveys, abstracts of title, or commitments for title  
8 insurance, environmental reports, property condition reports,  
9 or any other materials as the administrator may, in his or her  
10 reasonable discretion, be deemed necessary to demonstrate to  
11 prospective purchasers or, ~~bidders, or mortgagees~~ good and  
12 marketable title in and the existing conditions or  
13 characteristics of the ~~any~~ property offered for sale ~~or~~  
14 ~~mortgage~~ under this Section. All ~~Unless otherwise specifically~~  
15 ~~authorized by the General Assembly, all~~ conveyances of property  
16 made by the administrator under ~~subdivision (a) (1) or (a) (2) of~~  
17 this Section shall be by quit claim deed.

18 (c) All moneys received from the sale ~~or mortgage~~ of real  
19 property under this Section shall be deposited into the General  
20 Revenue Fund, provided that any obligations of the State to the  
21 purchaser acquiring the property, a contractor involved in the  
22 sale of the property, or a unit of local government may be  
23 remitted from the proceeds during the closing process and need  
24 not be deposited in the State treasury prior to closing.

25 (d) The administrator is authorized to enter into any  
26 agreements and execute any documents necessary to exercise the

1 authority granted by this Section.

2 (e) Any agreement to dispose of ~~or mortgage (i) the James~~  
3 ~~R. Thompson Center located in Chicago, Illinois or (ii) the~~  
4 ~~Elgin Mental Health Center and surrounding land located at 750~~  
5 ~~S. State Street, Elgin, Illinois~~ pursuant to the authority  
6 granted by this Section must be entered into no later than 2  
7 years ~~one year~~ after the effective date of this amendatory Act  
8 of the 100th ~~93rd~~ General Assembly.

9 (f) The provisions of this Section are subject to the  
10 Freedom of Information Act, and nothing shall be construed to  
11 waive the ability of a public body to assert any applicable  
12 exemptions.

13 (Source: P.A. 93-19, eff. 6-20-03.)

14 (30 ILCS 605/7.7 new)

15 Sec. 7.7. Michael A. Bilandic Building.

16 (a) On or prior to the disposition of the James R. Thompson  
17 Center the existing executive offices of the Governor,  
18 Lieutenant Governor, Secretary of State, Comptroller, and  
19 Treasurer shall be relocated in the Michael A. Bilandic  
20 Building located at 160 North LaSalle Street, Chicago,  
21 Illinois. An officer shall occupy the designated space on the  
22 same terms and conditions applicable on the effective date of  
23 this amendatory Act of the 100th General Assembly. An executive  
24 officer may choose to locate in alternative offices within the  
25 City of Chicago.



1       (b) The four caucuses of the General Assembly shall be  
2       given space within the Michael A. Bilandic Building. Any caucus  
3       located in the building on or prior to the effective date of  
4       this amendatory Act of the 100th General Assembly shall  
5       continue to occupy their designated space on the same terms and  
6       conditions applicable on the effective date of this amendatory  
7       Act of the 100th General Assembly.

8           Section 99. Effective date. This Act takes effect upon  
9       becoming law.