



Sen. Terry Link

Filed: 5/20/2019

10100HB2594sam002

LRB101 08438 TAE 60872 a

1 AMENDMENT TO HOUSE BILL 2594

2 AMENDMENT NO. _____. Amend House Bill 2594 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Governmental Joint Purchasing Act is
5 amended by changing Section 2 as follows:

6 (30 ILCS 525/2) (from Ch. 85, par. 1602)

7 Sec. 2. Joint purchasing authority.

8 (a) Any governmental unit, except a governmental unit
9 subject to the jurisdiction of a chief procurement officer
10 established in Section 10-20 of the Illinois Procurement Code,
11 may purchase personal property, supplies and services jointly
12 with one or more other governmental units. All such joint
13 purchases shall be by competitive solicitation as provided in
14 Section 4, except as otherwise provided in this Act. The
15 provisions of any other acts under which a governmental unit
16 operates which refer to purchases and procedures in connection

1 therewith shall be superseded by the provisions of this Act
2 when the governmental units are exercising the joint powers
3 created by this Act.

4 (a-5) Except as otherwise provided under subsection (a-6),
5 for ~~For~~ purchases made by a governmental unit subject to the
6 jurisdiction of a chief procurement officer established in
7 Section 10-20 of the Illinois Procurement Code, the applicable
8 chief procurement officer established in Section 10-20 of the
9 Illinois Procurement Code may authorize the purchase of
10 supplies and services jointly with a governmental unit of this
11 State, governmental entity of another state, or with a
12 consortium of governmental entities of one or more other
13 states, except as otherwise provided in this Act. Subject to
14 provisions of the joint purchasing solicitation, the
15 appropriate chief procurement officer may designate the
16 resulting contract as available to governmental units in
17 Illinois.

18 (a-6) Notwithstanding any provision of law to the contrary,
19 including the provisions of subsection (a-5), the Division of
20 Forensic Services of the Department of State Police is hereby
21 authorized to purchase supplies and services made available by
22 federal competitive ordering and contracting processes, and as
23 allowed for by the federal government for state governmental
24 entities. Procurements made by the Division of Forensic
25 Services under this subsection (a-6) are presumptively
26 approved methods of source selection under Section 20-5 of the

1 Illinois Procurement Code without further source selection
2 approval required from the chief procurement officers
3 established under Section 10-20 of the Illinois Procurement
4 Code.

5 (a-10) Each chief procurement officer appointed pursuant
6 to Section 10-20 of the Illinois Procurement Code, with joint
7 agreement of the respective agency or institution, may
8 authorize the purchase or lease of supplies and services which
9 have been procured through a competitive process by a federal
10 agency; a consortium of governmental, educational, medical,
11 research, or similar entities; or a group purchasing
12 organization of which the chief procurement officer or State
13 agency is a member or affiliate, including, without limitation,
14 any purchasing entity operating under the federal General
15 Services Administration, the Higher Education Cooperation Act,
16 and the Midwestern Higher Education Compact Act. Each
17 applicable chief procurement officer may authorize purchases
18 and contracts which have been procured through other methods of
19 procurement if each chief procurement officer determines it is
20 in the best interests of the State, considering a
21 recommendation by their respective agencies or institutions.
22 The chief procurement officer may establish detailed rules,
23 policies, and procedures for use of these cooperative
24 contracts. Notice of award shall be published by the chief
25 procurement officer in the Illinois Procurement Bulletin at
26 least prior to use of the contract. Each chief procurement

1 officer shall submit to the General Assembly by November 1 of
2 each year a report of procurements made under this subsection
3 (a-10).

4 (b) Any not-for-profit agency that qualifies under Section
5 45-35 of the Illinois Procurement Code and that either (1) acts
6 pursuant to a board established by or controlled by a unit of
7 local government or (2) receives grant funds from the State or
8 from a unit of local government, shall be eligible to
9 participate in contracts established by the State.

10 (c) For governmental units subject to the jurisdiction of a
11 chief procurement officer established in Section 10-20 of the
12 Illinois Procurement Code, if any contract or amendment to a
13 contract is entered into or purchase or expenditure of funds is
14 made at any time in violation of this Act or any other law, the
15 contract or amendment may be declared void by the chief
16 procurement officer or may be ratified and affirmed, if the
17 chief procurement officer determines that ratification is in
18 the best interests of the governmental unit. If the contract or
19 amendment is ratified and affirmed, it shall be without
20 prejudice to the governmental unit's rights to any appropriate
21 damages.

22 (d) This Section does not apply to construction-related
23 professional services contracts awarded in accordance with the
24 provisions of the Architectural, Engineering, and Land
25 Surveying Qualifications Based Selection Act.

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