

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 Governmental Joint Purchasing Act is  
5 amended by changing Section 4.05 as follows:

6 (30 ILCS 525/4.05)

7 Sec. 4.05. Other methods of joint purchases.

8 (a) It may be determined that it is impractical to obtain  
9 competition because either (i) there is only one  
10 economically-feasible source for the item, ~~or~~ (ii) there is a  
11 threat to public health or public safety, or when immediate  
12 expenditure is necessary to prevent or minimize serious  
13 disruption in critical State services that affect health,  
14 safety, or collection of substantial State revenues, or to  
15 ensure the integrity of State records, or (iii) it is in the  
16 best interest of the State to award a contract to a qualified  
17 not-for-profit agency for persons with significant  
18 disabilities under Section 45-35 of the Illinois Procurement  
19 Code.

20 (b) When the State of Illinois is a party to the joint  
21 purchase agreement, the applicable chief procurement officer  
22 shall make a determination whether (i) there is only one  
23 economically feasible source for the item, ~~or~~ (ii) that there

1 exists a threat to public health or public safety or that  
2 immediate expenditure is necessary to prevent or minimize  
3 serious disruption in critical State services, or (iii) the  
4 contract is eligible to be awarded to a not-for-profit agency  
5 for persons with significant disabilities under Section 45-35  
6 of the Illinois Procurement Code.

7 (c) When there is only one economically feasible source  
8 for the item, the chief procurement officer may authorize a  
9 sole economically-feasible source contract. When there exists  
10 a threat to public health or public safety or when immediate  
11 expenditure is necessary to prevent or minimize serious  
12 disruption in critical State services, the chief procurement  
13 officer may authorize an emergency procurement without  
14 competitive sealed bidding or competitive sealed proposals or  
15 prior notice. When an agency requests to award a contract to a  
16 not-for-profit agency for persons with significant  
17 disabilities under to Section 45-35 of the Illinois  
18 Procurement Code, the chief procurement officer may authorize  
19 the award.

20 (d) All joint purchases made pursuant to this Section  
21 shall follow the same procedures for sole source contracts in  
22 the Illinois Procurement Code when the chief procurement  
23 officer determines there is only one economically-feasible  
24 source for the item. All joint purchases made pursuant to this  
25 Section shall follow the same procedures for emergency  
26 purchases in the Illinois Procurement Code when the chief

1 procurement officer determines immediate expenditure is  
2 necessary to prevent or minimize serious disruption in  
3 critical State services that affect health, safety, or  
4 collection of substantial State revenues, or to ensure the  
5 integrity of State records. All joint purchases made under  
6 this Section shall follow the same procedures for  
7 not-for-profit agencies for persons with significant  
8 disabilities under to Section 45-35 of the Illinois  
9 Procurement Code when the chief procurement officer determines  
10 that it is in the best interest of the State.

11 (e) Each chief procurement officer shall submit to the  
12 General Assembly by November 1 of each year a report of  
13 procurements made under this Section.

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