



HR0862

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HOUSE RESOLUTION

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WHEREAS, The Standard Procurement Rules promulgated to
3 implement the authority granted by the Illinois Procurement
4 Code provide that the policy of this State is to ensure that
5 all State procurements shall be accomplished in the most
6 economical, expeditious, and commercially reasonable manner,
7 uniformly and consistently among and within State agencies, so
8 as to facilitate participation in State procurements,
9 encourage competition, and ensure that procurements are
10 conducted in a fair and open manner; and

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WHEREAS, The Illinois Department of Revenue issued a
12 request for proposals (RFP) from responsible vendors to meet
13 the State's long-term needs of a statewide 10-year Beverage
14 Vending and Pouring Program Contract to be awarded to a single
15 vendor; and

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WHEREAS, Coca-Cola Bottling Company of Chicago, a
17 Coca-Cola Enterprises company, and PepsiAmericas, Inc., bid on
18 the FY 07 Beverage RFP #22011731; and

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WHEREAS, Coca-Cola Bottling Company of Chicago submitted
20 questions and asked for clarification concerning the RFP to
21 State personnel serving with respect to the procurement
22 activity and was advised by that State personnel that the State

1 sent Coca-Cola a template with mistakes that the State would
2 correct and re-send to Coca-Cola for re-submission, that the
3 State would send a revised redraft of the proposed contract and
4 service level agreement to Coca-Cola, that the State would send
5 further volume data information that would help quantify the
6 contract opportunity, and that the State would contact
7 Coca-Cola at a later time and ask for Coca-Cola's best and
8 final pricing; and

9 WHEREAS, The Chief Procurement Officer and State personnel
10 serving with respect to the procurement activity failed to
11 provide Coca-Cola with the documents and information offered,
12 and did not ask Coca-Cola for its best and final pricing before
13 awarding the contract to PepsiAmericas without comparative
14 evaluation between vendors in the spirit of true competitive
15 bidding; and

16 WHEREAS, Based on current complaints, it appears that the
17 Chief Procurement Officer's activities were not in accordance
18 with the Standard Procurement Rules of the Illinois Procurement
19 Code or good procurement practices and that the contract is
20 otherwise not in the State's best interest; therefore, be it

21 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
22 NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
23 the Auditor General is directed to conduct an audit of the

1 procurement practices in connection with the State's
2 multi-year beverage vending and pouring contract awarded to
3 PepsiAmericas, Inc., to determine whether good procurement
4 practices were exercised in accordance with applicable State
5 laws and rules; and be it further

6 RESOLVED, That the Auditor General is specifically
7 authorized to review, determine, and publicly report on whether
8 the Chief Procurement Officer's activities and decisions in
9 connection with this procurement were in the State's best
10 interest; and be it further

11 RESOLVED, That the Auditor General commence this audit as
12 soon as possible and report his findings and recommendations
13 upon completion in accordance with the provisions of the
14 Illinois State Auditing Act; and be it further

15 RESOLVED, That a copy of this resolution be delivered to
16 the Auditor General.