

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 3. The Illinois Procurement Code is amended by
5 changing Sections 15-15 and 15-25 as follows:

6 (30 ILCS 500/15-15)

7 Sec. 15-15. Publication. All volumes of the Illinois
8 Procurement Bulletin shall be published at least once per
9 month. Any volume, including volumes available in print format,
10 shall be available through subscription for a minimal fee not
11 exceeding publication and distribution costs. The Illinois
12 Procurement Bulletin shall be distributed free to public
13 libraries within Illinois and electronically to any entity that
14 has subscribed on the publishing entity's website.

15 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

16 (30 ILCS 500/15-25)

17 (Text of Section before amendment by P.A. 96-795)

18 Sec. 15-25. Bulletin content.

19 (a) Invitations for bids. Notice of each and every contract
20 that is offered, including renegotiated contracts and change
21 orders, shall be published in the Bulletin, and all businesses
22 listed on the Department of Transportation Disadvantaged

1 Business Enterprise Directory, the Department of Central
2 Management Services Business Enterprise Program and Small
3 Business Vendors Directory, and the Capital Development
4 Board's Directory of Certified Minority and Female Business
5 Enterprises shall be furnished written instructions and
6 information on how to register on each Procurement Bulletin
7 maintained by the State. Such information shall be provided to
8 each business within 30 days after the business' notice of
9 certification. The applicable chief procurement officer may
10 provide by rule an organized format for the publication of this
11 information, but in any case it must include at least the date
12 first offered, the date submission of offers is due, the
13 location that offers are to be submitted to, the purchasing
14 State agency, the responsible State purchasing officer, a brief
15 purchase description, the method of source selection,
16 information of how to obtain a comprehensive purchase
17 description and any disclosure and contract forms, and
18 encouragement to prospective vendors to hire qualified
19 veterans, as defined by Section 45-67 of this Code, and
20 qualified Illinois minorities, women, persons with
21 disabilities, and residents discharged from any Illinois adult
22 correctional center.

23 (b) Contracts let ~~or awarded~~. Notice of each and every
24 contract that is let ~~or awarded~~, including renegotiated
25 contracts and change orders, shall be issued electronically to
26 those bidders or offerors submitting responses to the

1 solicitations, inclusive of the unsuccessful bidders,
2 immediately upon contract let. Failure of any chief procurement
3 officer to give such notice shall result in tolling the time
4 for filing a bid protest up to 5 business days. The apparent
5 low bidder's award and all other bids from bidders responding
6 to solicitations shall be posted on the agency's website the
7 next business day ~~published in the next available subsequent~~
8 ~~Bulletin, and the applicable chief procurement officer may~~
9 ~~provide by rule an organized format for the publication of this~~
10 ~~information, but in any case it must include at least all of~~
11 ~~the information specified in subsection (a) as well as the name~~
12 ~~of the successful responsible bidder or offeror, the contract~~
13 ~~price, the number of unsuccessful responsive bidders, and any~~
14 ~~other disclosure specified in any Section of this Code. This~~
15 ~~notice must be posted in the online electronic Bulletin prior~~
16 ~~to execution of the contract.~~

17 (b-5) Contracts awarded. Notice of each and every contract
18 that is awarded, including renegotiated contracts and change
19 orders, shall be issued electronically to the successful
20 responsible bidder or offeror, posted on the agency's website
21 the next business day, and published in the next available
22 subsequent Bulletin. The applicable chief procurement officer
23 may provide by rule an organized format for the publication of
24 this information, but in any case it must include at least all
25 of the information specified in subsection (a) as well as the
26 name of the successful responsible bidder or offeror, the

1 contract price, the number of unsuccessful responsive bidders,
2 and any other disclosure specified in any Section of this Code.
3 This notice must be posted in the online electronic Bulletin
4 prior to execution of the contract.

5 (c) Emergency purchase disclosure. Any chief procurement
6 officer, State purchasing officer, or designee exercising
7 emergency purchase authority under this Code shall publish a
8 written description and reasons and the total cost, if known,
9 or an estimate if unknown and the name of the responsible chief
10 procurement officer and State purchasing officer, and the
11 business or person contracted with for all emergency purchases
12 in the next timely, practicable Bulletin. This notice must be
13 posted in the online electronic Bulletin within 3 business days
14 after the execution of the contract.

15 (d) Other required disclosure. The applicable chief
16 procurement officer shall provide by rule for the organized
17 publication of all other disclosure required in other Sections
18 of this Code in a timely manner.

19 (e) The Department of Central Management Services, the
20 Capital Development Board, the Department of Transportation,
21 and the higher education chief procurement officer shall
22 provide the Procurement Policy Board with the information and
23 resources necessary, and in a manner, to effectuate the purpose
24 of this amendatory Act of the 96th General Assembly.

25 (Source: P.A. 94-1067, eff. 8-1-06; 95-536, eff. 1-1-08.)

1 (Text of Section after amendment by P.A. 96-795)

2 Sec. 15-25. Bulletin content.

3 (a) Invitations for bids. Notice of each and every contract
4 that is offered, including renegotiated contracts and change
5 orders, shall be published in the Bulletin, and all businesses
6 listed on the Department of Transportation Disadvantaged
7 Business Enterprise Directory, the Department of Central
8 Management Services Business Enterprise Program and Small
9 Business Vendors Directory, and the Capital Development
10 Board's Directory of Certified Minority and Female Business
11 Enterprises shall be furnished written instructions and
12 information on how to register on each Procurement Bulletin
13 maintained by the State. Such information shall be provided to
14 each business within 30 days after the business' notice of
15 certification. The applicable chief procurement officer may
16 provide by rule an organized format for the publication of this
17 information, but in any case it must include at least the date
18 first offered, the date submission of offers is due, the
19 location that offers are to be submitted to, the purchasing
20 State agency, the responsible State purchasing officer, a brief
21 purchase description, the method of source selection,
22 information of how to obtain a comprehensive purchase
23 description and any disclosure and contract forms, and
24 encouragement to prospective vendors to hire qualified
25 veterans, as defined by Section 45-67 of this Code, and
26 qualified Illinois minorities, women, persons with

1 disabilities, and residents discharged from any Illinois adult
2 correctional center.

3 (b) Contracts let ~~or awarded~~. Notice of each and every
4 contract that is let ~~or awarded~~, including renegotiated
5 contracts and change orders, shall be issued electronically to
6 those bidders or offerors submitting responses to the
7 solicitations, inclusive of the unsuccessful bidders,
8 immediately upon contract let. Failure of any chief procurement
9 officer to give such notice shall result in tolling the time
10 for filing a bid protest up to 5 business days. The apparent
11 low bidder's award and all other bids from bidders responding
12 to solicitations shall be posted on the agency's website the
13 next business day ~~published in the next available subsequent~~
14 ~~Bulletin, and the applicable chief procurement officer may~~
15 ~~provide by rule an organized format for the publication of this~~
16 ~~information, but in any case it must include at least all of~~
17 ~~the information specified in subsection (a), the name of the~~
18 ~~successful responsible bidder or offeror, the contract price,~~
19 ~~the number of unsuccessful responsive bidders, the information~~
20 ~~required in subsection (g) of Section 20-10 if applicable, and~~
21 ~~any other disclosure specified in any Section of this Code.~~
22 ~~This notice must be posted in the online electronic Bulletin no~~
23 ~~later than 10 business days after the contract is awarded.~~

24 (b-5) Contracts awarded. Notice of each and every contract
25 that is awarded, including renegotiated contracts and change
26 orders, shall be issued electronically to the successful

1 responsible bidder or offeror, posted on the agency's website
2 the next business day, and published in the next available
3 subsequent Bulletin. The applicable chief procurement officer
4 may provide by rule an organized format for the publication of
5 this information, but in any case it must include at least all
6 of the information specified in subsection (a) as well as the
7 name of the successful responsible bidder or offeror, the
8 contract price, the number of unsuccessful responsive bidders,
9 and any other disclosure specified in any Section of this Code.
10 This notice must be posted in the online electronic Bulletin
11 prior to execution of the contract.

12 (c) Emergency purchase disclosure. Any chief procurement
13 officer or State purchasing officer exercising emergency
14 purchase authority under this Code shall publish a written
15 description and reasons and the total cost, if known, or an
16 estimate if unknown and the name of the responsible chief
17 procurement officer and State purchasing officer, and the
18 business or person contracted with for all emergency purchases
19 in the next timely, practicable Bulletin. This notice must be
20 posted in the online electronic Bulletin no later than 3
21 business days after the contract is awarded. Notice of a
22 hearing to extend an emergency contract must be posted in the
23 online electronic Procurement Bulletin no later than 5 business
24 days prior to the hearing.

25 (c-5) Business Enterprise Program report. Each purchasing
26 agency shall post in the online electronic Bulletin a copy of

1 its annual report of utilization of businesses owned by
2 minorities, females, and persons with disabilities as
3 submitted to the Business Enterprise Council for Minorities,
4 Females, and Persons with Disabilities pursuant to Section 6(c)
5 of the Business Enterprise for Minorities, Females, and Persons
6 with Disabilities Act within 10 business days after its
7 submission of its report to the Council.

8 (c-10) Renewals. Notice of each contract renewal shall be
9 posted in the online electronic Bulletin within 10 business
10 days of the determination to renew the contract and the next
11 available subsequent Bulletin. The notice shall include at
12 least all of the information required in subsection (b).

13 (c-15) Sole source procurements. Before entering into a
14 sole source contract, a chief procurement officer exercising
15 sole source procurement authority under this Code shall publish
16 a written description of intent to enter into a sole source
17 contract along with a description of the item to be procured
18 and the intended sole source contractor. This notice must be
19 posted in the online electronic Procurement Bulletin before a
20 sole source contract is awarded and at least 14 days before the
21 hearing required by Section 20-25.

22 (d) Other required disclosure. The applicable chief
23 procurement officer shall provide by rule for the organized
24 publication of all other disclosure required in other Sections
25 of this Code in a timely manner.

26 (e) The changes to subsections (b), (c), (c-5), (c-10), and

1 (c-15) of this Section made by this amendatory Act of the 96th
2 General Assembly apply to reports submitted, offers made, and
3 notices on contracts executed on or after its effective date.

4 (f) The Department of Central Management Services, the
5 Capital Development Board, the Department of Transportation,
6 and the higher education chief procurement officer shall
7 provide the Procurement Policy Board with the information and
8 resources necessary, and in a manner, to effectuate the purpose
9 of this amendatory Act of the 96th General Assembly.

10 (Source: P.A. 95-536, eff. 1-1-08; 96-795, eff. 7-1-10 (see
11 Section 5 of P.A. 96-793 for the effective date of changes made
12 by P.A. 96-795).)

13 Section 5. The Business Enterprise for Minorities,
14 Females, and Persons with Disabilities Act is amended by
15 changing Section 9 as follows:

16 (30 ILCS 575/9) (from Ch. 127, par. 132.609)

17 (Section scheduled to be repealed on June 30, 2010)

18 Sec. 9. This Act is repealed June 30, 2012 ~~2010~~.

19 (Source: P.A. 95-776, eff. 8-4-08.)

20 Section 95. No acceleration or delay. Where this Act makes
21 changes in a statute that is represented in this Act by text
22 that is not yet or no longer in effect (for example, a Section
23 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes
2 made by this Act or (ii) provisions derived from any other
3 Public Act.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.