



Sen. Dan Kotowski

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1 AMENDMENT TO SENATE BILL 375

2 AMENDMENT NO. _____. Amend Senate Bill 375 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by
5 changing Sections 20-25 and 20-60 as follows:

6 (30 ILCS 500/20-25)

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

8 Sec. 20-25. Sole source procurements. In accordance with
9 standards set by rule, contracts may be awarded without use of
10 the specified method of source selection when there is only one
11 economically feasible source for the item. At least 2 weeks
12 before entering into a sole source contract, the purchasing
13 agency shall publish in the Illinois Procurement Bulletin a
14 notice of intent to do so along with a description of the item
15 to be procured and the intended sole source contractor.

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

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

2 Sec. 20-25. Sole source procurements.

3 (a) In accordance with standards set by rule, contracts may
4 be awarded without use of the specified method of source
5 selection when there is only one economically feasible source
6 for the item. A State contract may not be awarded as a sole
7 source procurement unless approved by the chief procurement
8 officer following a public hearing at which the chief
9 procurement officer and purchasing agency present written
10 justification for the procurement method. The Procurement
11 Policy Board and the public may present testimony.

12 (b) This Section may not be used as a basis for amending a
13 contract for professional or artistic services if the amendment
14 would result in an increase in the amount paid under the
15 contract of more than 5% of the initial award, or would extend
16 the contract term beyond the time reasonably needed for a
17 competitive procurement, not to exceed 2 months.

18 (c) Notice of intent to enter into a sole source contract
19 shall be provided to the Procurement Policy Board and published
20 in the online electronic Bulletin at least 14 days before the
21 public hearing required in subsection (a). The notice shall
22 include the sole source procurement justification form
23 prescribed by the Board, a description of the item to be
24 procured, the intended sole source contractor, and the date,
25 time, and location of the public hearing. A copy of the notice

1 and all documents provided at the hearing shall be included in
2 the subsequent Procurement Bulletin.

3 (d) Each chief procurement officer shall annually submit a
4 report to the General Assembly detailing each contract the
5 officer sought sole source as a procurement method and the
6 justification given for seeking sole source as the procurement
7 method for that contract.

8 (Source: P.A. 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793
9 for the effective date of changes made by P.A. 96-795).)

10 (30 ILCS 500/20-60)

11 Sec. 20-60. Duration of contracts; renewal or extension.

12 (a) Maximum duration. A contract, other than a contract
13 entered into pursuant to the State University Certificates of
14 Participation Act, may be entered into for any period of time
15 deemed to be in the best interests of the State but not
16 exceeding 10 years inclusive, beginning January 1, 2010, of
17 proposed contract renewals. The length of a lease for real
18 property or capital improvements shall be in accordance with
19 the provisions of Section 40-25. A contract for bond or
20 mortgage insurance awarded by the Illinois Housing Development
21 Authority, however, may be entered into for any period of time
22 less than or equal to the maximum period of time that the
23 subject bond or mortgage may remain outstanding.

24 (b) Subject to appropriation. All contracts made or entered
25 into shall recite that they are subject to termination and

1 cancellation in any year for which the General Assembly fails
2 to make an appropriation to make payments under the terms of
3 the contract.

4 (c) Renewal or extension. Notwithstanding any other
5 provisions of this Code, no contract entered into under this
6 Code may be renewed or extended by the State if the total value
7 of the contract for the initial and all renewed or extended
8 terms exceeds \$249,999. Instead, a new contract must be let by
9 competitive bid. This subsection does not apply to any
10 emergency procurement or any procurement exempted by Section
11 1-10(b) of this Code.

12 (Source: P.A. 95-344, eff. 8-21-07; 96-15, eff. 6-22-09;
13 96-795, eff. 7-1-10 (see Section 5 of P.A. 96-793 for the
14 effective date of changes made by P.A. 96-795).)

15 Section 95. No acceleration or delay. Where this Act makes
16 changes in a statute that is represented in this Act by text
17 that is not yet or no longer in effect (for example, a Section
18 represented by multiple versions), the use of that text does
19 not accelerate or delay the taking effect of (i) the changes
20 made by this Act or (ii) provisions derived from any other
21 Public Act.

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."