



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB2183

Introduced 2/15/2013, by Sen. Don Harmon

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 500/20-165 new

Creates the Transportation Sustainability Procurement Program Act. Requires the Bureau of Strategic Sourcing and Procurement in the Department of Central Management Services, in consultation with the Illinois Environmental Protection Agency, to develop a sustainability program for the State's procurement of freight, small package delivery, and other forms of cargo shipping and transportation services. Provides that State contracts for the procurement of those services shall require providers to report greenhouse gas emissions and energy consumption. Sets forth disclosure requirements that apply to the State's solicitations for those services. Requires the State to consider the bidder's environmental disclosures and the price and quality of the services to be provided. Amends the Illinois Procurement Code. Provides that, when procuring freight, small package delivery, and other forms of cargo shipping and transportation services, appropriate weight shall be given to the requirements of the Transportation Sustainability Procurement Program Act. Effective immediately.

LRB098 10589 JDS 40851 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation procurement.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act shall be cited as the  
5 Transportation Sustainability Procurement Program Act.

6 Section 5. Legislative purpose. It is the purpose of this  
7 Act and the policy of this State to provide the structure and  
8 criteria necessary to ensure that the State processes for  
9 procuring freight, small package delivery, and other forms of  
10 cargo transport and shipping services take into consideration  
11 not only cost and quality, but also vendors' commitment to, and  
12 execution of, best environmental practices.

13 Section 10. Contracts for the procurement of freight, small  
14 package delivery, and other cargo shipping and transportation  
15 services.

16 (a) The Bureau of Strategic Sourcing and Procurement in the  
17 Department of Central Management Services shall, in  
18 consultation with the Illinois Environmental Protection  
19 Agency, develop a sustainability program for the State's  
20 procurement of shipping and transportation services for  
21 freight, small package delivery, and other forms of cargo.

22 (b) State contracts for the procurement of freight, small

1 package delivery, and other cargo shipping and transportation  
2 services shall require providers to report, using generally  
3 accepted reporting protocols adopted by the Department for that  
4 purpose:

5 (1) the amount of energy the service provider consumed  
6 to provide those services to the State and the amount of  
7 associated greenhouse gas emissions, including energy use  
8 and greenhouse gases emitted as a result of the provider's  
9 use of electricity in its facilities;

10 (2) the energy use and greenhouse gas emissions by the  
11 service provider's subcontractors in the performance of  
12 those services.

13 (c) The State's solicitation for the procurement of  
14 freight, small package delivery, and other cargo shipping and  
15 transportation services shall:

16 (1) specify how the bidder will report its energy use  
17 and associated greenhouse gas emissions under the  
18 contract; and

19 (2) call for bidders to disclose in their responses to  
20 the solicitation:

21 (A) measures they use to reduce vehicle engine  
22 idling;

23 (B) their use of multi-modal transportation, such  
24 as rail, trucks, or air transport, and how the use of  
25 those types of transportation is anticipated to reduce  
26 costs for the State;

1 (C) the extent of their use of (i) cleaner, less  
2 expensive fuels as an alternative to petroleum or (ii)  
3 more efficient vehicle propulsion systems;

4 (D) the level of transparency of the provider's  
5 reporting under subsection (b), and what independent  
6 verification and assurance measures exist for this  
7 reporting;

8 (E) their use of speed governors on heavy trucks;

9 (F) their use of recyclable packaging;

10 (G) measures of their network efficiency,  
11 including the in-vehicle use of telematics or other  
12 related technologies that provide for improved vehicle  
13 and network optimization and efficiencies;

14 (H) their energy intensity per unit of output  
15 delivered;

16 (I) how they will advance the environmental goals  
17 of the State; and

18 (J) opportunities to effectively neutralize the  
19 greenhouse gas emissions reported under subsection  
20 (b).

21 (d) In selecting providers for such services, the State, as  
22 part of a best value analysis of the responses to the State's  
23 solicitation:

24 (1) shall give appropriate weight to the disclosures in  
25 subdivision (c) (2) of this Section;

26 (2) shall give appropriate weight to the price and

1 quality of the services being offered; and

2 (3) may accept from the service provider an optional  
3 offer at a reasonable cost of carbon neutral shipping in  
4 which the provider calculates the direct and indirect  
5 greenhouse gas emissions of the provider that are specified  
6 under subsection (b) above, and obtains independently  
7 verified carbon credits to offset those emissions and then  
8 retires the carbon credits.

9 (e) The program shall adopt measures to encourage all State  
10 agencies to use the least costly level of service or mode of  
11 transport (while distinguishing between express or air versus  
12 ground delivery) that can achieve on-time delivery for the  
13 product being transported and delivered.

14 Section 90. The Illinois Procurement Code is amended by  
15 adding Section 20-165 as follows:

16 (30 ILCS 500/20-165 new)

17 Sec. 20-165. Compliance with Transportation Sustainability  
18 Procurement Program Act. When procuring freight, small package  
19 delivery, and other forms of cargo shipping and transportation  
20 services, appropriate weight shall be given to the requirements  
21 of the Transportation Sustainability Procurement Program Act.

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