

AN ACT concerning State government.

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

Section 5. The Illinois Procurement Code is amended by adding Section 1-35 as follows:

(30 ILCS 500/1-35 new)

Sec. 1-35. Application to James R. Thompson Center. In accordance with Section 7.4 of the State Property Control Act, this Code does not apply to any procurements related to the sale of the James R. Thompson Center, provided that the process shall be conducted in a manner substantially in accordance with the requirements of the following Sections of the Illinois Procurement Code: 20-160, 50-5, 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35, 50-36, 50-37, 50-38, and 50-50. The exemption contained in this Section does not apply to any leases involving the James R. Thompson Center, including a leaseback authorized under Section 7.4 of the State Property Control Act.

Section 10. The State Property Control Act is amended by changing Section 7.4 and by adding Section 7.7 as follows:

(30 ILCS 605/7.4)

Sec. 7.4. James R. Thompson Center; ~~Elgin Mental Health Center.~~

(a) Notwithstanding any other provision of this Act or any other law to the contrary, the administrator is authorized under this Section to dispose of ~~or mortgage (i)~~ the James R. Thompson Center located in Chicago, Illinois, ~~and (ii) the Elgin Mental Health Center and surrounding land located at 750 S. State Street, Elgin, Illinois in any of the following ways:~~

~~(1) The administrator may sell the property as provided in subsection (b). (2) The administrator may sell the property as provided in subsection (b), and, either as a condition of the sale or the administrator may immediately thereafter enter into a leaseback or other agreement that directly or indirectly gives the State a right to use, control, and possess the property. Notwithstanding any other provision of law, a lease entered into by the administrator under this subdivision (a) (2) may last for any period not exceeding 99 years. (3) The administrator may enter into a mortgage agreement, using the property as collateral, to receive a loan or a line of credit based on the equity available in the property. Any loan obtained or line of credit established under this subdivision (a) (3) must require repayment in full in 20 years or less.~~

(b) The administrator shall dispose of the property using a competitive sealed proposal process that includes, at a minimum, the following:

(1) Engagement Prior to Request for Proposal. The

administrator may, prior to soliciting requests for proposals, enter into discussions with interested purchasers in order to assess existing market conditions, demands and likely development scenarios provided that no such interested purchasers shall have any role in drafting any request for proposals nor shall any request for proposal be provided to any interested purchaser prior to its general public distribution. The administrator may issue a request for qualifications that requests interested purchasers to provide such information as the administrator reasonably deems necessary in order to evaluate the qualifications of such interested purchasers including the ability of interested purchasers to acquire and develop the property, all as reasonably determined by the administrator.

(2) Request for proposals. Proposals to acquire and develop the property shall be solicited through a request for proposals. Such request for proposals shall include such requirements and factors as the administrator shall determine are necessary or advisable with respect to the disposition of the James R. Thompson Center, including soliciting proposals designating a portion of the property after the development or redevelopment thereof in honor of Governor James R. Thompson.

(3) Public notice. Public notice of any request for qualification or request for proposals shall be published

in the Illinois Procurement Bulletin at least 14 calendar days before the date by which such requests are due. The administrator may advertise the request in any other manner or publication which it reasonably determines may increase the scope and nature of responses to the request. In the event the administrator shall have already identified qualified purchasers pursuant to a request for qualification process as set forth above, notice of the request for proposals may be delivered only to such qualified purchasers.

(4) Opening of proposals. Proposals shall be opened publicly on the date, time and location designated in the Illinois Procurement Bulletin, but proposals shall be opened in a manner to avoid disclosure of contents to competing purchasers during the process of negotiation. A record of proposals shall be prepared and shall be open for public inspection after contract award, but prior to contract execution.

(5) Evaluation factors. Proposals shall be submitted in 2 parts: (i) items except price, and (ii) covering price. The first part of all proposals shall be evaluated and ranked independently of the second part of all proposals.

(6) Discussion with interested purchasers and revisions of offers or proposals. After the opening of the proposals, and under such guidelines as the administrator

may elect to establish in the request for proposals, the administrator and his or her designees may engage in discussions with interested purchasers who submitted offers or proposals that the administrator determines are reasonably susceptible of being selected for award for the purpose of clarifying and assuring full understanding of and responsiveness to the solicitation requirements. Those purchasers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. Revisions may be permitted after submission and before award for the purpose of obtaining best and final offers. In conducting discussions there shall be no disclosure of any information derived from proposals submitted by competing purchasers. If information is disclosed to any purchaser, it shall be provided to all competing purchasers.

(7) Award. Awards shall be made to the interested purchaser whose proposal is determined in writing to be the most advantageous to the State, taking into consideration price and the evaluation factors set forth in the request for proposals. The contract file shall contain the basis on which the award is made. ~~The administrator shall obtain 3 appraisals of the real property transferred under subdivision (a) (1) or (a) (2) of this Section, one of which shall be performed by an appraiser residing in the county in which the real property is located. The average of these~~

~~3 appraisals, plus the costs of obtaining the appraisals, shall represent the fair market value of the real property. No property may be conveyed under subdivision (a) (1) or (a) (2) of this Section by the administrator for less than the fair market value. The administrator may sell the real property by public auction following notice of the sale by publication on 3 separate days not less than 15 nor more than 30 days prior to the sale in a daily newspaper having general circulation in the county in which the real property is located. If no acceptable offers for the real property are received, the administrator may have new appraisals of the property made. The administrator shall have all power necessary to convey real property under subdivision (a) (1) or (a) (2) of this Section.~~

(b-5) Any contract to dispose of the property is subject to the following conditions:

(1) A commitment from the purchaser to make any applicable payments to the City of Chicago with respect to additional zoning density;

(2) A commitment from the purchaser to enter into an agreement with the City of Chicago and the Chicago Transit Authority regarding the existing operation of the Chicago Transit Authority facility currently located on the property, substantially similar to the existing agreement between the City of Chicago, the Chicago Transit Authority, and the State of Illinois, and such agreement must be

executed prior to assuming title to the property; and

(3) A commitment from the purchaser to designate a portion of the property after the development or redevelopment thereof in honor of Governor James R. Thompson.

(b-10) The administrator shall have authority to order such surveys, abstracts of title, or commitments for title insurance, environmental reports, property condition reports, or any other materials as the administrator may, in his or her reasonable discretion, be deemed necessary to demonstrate to prospective purchasers or, ~~bidders, or mortgagees~~ good and marketable title in and the existing conditions or characteristics of the ~~any~~ property offered for sale ~~or mortgage~~ under this Section. ~~All Unless otherwise specifically authorized by the General Assembly, all~~ conveyances of property made by the administrator under ~~subdivision (a) (1) or (a) (2) of~~ this Section shall be by quit claim deed.

(c) All moneys received from the sale ~~or mortgage~~ of real property under this Section shall be deposited into the General Revenue Fund, provided that any obligations of the State to the purchaser acquiring the property, a contractor involved in the sale of the property, or a unit of local government may be remitted from the proceeds during the closing process and need not be deposited in the State treasury prior to closing.

(d) The administrator is authorized to enter into any agreements and execute any documents necessary to exercise the

authority granted by this Section.

(e) Any agreement to dispose of ~~or mortgage (i) the James R. Thompson Center located in Chicago, Illinois or (ii) the Elgin Mental Health Center and surrounding land located at 750 S. State Street, Elgin, Illinois~~ pursuant to the authority granted by this Section must be entered into no later than 2 years ~~one year~~ after the effective date of this amendatory Act of the 100th ~~93rd~~ General Assembly.

(f) The provisions of this Section are subject to the Freedom of Information Act, and nothing shall be construed to waive the ability of a public body to assert any applicable exemptions.

(Source: P.A. 93-19, eff. 6-20-03.)

(30 ILCS 605/7.7 new)

Sec. 7.7. Michael A. Bilandic Building.

(a) On or prior to the disposition of the James R. Thompson Center the existing executive offices of the Governor, Lieutenant Governor, Secretary of State, Comptroller, and Treasurer shall be relocated in the Michael A. Bilandic Building located at 160 North LaSalle Street, Chicago, Illinois. An officer shall occupy the designated space on the same terms and conditions applicable on the effective date of this amendatory Act of the 100th General Assembly. An executive officer may choose to locate in alternative offices within the City of Chicago.



(b) The four caucuses of the General Assembly shall be given space within the Michael A. Bilandic Building. Any caucus located in the building on or prior to the effective date of this amendatory Act of the 100th General Assembly shall continue to occupy their designated space on the same terms and conditions applicable on the effective date of this amendatory Act of the 100th General Assembly.

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