

# ILLINOIS PROCUREMENT CODE

**Fiscal Year End: June 30**

1. **Pre-qualifications:** Pre-qualifying vendors is not required in order to do business with the state; however, certain IFBs may be limited to only pre-qualified vendors.
  - a. **Illinois Procurement Rules Title 44, Section 1.2045.A.1** → The CPO shall identify by publication in the Bulletin the categories of supplies and services (including professional and artistic services) for which the CPO may prequalify vendors of those supplies and services. The CPO is not required to prequalify vendors but may do so when determination of a vendor's qualifications prior to procurement would be advantageous to the State
  - b. **Illinois Procurement Rules Title 44, Section 1.2045.A.5** → Except in the case of professional and artistic services, distribution of and responses to the solicitation may be limited to prequalified vendors and award of a contract may be denied because a vendor was not prequalified. If eligibility for the procurement will be limited to prequalified vendors, the Invitation for Bids, Request for Proposals or other procurement request shall state that fact
2. **Auto-drop:** None.
3. **Life Cycle Costing (LCC):** Evaluations based on LCC are allowed if stated in the IFB.
  - a. **IL Code 30 ILCS 500 Section 20-10.e** → Bid acceptance and bid evaluation. Bids shall be unconditionally accepted without alteration or correction, except as authorized in this Code. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award, such as discounts, transportation costs, and total or life cycle costs, shall be objectively measurable. The invitation for bids shall set forth the evaluation criteria to be used.
4. **Piggybacking:** Allowed only if piggybacking is necessary in order to remain compliant with federal requirements.
  - a. **IL Procurement Rules Section 1.6500** → In an effort to make the procurement process more efficient, State and other governmental units (including not-for-profit entities authorized by law to participate in joint purchasing) may agree to utilize each others' procurement contracts. This authority is governed by this Subpart and the Governmental Joint Purchasing Act [30 ILCS 525]. Only the CPO may enter into contracts under the Act when the State is a party to the contract.
5. **Recycle Preferences:** There is a 10% price preference for products made from recycled materials.
  - a. **IL Code 30 ILCS 500 Section 45-20 (b)** → Award of contracts for environmentally preferable supplies or services. Notwithstanding any rule, regulation, statute, order, or policy of any kind, with the exceptions of Sections 45-20 and 45-25 of this Code, State agencies shall contract for supplies and services that are environmentally preferable. If, however, contracting for an environmentally preferable supply or service would impose

an undue economic or practical hardship on the contracting State agency, or if an environmentally preferable supply or service cannot be used to meet the requirements of the State agency, then the State agency need not contract for an environmentally preferable supply or service. Specifications for contracts, at the discretion of the contracting State agency, may include a price preference of up to 10% for environmentally preferable supplies or services.

<http://www.purchase.state.il.us/ipb/IPBhomep.nsf?Open>

(Reference Library -> Code)

6. **Minority/Small/Disadvantaged Business Enterprise preferences:** Some contracts may be set aside for SBE participation only. Twelve percent (12%) minimum contracting with businesses controlled by minorities, women or persons with disabilities (5% female, 5% minority, 2% disabled).
  - a. **IL Code 30 ILCS 500 Section 45-45.a** → The chief procurement officer has authority to designate as small business set-asides a fair proportion of construction, supply, and service contracts for award to small businesses in Illinois. Advertisements for bids or offers for those contracts shall specify designation as small business set-asides. In awarding the contracts, only bids or offers from qualified small businesses shall be considered.
  - b. **Illinois Procurement Rules Title 44, Section 1.4570.a** → The Business Enterprise Act for Minorities, Females, and Persons with Disabilities [30 ILCS 575] (Act) sets a goal (minimum 12%) for contracting with businesses owned or controlled by minorities, females, or persons with disabilities.
  - c. **Illinois Procurement Rules Title 44, Section 1.4570.b** → Each State agency subject to that Act shall establish a goal that at least 12% of the dollar value of State contracts be awarded to minority and female-owned businesses. Of that 12%, five shall be for female owned businesses, two for businesses owned by persons with disabilities and not-for-profit agencies for the disabled, and the remaining five for other minority-owned businesses, unless these percentages are modified by the Council created under the Act.

## 7. **Contract Purchasing**

### **National IPA**

The City of Tucson, AZ has awarded a national cooperative purchasing agreement available to agencies through National Intergovernmental Purchasing Alliance (National IPA). Visit the National IPA website for state specific information

<http://www.nationalipa.org/statutes.html>

### **National Joint Powers Alliance (NJPA)**

NJPA currently supports over 100 national contracts for products and services that are available to local governmental agencies and other not for profit entities. Additional information can be found by visiting NJPA's State Procurement Resources web site.

<http://www.njpacoop.org/national-cooperative-contract-solutions/legal-authority/>

### **\*\*\* IL Procurement Code:**

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=532&ChapAct=30%26nbsp%3BILCS%26nbsp%3B500%2F&ChapterID=7&ChapterName=FINANCE&ActName=Illinois+Procurement+Code%2E>