Purchasing Legislation & Policies

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Agenda

- Legislative and Policy Framework
- Why Procurement Services is Important
- Relationship between Statutes, Rules and Policies
- How to Locate Statutes, Rules and Policies
- How to Locate Pending Legislation and Public Acts
- Recent Rule Changes
- Upcoming Policy Changes
Primary Legislative and Policy Framework

- Illinois Procurement Code – 30 ILCS 500/
- Administrative Rules – Title 44, Part 4
- Office of Business and Financial Services (OBFS) Policy Manual
## Additional Legislative & Policy Framework

### State Requirements
- Procurement Code
- Business Enterprise Program
- Procurement of Domestic Products
- Governmental Joint Purchasing
- Architectural, Engineering and Land Surveying Qualification Bases Selection
- Soybean Ink

### Federal Requirements
- Federal Acquisition Regulations
- Uniform Administrative Requirements
- Code of Federal Regulations
- Office of Management and Budget Circulars
- Export Controls
- Animal Welfare Act
- Human Subject Research
- Specially Designated Nationals

### Payables
- State Prompt Payment
- Travel Regulation Council

### Both
- Administrative Rules
- Ethics Act

**AUDITS**
Why Procurement Services is Important

More than 80% of the services performed by Procurement Services are driven by regulatory requirements, largely state and federal laws.
Relationship between Statutes, Rules and Policies
Relationship between Statutes, Rules and Policies

- Procurement Code
Relationship between Statutes, Rules and Policies

- Administrative Rules
Relationship between Statutes, Rules and Policies

- OBFS Policies
How to Locate Statutes

- Illinois Procurement Code – 30 ILCS 500/
- [www.ilga.gov](http://www.ilga.gov)
- Illinois Compiled Statutes → Chapter 30 Finance → 30 ILCS 500/ Illinois Procurement Code
- Click on “View Entire Act” or select a specific section of the Code
- Use Ctrl+F to “Find” on the page

[http://go.uillinois.edu/ILProcCode](http://go.uillinois.edu/ILProcCode)
How to Locate Rules

- Administrative Rules – Title 44, Part 4
- Select a specification of the Rules

[http://go.uillinois.edu/ILAdminRules](http://go.uillinois.edu/ILAdminRules)
How to Locate Rules Applicable to a Statute

- Determine statute citation:
  Small Purchase: 30 ILCS 500/20-20
- Insert the last four digits of the citation behind the beginning of the Rule 4.
  4.2020 Small Purchases
How to Locate OBFS Policies

www.obfs.uillinois.edu

- Business and Financial Administration – Section 1
- Purchasing – Section 7
- Payments and Reimbursements – Section 8
- Travel – Section 15
- Consultants and Independent Contractors – Section 17
- Taxes – Section 18
How to Locate Pending Legislation

www.ilga.gov

- House Bills (HB) vs. Senate Bills (SB)
  - Demonstration HB4644

- Other pending bills…
  - SB2913
  - HB4623
  - SB2967
  - HB4333
  - HB4370
  - SB2967
  - HB4477
  - SB2360
  - HB4998
  - SB2400
  - HB4644
  - SB2873
  - HB4609
  - HB4525
  - HB4329
How to Locate Public Acts

www.ilga.gov

- Public Acts (PA)
  - Demonstration SB51 – Public Act 96-795
Recent Rule Changes

- Professional and Artistic (P&A) Small Purchases
  - Publishing to Bulletin
  - SPO Review
- Competition for Small Purchases
  - Multiple Quotes
- Stringing/Recurring Need
  - Cannot Artificially Divide a Procurement
Recent Rule Changes

- **Change Orders**
  - Required for changes > $10,000 or time completion of > 30 days
  - Must be a Written Agreement
- **Procurement File Documentation**
  - Publically Available within 7 Days of Award
- **Sole Source Justifications**
  - Sample Products, Pilot Projects Not Applicable Justification
- **Conflict Review Process**
  - SPO Now Reviews
Upcoming Policy Changes

- P/T Card Policy Changes
  - Conference Registrations
  - P-Card Prohibition for Tuition and Fees
  - Clarified Tax Exemption Restrictions
- Human Subject Payments
- IT Accessibility
  - P-Card Software Purchase and Electronic Services Form
Upcoming Policy Changes

- **Supplier Diversity**
  - Diverse Spend Reporting for *all* Funds
  - 20% Goal

- **Payment Exception Requests**
  - Visibility and Tracking in the Process
  - Identification of Required Information

- **Relocation**
  - Multiple Stakeholders
  - Antiquated
Questions
Reference Sites

- Illinois General Assembly
  www.ilga.gov

- OBFS Policies and Procedures
  www.obfs.uillinois.edu