




CHIEF PROCUREMENT OFFICE

Ellen H. Daley, General Services

Notice 2022.02 General Services

To: Agency Procurement Staff
Central Management Services Bureau of Strategic Sourcing
State Purchasing Officers

From: Ellen H. Daley 

Date: July 29, 2021

Subject: Public Act 102-0029

CC: Procurement Compliance Monitors
Procurement Policy Board

This notice is effective immediately and rescinds CPO Notice 2021.05.

This notice applies when (1) a contract contains a Business Enterprise Program goal and an option for renewal, (2) the contractor did not meet the BEP goal, (3) the contractor made a good faith effort to meet the BEP goal, and (4) the agency and contractor seek to exercise the renewal.

Public Act 102-0029 amends Section 20-60(f) of the Illinois Procurement Code providing that no vendor shall be eligible for renewal of a contract when that vendor failed to meet the goals agreed to in the vendor's Business Enterprise Program (BEP) utilization plan unless the State agency determines that the vendor made a good faith effort toward meeting the contract goals and the chief procurement officer concurs with the agency's decision to issue a waiver.

When an agency chooses to renew a contract and determines that the contractor has made a good faith effort in meeting the contract's BEP goal, the agency shall use the "Good Faith Effort Contract Renewal Waiver and Concurrence" form to document the contractor's actions that constitute the good faith effort. The Chief Procurement Officer for General Services (CPO-GS) will use the same form to document concurrence or lack thereof with the agency's determination.

An agency shall not exercise a contract renewal that is subject to Section 20-60(f) of the Illinois Procurement Code prior to receiving the CPO-GS' concurrence.

If there are questions regarding this notice, please contact your State Purchasing Officer or the Chief Procurement Office at (217) 558-2231.

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