

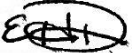


**CHIEF PROCUREMENT OFFICE**  
Ellen H. Daley, General Services

## **Notice 2018.04**

### **General Services**

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

From: Ellen H. Daley 

Date: December 15, 2017

Subject: Governmental Joint Purchasing – Recent Legislative Changes, Piggybacking and Statewide Master Contracts

CC: Procurement Compliance Monitors  
Procurement Policy Board

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The Chief Procurement Office for General Services (CPO-GS) is committed to providing the tools and resources to state agencies to efficiently conduct thousands of procurement transactions each year. With the enactment of Public Act 100-43 several procurement procedures have changed or will change. This CPO Notice provides specific instruction of these changes regarding certain aspects of joint purchasing.

#### **KEY AMENDMENTS TO THE GOVERNMENTAL JOINT PURCHASING ACT**

Numerous changes were made to the Governmental Joint Purchasing Act (JPA) that should allow for greater cost savings and make more contracts available.

- Defines master contract to mean a definite quantity or indefinite quantity contract awarded pursuant to the JPA, which is the statute that permits two or more agencies to aggregate their needs, against which subsequent orders may be placed.
- Defines a multiple award as an award made to two or more bidders or offerors for similar supplies or services.
- Authorizes the use of existing competitive contracts of certain consortiums, cooperatives, and federal agencies if the CPO finds it is in the best interest of the State to do so.
- Permits the CPO to establish a joint and cooperative purchasing program
- Makes contracts entered into pursuant to the JPA voidable



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- Permits the use of sole economically feasible conditions to establish a joint purchase
- Permits the use of emergency purchase conditions to establish a joint purchase
- Requires reporting on the use of piggyback and sole economically feasible conditions and emergency conditions joint purchasing contracts

## **JOINT AND COOPERATIVE PURCHASING PROGRAM**

Public Act 100-43 authorizes the CPO-GS to establish a joint and cooperative purchasing program. With fewer personnel and smaller budgets, state agencies seek more efficient use of staff time and greater value from each dollar spent. The CPO-GS's joint and cooperative purchasing program is branded as the Unified Procurement Program (UPP), and is a comprehensive joint and cooperative purchasing program that will deliver lower cost and higher value contracts. With joint and cooperative purchasing, Illinois joins other states and government entities to combine their purchasing needs and use of procurement and subject matter experts to procure best-in-class contracts. Fewer state resources are used to procure joint and cooperative contracts and they usually result in better pricing and terms due to leveraged buying power. Through UPP, the CPO-GS will make more cooperative and consortium contracts available than are currently available to state agencies, local units of government, and qualified not-for-profit agencies to achieve the best goods and services in the marketplace at the best price in a timely, efficient and legal manner.

## **TYPES OF JOINT PURCHASES**

The JPA recognizes the following four types of joint purchases:

1. Contracts already procured by a federal agency; a consortium of governmental, educational, medical, research, or similar entities; or a group purchasing organization of which the CPO or State agency is a member or affiliate, commonly referred to as piggyback
2. Statewide master contracts, which are procurements led by the State and made available by the CPO statewide
3. Lead cooperative/consortium/multi-agency purchases, which are procurements with two or more governmental units and led by a State agency with use limited to the named participants; and
4. Participant cooperative/consortium/multi-agency purchases, which are procurements with two or more governmental units led by a governmental entity other than a State agency with use limited to the named participants

## **NEW FORMS**

### **Request and Authorization Forms**

Attached to this CPO Notice 2018.04 are forms that shall be used when making specific types of joint purchases.



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- Cooperative/Consortium/Federal Agency Piggyback Purchase Request – documents the Requesting Agency's need and CPO determination to authorize the piggyback joint purchase
- Authorization for Joint Purchasing – documents the CPO's authorization to make a joint purchase

## **New Solicitation and Contract Templates**

Attached to this CPO Notice 2018.04 are new templates.

- UPP Stand-alone Contract – Piggyback
- UPP Stand-alone Statewide Master Contract – Piggyback
- Agreement to Conduct Solicitation for a Statewide Master Contract. This provides language to use in the Brief Description of the solicitation for a statewide master contract.
- Additional Terms and Conditions Statewide Master Contract. This provides terms and conditions to use in the solicitation and contract for a statewide master contract.

## **New Procurement File Checklists**

Attached to this CPO Notice 2018.04 are procurement file checklists to be used in joint purchasing.

- UPP Piggyback
- UPP Solicitation for Statewide Master Contract

## **PROCESS AND PROCEDURES**

Attached to this CPO Notice 2018.04 are documents that outline the process and procedures that should be followed for two of the four various types of joint purchasing the JPA recognizes. The remaining two types will be addressed in a future CPO Notice.

1. Piggyback
  - a. The process contained in this Notice shall be used until further notice, even after BidBuy is live.
  - b. The CPO requires all contractors be registered in Illinois Procurement Gateway with an expiration date after the agency's contract execution.
  - c. The agency requesting to piggyback (Requesting Agency) must complete a SPO Determination form.
  - d. The Requesting Agency must include a completed Cooperative/Consortium/Federal Agency Piggyback Purchase Request form (CCFA form) with the SPO Determination form to make a piggyback request.



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- e. Because a request to piggyback is an exception to a competitive selection process, the Requesting Agency's Director's signature is required on the CCFA Piggyback Purchase Request form.
- f. The CCFA form shall be submitted to the SPO, UPP, and CPO in PDF fillable format to enable the SPO, UPP and CPO to electronically sign the form. A scanned copy of a PDF will not be accepted.
- g. Agency shall maintain a procurement file for each piggyback contract

## 2. Statewide Master Contract

- a. All agencies with the authority to conduct a solicitation that results in a statewide master contract shall use the IFB or RFP template in the Procurement Resources Library accessible on the CPO-GS's website.
- b. The Illinois Office of the Comptroller requires documentation of the CPO-GS's authorization of the joint purchase to file a Statewide master contract.

### **TRAINING**

A presentation is available on the UPP page located on the CPO-GS's website. A recorded presentation will be available on the CPO-GS's website at a later date.

### **EFFECTIVE DATE**

January 1, 2018