

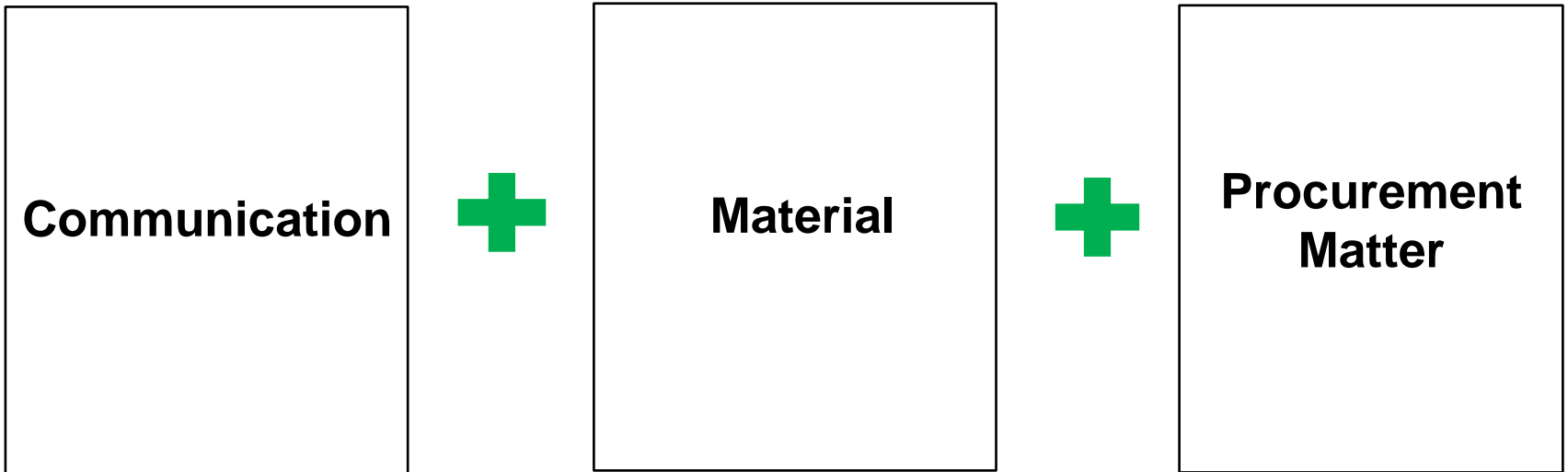


The Procurement Communications Reporting Requirement

**30 ILCS 500/50-39
(Illinois Procurement Code)**

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Ethics Officer
November 2011

“Any written or oral **communication** received by a State employee that imparts or requests **material information** or makes a **material argument** regarding potential action concerning a **procurement matter**, including but not limited to, an application, a contract, or a project, shall be reported to the Procurement Policy Board.”*



REPORT

*30 ILCS 500/50-39, effective 1/1/11

Exceptions to Reporting Requirement

- Public statements in a public forum
- Communications regarding procedure and practice
- Communications regarding contract administration and implementation
- Intra-agency communications and some inter-agency communications
- Unsolicited communications providing general information about products, services or industry best practices, prior to those products or services becoming involved in a procurement matter
- Communications received in response to RFIs, RFPs, RFQs or IFBs
- Communications that are part of a formal procurement process as set out by statute, rule or the solicitation, guidance or procedures
- Privileged, protected or confidential communications

Reporting Logistics

When: As soon as practicable, but within 30 days

How: <http://pcrs.illinois.gov> Need a login ID and a password

What:

- Date, time and duration of the communication
- Identity of each person from whom the communication was received, the individual or entity represented by that person and any action the person requested or recommended
- Identity/job title of each the person to whom each communication was made
- Identity/job title of each person making a response, if any
- Detailed summary of the points made by each person involved in the communication
- Location(s) of all persons involved in the communication, and, if by telephone, telephone numbers for all callers and recipients
- Any other pertinent information

Request lobbyist report, if applicable.



Penalties for Non-Compliance

- An employee who knowingly and intentionally violates the procurement communications reporting requirement shall be subject to suspension or discharge
- Whoever violates the Procurement Code is guilty of a Class A misdemeanor

Answers to Common Questions

- NO group reporting
- Not required to ask if speaking to a lobbyist (but don't stick head in sand)
- If the other party refuses to share information required to be included in a report (other party's phone number, job title, etc.), attempt to obtain the information through other means (e.g., internet search). If, despite your best efforts, you are unable to obtain all of the required information, enter zeros
- If you forget to report within 30 days, report as soon as possible and note on the report why it is not timely