



2026 Communications Reporting Training

We provide this training as a convenience to the public. The Illinois Compiled Statutes, and the Illinois Administrative Code are the official sources of information. While we make every effort to keep our training current and accurate, there may be a delay in updating our training following changes to the statutes or administrative rules.

Overview

- Acronyms and Additional Terms
- Legal Provisions
- Administrative Review
- Conducting an Administrative Review
- Responsive and Responsible
- Other Things to Consider

ILLINOIS PROCUREMENT CODE

Illinois Procurement Code

- It is the policy of the State of Illinois that the principles of competitive bidding and economical procurement practices shall be applicable to all purchases and contracts by or for any State Agency. (30 ILCS 500/1-5)
- State agency. "State agency" means and includes all boards, commissions, agencies, institutions, authorities, and bodies politic and corporate of the State, created by or in accordance with the constitution or statute, of the executive branch of State government and does include colleges, universities, and institutions under the jurisdiction of the governing boards of the University of Illinois, Southern Illinois University, Illinois State University, Eastern Illinois University, Northern Illinois University, Western Illinois University, Chicago State University, Governors State University, Northeastern Illinois University, and the Board of Higher Education. (30 ILCS 500/1-15.100)

Illinois Procurement Code

Ethics Component of Procurement Code

Implicit Ethics Components

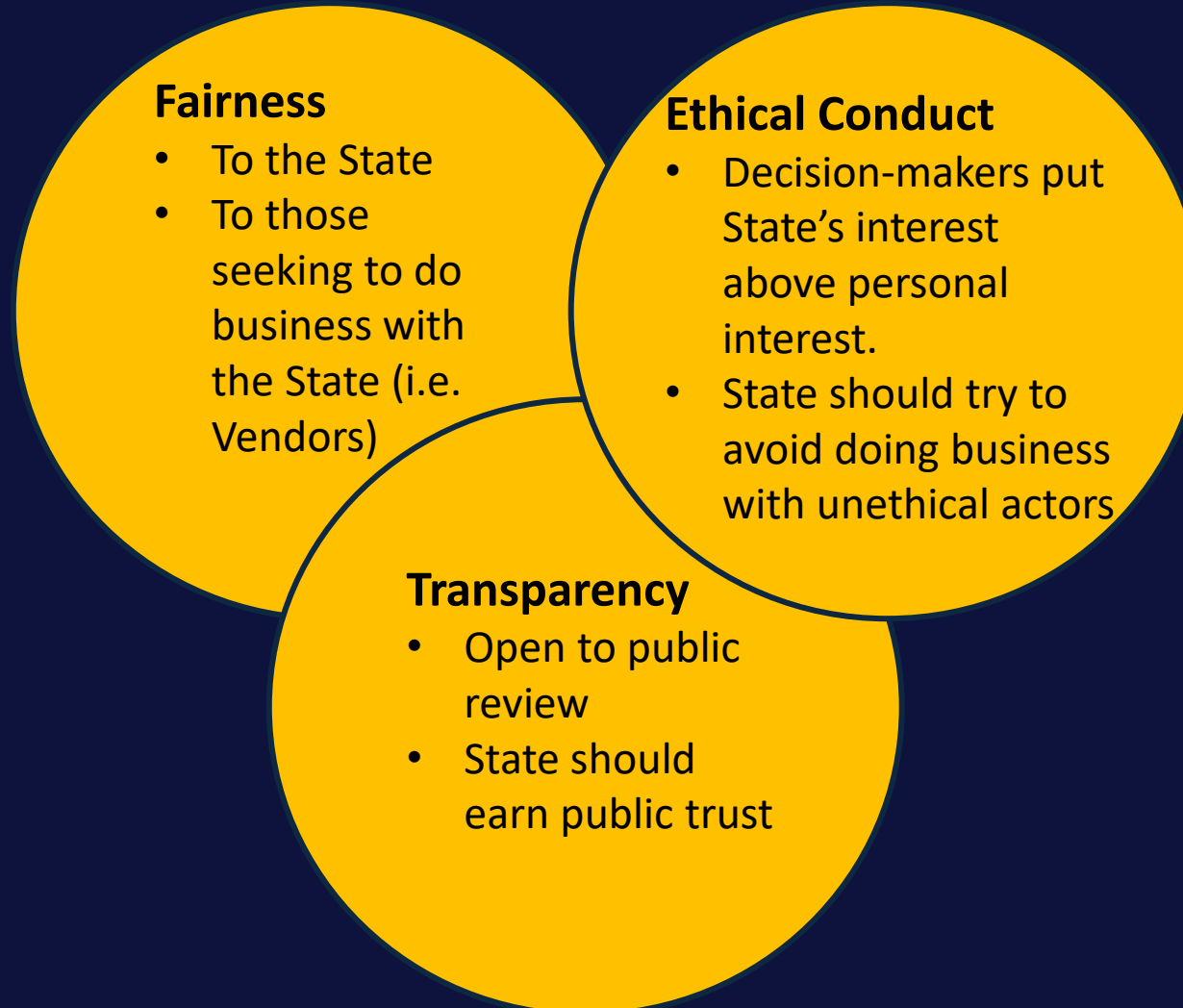
- Competitive Selection Requirements
- Concept of Responsiveness
- Publication of Information in the Bulletin

Explicit Ethics Components

- Article 50

Illinois Procurement Code

Procurement has ethics requirements which are based upon general principles as expressed in the Code



PROCUREMENT ETHICS AND DISCLOSURE

Procurement Ethics and Disclosure

Purpose

It is the express duty of all chief procurement officers, State purchasing officers, and their designees to maximize the value of the expenditure of public moneys in procuring goods, services, and contracts for the State of Illinois and to act in a manner that maintains the integrity and public trust of State government. In discharging this duty, they are charged to use all available information, reasonable efforts, and reasonable actions to protect, safeguard, and maintain the procurement process of the State of Illinois. (30 ILCS 500/50-1)

PROCUREMENT COMMUNICATIONS REPORTING REQUIREMENT

Procurement Communications Reporting Requirement

- Communications reporting refers to the requirement to report certain procurement-related communications to the Procurement Policy Board (PPB).
- PPB has authority and responsibility to review, comment upon, and recommend, rules and practices governing the procurement, management, control, and disposal of supplies, services, professional and artistic services, construction and real property and capital improvement leases procured by the State.
- Written or oral communications received by a State employee, who: by the nature of their duties, have “authority to participate personally and substantially in the decision to award a State contract.” (30 ILCS 500/50-39)
- Report communications that impart or request “material information or make[] a material argument regarding potential action concerning an active procurement matter.” (30 ILCS 500/50-39)

Procurement Communications Reporting Requirement

- Active procurement matter - means “a procurement process beginning with requisition or determination of need by an agency and continuing through the publication of an award or other completion of a final procurement action, the resolution of any protests, and the expiration of any protest or PPB review period.” (30 ILCS 500/50-39(g))
- Change Orders, Renewals, or Extensions are included.

Procurement Communications Reporting Requirement

- Material Information – means information that a reasonable person would deem important in determining his or her course of action and pertains to significant issues, including, but not limited to, price, quantity, and terms of payment or performance. (30 ILCS 500/50-39(g))
- Material Argument – means a communication that a reasonable person would believe was made for the purpose of influencing a decision related to a procurement matter. (30 ILCS 500/50-39(g))

Procurement Communications Reporting Requirement

Executive Ethics Commission (EEC) Rules:

In determining whether a communication is material, the State employee must consider:

- i. whether the information conveyed is new or already known to the State agency (or repeated or restated privately) and other participants in the communication; and
 - ii. the likelihood that the information would influence a pending procurement matter.
- (2 ILL. ADMIN. CODE§1620.825(b)(1)(c))

Procurement Communications Reporting Requirement

What is not included:

- Public statements in a public forum
- Statements re: matters of procedure and practice (number of copies, status, manner of filing, etc.)
- Statements made by a State employee of the university to the university head or other employees of that university, to EEC employees, or to State employee of another university if they are either:
 - Exercising experience or expertise in the subject matter of the particular procurement in the normal course of business, for official purposes, and at the initiation of the purchasing university or the State purchasing officer; or
 - Exercising oversight, supervisory, or management authority over the procurement in the normal course of business and as part of official responsibilities;

Procurement Communications Reporting Requirement

What is not included:

- Unsolicited communications providing general information about products, services, or industry best practices before those products or services become involved in a procurement matter
- Communications received in response in the normal course of a procurement, such as a response to a solicitation
- Communications that are privileged, protected, or confidential under law
- Communications that are part of a formal procurement process set forth in statute, rule, or the solicitation, guidelines or procedures
- Requests for clarifications re: solicitation as long as no competitive advantage and Q&A, if material, are published in Bulletin as an addendum.

Procurement Communications Reporting Requirement

- Notwithstanding the Exemptions, a State employee must report a communication if:
 - It attempts to influence through duress, coercion, or direct or indirect offer or promise of anything of value to any person or entity.
 - It the employee reasonably believes the communication was made for any improper purpose, including, but not limited to providing an improper benefit, monetary or non-monetary, to any person or entity. (2 ILL. ADMIN. CODE§1620.825(d) & (e))

Procurement Communications Reporting Requirement

Timing of reporting:

- As soon as practicable, but in no event more than 30 days after receipt of the communication or the first in a series of related communications.

Must include:

- Date and time of each communication
- Who made it, who they represented, and any action they requested or recommended
- Who they made it to and their job title(s)
- “Detailed summary of the points made by each person involved”
- Location of everyone involved and their phone #s if by phone
- Duration
- “Any other pertinent information”

Procurement Communications Reporting Requirement

Communicating with a Lobbyist

- When an oral communication from a person required to register under the Lobbyist Registration Act, is received by a State Employee, then all persons who initiate or participate in the oral communication shall submit a written report to that State Employee. Such written report memorializes the communication and includes, but is not limited to, the same items listed in the previous slide (date, time, persons involved, job titles, summary of discussion, duration, action taken, etc.)

Procurement Communications Reporting Requirement

Communications reporting is done through the PPB website:

- <https://ppb.illinois.gov/reports.html>

Procurement Communications Reporting Requirement

Who must report?

- When more than one university employee is involved, they must EACH file a report with the PPB
- Even if a university employee is aware that the other university employee had filed a report, they are still required to make the report as well.

Procurement Communications Reporting Requirement

If you knowingly or intentionally fail to report, the possible consequences are:

- Suspension or Discharge (30 ILCS 500/50-39(e))
- Potential Class A Misdemeanor (30 ILCS 500/50-75(b))

Procurement Communications Reporting Requirement



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ETHICS OFFICER

Ethics Officer

Questions that state employees and appointees have regarding ethics issues that arise in the course of their state employment should be referred to their state agency's ethics officer. Each state agency is required by law to appoint an ethics officer who is responsible for, among other things, providing guidance to those state employees who need assistance in determining the appropriate conduct required by law, rule, regulation, or policy. (5 ILCS 430/20-23)

THINGS TO REMEMBER

Things to Remember

- Vendors may communicate with State agencies-vendors just have to do it inside the boundaries.
- It is not a negative that conversations with State employees are being reported.
- It provides a fair playing surface, so all vendors know what information is available.
- A reportable conversation does not equal a vendor being disqualified from responding to the bid or offer.

RESOURCES

Resources

PPB.illinois.gov

- <https://ppb.illinois.gov/reports/procurement-communications-reporting.html>

30 ILCS 500

2 ILL. ADMIN. CODE§1620.825

DISCLAIMER: Nothing in this presentation is intended to be construed as legal advice. If you have questions, consult legal counsel. Do not rely solely upon the information provided herein.



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THANK YOU!
