



ILLINOIS REFORM COMMISSION

Friday, March 13, 2009

Procurement Comments from Website and Other Sources

As of Thursday, March 5, the Illinois Reform Commission has received 1076 comments, through www.reformillinoisnow.org. We have also received 201 comments via fax, phone, and regular mail. Approximately 17% of the substantive comments we have received touch on procurement reform. These comments expressed frustration with the current systems being used by the state, the prevalence of pay-to-play in public contracting, and the lack of enforcement or oversight.

Recent comments regarding procurement reform include calls to end the practice of pay-to-play:

“Anyone, organization, or corporation contributing more than \$500 to any political candidate should be eliminated from any favorable legislation or awarded any contracts.” —So Elgin, 01/19

“Ban all contributions from any company doing business with the state for a period of 1 year before and 1 year after the nature of that business is conducted.” —St. Charles, 01/25

Many commenters focused on transparency as part of procurement reform:

“Have Illinois develop a website similar to Virginia DOT "Dashboard" that shows projects, contracts, change orders and schedules.” —Chicago, 01/05

“Transparency ensures the efficient spending of OUR tax dollars and the use of OUR resources by putting all decisions on the record and into the public domain.” —Chicago, 01/09

Commenters made specific suggestions for ethical bidding processes:

“Many contracts could be awarded on the basis of a blind assessment of bids. That is, the bid would not carry the name of the bidder. Bid assessment could be done by an independent/nonpartisan panel.” —Champaign, 02/23

“**Open book bids** where bids are compared with the highs and lows in the market for the services sought.” —Oak Brook, 02/22

“**No bid contracts must be made illegal in all instances!** And the penalty if they occur must include excluding the person(s) involved from bidding on any future contract even if they change their name or company name.” —Arlington Heights, 01/19

Commenters also suggested other practical steps towards reformed procurement:

“Use **pre-qualified lists** for any contracts that don't go to bid or for sensitive public projects. To get onto the pre-qualified list, the bidders would undergo a thorough background check. The system used by the NYC School Construction Authority is a good model.” —Glen Cove, 01/06

“**Privatize the hiring and purchasing functions** for the state.” —Palatine, 01/11

“Each **contractor should also be required** to sign a statement agreeing **to abide by the State's Code of Ethics**, penalties and oversight, before a final contract with the State is entered into.” —Round Lake Park, 01/22

Finally, commenters noted that much of the problem with procurement reform is due to a lack of enforcement:

“When a **business person is pressed into pay for play, he should be legally obligated to report this to the authorities.** If it is not reported and then subsequently discovered, the businessman should be prosecuted for the crime, the same as the politician.” —Oswego, 01/24

“I think that **plaintiff lawsuits by aggrieved parties will be a more effective corruption control mechanism**—with injunctive relief and discovery (and perhaps criminal referrals). [Look at] the effective procurement 'sanitizing' practices developed in other states or the Court of Federal Claims. There is a large body of law that can be imported.” —Lake Forest, 02/05

“**State contracts** that are found to be given or selected **due to illegal means shall immediately be canceled** and re-bid.” —Chicago, 01/31