**Section 1120.15 Definitions of Terms Used in this Part**

As used throughout this Part, terms defined in the Illinois Procurement Code shall have the same meaning as in the Code and as further defined in this Section, and each term listed in this Section shall have the meaning set forth in this Section unless its use clearly requires a different meaning. Terms may be defined in particular Sections for use in that Section.

"Amendment" – A written unilateral or bilateral modification to a contract term, as permitted by the original contract. These modifications shall alter the performance and completion of the contract, including, but not limited to, such matters as extra work and increases or decreases in quantities of goods not included within the scope of the original contract.

"Award" – The selection of a vendor for a contract.

"Bid" − The response to an Invitation for Bids.

"Bidder" − Any person who submits a bid.

"Bidder or Offeror Authorized to do Business in Illinois" – A person that is a legal entity authorized to do business in Illinois by the Secretary of State- Department of Business Services.

"Brand Name or Equal Specification" − A specification that uses one or more manufacturer's names or catalogue numbers to describe the standard of quality, performance, and other characteristics needed to meet State requirements and that allows the submission of equivalent products.

"Brand Name Specification" − A specification limited to one or more items by manufacturers' names or catalogue numbers.

"Bulletin" – The Illinois Procurement Bulletin.

"Change Order" – A change order shall have the same meaning as an "amendment".

"Chief Procurement Officer" or "CPO" means the Chief Procurement Officer for the Illinois Office of the Comptroller.

"Code" − The Illinois Procurement Code [30 ILCS 500].

"Concession" – The right or a lease to engage in a certain activity for profit on the lessor's premises (e.g., a refreshment or parking concession).

"Consulting Services" − Services provided by a business or person as an independent contractor to advise and assist an agency in solving specific management or programmatic problems involving the organization, planning, direction, control or operations of a State agency. The services may or may not rise to the level of professional and artistic as defined in the Code and this Part.

"Contract" − A contract may be in written or oral form. The term contract as used in the Code and this Part does not include: supplies or services the terms governing which are established by tariff of the Illinois Commerce Commission or the Federal Communications Commission, bonds issued by or on behalf of any State agency, or contracts, other than for "concessions", that the State agency signs but under which it has no financial obligation to the other parties.

"Contractor" or "Vendor" – The terms contractor and vendor are used interchangeably for purposes of the Code and this Part.

"CPO-GS" means the Chief Procurement Officer for General Services as established by Section 10-20(a)(4) of the Illinois Procurement Code.

"Day" − Calendar day. In computing any period of time, the day of the event from which the designated period of time begins to run shall not be included, but the last day of the period shall be included unless it is a Saturday, Sunday, or a State holiday, in which event the period shall run to the end of the next business day.

"DCMS" − The Department of Central Management Services.

"IOC" − The Illinois Office of the Comptroller.

"Items" – Anything that may be procured under the Code.

"Invitation for Bids" or "IFB" – *The process by which a purchasing agency requests information from bidders, including all documents, whether attached or incorporated by reference, used for soliciting bids.* [30 ILCS 500/1-15.45]

"Multi-Year Contract" – A contract with a performance term of more than 12 months.

"Offeror" – A person who responds to an IFB, RFP or other form of solicitation.

"Procurement Officer" − The Chief Procurement Officer (CPO) or his or her designee.

"Proposal" − The response to a Request for Proposals.

"Protest Review Office" – The office address of the person designated in the solicitation documents to which protests must be directed. The person designated in the solicitation documents will respond to or coordinate the response to the protest.

"Qualified Products List" − An approved list of supplies, described by model or catalogue numbers, that, prior to competitive solicitation, the State has determined will meet the applicable specification requirements.

"Renewal" – An extension of an original contract that contains terms materially identical to the original contract.

"Request for Information" or "RFI" – The process by which a purchasing agency requests information from offerors for all State contracts and leases of real property or capital improvements.

"Request for Proposals" or "RFP" – *The process by which a purchasing agency requests information from offerors, including all documents, whether attached or incorporated by reference, used for soliciting proposals.* [30 ILCS 500/1-15.75]

"Responsible Bidder or Offeror" – A person who has the capability in all respects to perform fully the contract requirements and the integrity and reliability that will assure good faith performance. A responsible bidder or offeror shall not include a business or other entity that does not exist as a legal entity at the time the bid or proposal is submitted for State contract.

"Reverse Auction" – A source selection technique that allows for purchase of supplies or services through a competitive auction process. A reverse auction allows bidders to electronically submit prices for an IFB during a predefined time period and is designed to obtain the lowest cost for supplies and services.

"Service" – *The furnishing of labor, time, or effort by a contractor, not involving the delivery of a specific end product other than reports or supplies that are incidental to the required performance* [30 ILCS 500/1-15.90], and the financing of that labor, time or effort.

"Solicitation" – An IFB, RFP or other request to one or more vendors to respond to a procurement need expressed by the State.

"Specification" − Any description of the physical, functional, or performance characteristics of, or of the nature of, a supply, service, or construction item. A specification includes, as appropriate, requirements for inspecting, testing, or preparing a supply, service, or construction item for delivery. Unless the context requires otherwise, the terms "specification" and "purchase description" are used interchangeably throughout this Part.

"Specification for a Common or General Use Item" − A specification that has been developed and approved for repeated use in procurements.

"Subcontract" – A contract between one person and another person who has or is seeking a contract subject to the Code, pursuant to which the subcontractor provides to the contractor or, if the contract price exceeds $50,000, another subcontractor, some or all of the goods, services, property, remuneration or other form of consideration that are the subject of the primary contract, and includes, among other things, subleases from a lessee of a State agency.

"Subcontractor" – *A person or entity that enters into a contractual agreement with a total value of $50,000 or more with a person or entity who has a contract subject to the Code pursuant to which the person or entity provides some or all of the goods, services, real property, remuneration, or other monetary forms of consideration that are the subject of the primary State contract, including subleases from a lessee of a State contract. For purposes of the Code, a person or entity is not a "subcontractor" if that person only provides goods or supplies that are incidental to the performance of a contract by a person who has a contract subject to the Code.* [30 ILCS 500/1-15.108]

"Supplies" or "Goods" – *All personal property, including, but not limited to, equipment, materials, printing, and insurance, and the financing of those supplies.* [30 ILCS 500/1-15.110]

"Unsolicited Offer" – Any offer other than one submitted in response to a solicitation.

(Source: Amended at 42 Ill. Reg. 6682, effective March 30, 2018)