



Chairman: Frank J. Vala

Members: Ed Bedore, Ricardo Morales, Larry Ivory, Bill Black

**RESOLUTION OF THE PROCUREMENT POLICY BOARD
REGARDING LEASES INVOLVING RETROACTIVE LEASE PAYMENTS**

WHEREAS, the Illinois Procurement Policy Board (“Board”), pursuant to statutory authority (30 ILCS 500/5-5), has the authority and responsibility to review, comment upon, and recommend procurement practices in the State of Illinois;

WHEREAS, the Illinois Procurement Code, 30 ILCS 500/5-20-80(d), states that “no voucher shall be submitted to the Comptroller for a warrant to be drawn for the payment of money from the State treasury or from other funds held by the State Treasurer on account of any contract unless the contract is reduced to writing before the services are performed and filed with the Comptroller”; and

WHEREAS, Section 20-80(d) further provides that a “chief procurement officer may request an exception to this subsection by submitting a written statement to the Comptroller and Treasurer setting forth the circumstances and reasons why the contract could not be reduced to writing before the supplies were received or services were performed” and that a waiver of this writing requirement must be approved by the Comptroller and Treasurer;

WHEREAS, from time-to-time, the Board has been called upon to act on situations where a proposed lease includes retroactive lease payments because the initial lease was never reduced to writing; and

WHEREAS, the Board has refused to approve any lease arrangements that attempt to retroactively pay a vendor or landlord and wants to ensure its policy is clear against such proposed leases.

NOW, THEREFORE BE IT RESOLVED by the Illinois Procurement Policy Board for the State of Illinois as follows:

SECTION 1. Recitals. That the above recitals are hereby incorporated into the body of this Resolution and restated as though set forth herein.

SECTION 2. Policy on Leases Including Retroactive Lease Payments. The Board shall not approve and/or shall otherwise object to any lease that attempts to include retroactive lease payments.

SECTION 3. Effective Date. This Resolution shall become effective immediately upon its passage and approval as required by law.



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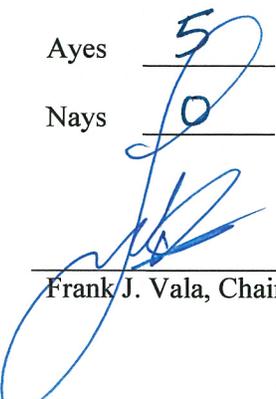
SO RESOLVED this 8th day of October, 2015.

Ayes

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Nays

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Frank J. Vala, Chairman

Attest:



Will Blount, Executive Director