

1 AMENDMENT TO SENATE BILL 153

2 AMENDMENT NO. _____. Amend Senate Bill 153, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Public Building Commission Act is amended
6 by changing Sections 3 and 20 as follows:

7 (50 ILCS 20/3) (from Ch. 85, par. 1033)

8 Sec. 3. The following terms, wherever used, or referred
9 to in this Act, mean unless the context clearly requires a
10 different meaning:

11 (a) "Commission" means a Public Building Commission
12 created pursuant to this Act.

13 (b) "Commissioner" or "Commissioners" means a
14 Commissioner or Commissioners of a Public Building
15 Commission.

16 (c) "County seat" means a city, village or town which is
17 the county seat of a county.

18 (d) "Municipality" means any city, village or
19 incorporated town of the State of Illinois.

20 (e) "Municipal corporation" includes a county, city,
21 village, town, (including a county seat), park district,
22 school district ~~in-a-county-of-3,000,000-or-more-population,~~

1 board of education of a school district, community college
 2 district, in--a--county--of--3,000,000--or--more--population,
 3 sanitary district, airport authority contiguous with the
 4 County Seat as of July 1, 1969 and any other municipal body
 5 or governmental agency of the State but does not include a
 6 school district or board of education of a school district
 7 that conducted an unsuccessful referendum within the 5 years
 8 immediately preceding action by the Commission in-a-county-of
 9 less--than--3,000,000--population,--a-board-of-education-of-a
 10 school--district--in--a--county--of---less---than---3,000,000
 11 population,--or--a--community-college-district-in-a-county-of
 12 less-than-3,000,000-population.

13 (f) "Governing body" includes a city council, county
 14 board, or any other body or board, by whatever name it may be
 15 known, charged with the governing of a municipal corporation.

16 (g) "Presiding officer" includes the mayor or president
 17 of a city, village or town, the presiding officer of a county
 18 board, or the presiding officer of any other board or
 19 commission, as the case may be.

20 (h) "Oath" means oath or affirmation.

21 (i) "Building" means an improvement to real estate to be
 22 made available for use by a municipal corporation for the
 23 furnishing of governmental services to its citizens, together
 24 with any land or interest in land necessary or useful in
 25 connection with the improvement.

26 (Source: P.A. 88-304.)

27 (50 ILCS 20/20) (from Ch. 85, par. 1050)

28 Sec. 20. All contracts to be let for the construction,
 29 alteration, improvement, repair, enlargement, demolition or
 30 removal of any buildings or other facilities, or for
 31 materials or supplies to be furnished, where the amount
 32 thereof is in excess of \$25,000 \$5,000, shall be let to the
 33 lowest responsible bidder, or bidders, on open competitive

1 bidding after public advertisement published at least once in
2 each week for three consecutive weeks prior to the opening of
3 bids, in a daily newspaper of general circulation in the
4 county where the commission is located. Nothing contained in
5 this Section shall be construed to prohibit the Board of
6 Commissioners from placing additional advertisements in
7 recognized trade journals. Advertisements for bids shall
8 describe the character of the proposed contract in sufficient
9 detail to enable the bidders thereon to know what their
10 obligation will be, either in the advertisement itself, or by
11 reference to detailed plans and specifications on file in the
12 office of the Public Building Commission at the time of the
13 publication of the first announcement. Such advertisement
14 shall also state the date, time, and place assigned for the
15 opening of bids and no bids shall be received at any time
16 subsequent to the time indicated in said advertisement. The
17 Board of Commissioners may reject any and all bids received
18 and readvertise for bids. All bids shall be open to public
19 inspection in the office of the Public Building Commission
20 for a period of at least forty-eight (48) hours before award
21 is made. The successful bidder for such work shall enter into
22 contracts furnished and prescribed by the Board of
23 Commissioners and in addition to any other bonds required
24 under this Act the successful bidder shall execute and give
25 bond, payable to and to be approved by the Commission, with a
26 corporate surety authorized to do business under the laws of
27 the State of Illinois, in an amount to be determined by the
28 Board of Commissioners, conditioned upon the payment of all
29 labor furnished and materials supplied in the prosecution of
30 the contracted work. If the bidder whose bid has been
31 accepted shall neglect or refuse to accept the contract
32 within five (5) days after written notice that the same has
33 been awarded to him, or if he accepts but does not execute
34 the contract and give the proper security, the Commission may

1 accept the next lowest bidder, or readvertise and relet in
2 manner above provided. In case any work shall be abandoned by
3 any contractor the Commission may, if the best interests of
4 the Commission be thereby served, adopt on behalf of the
5 Commission all subcontracts made by such contractor for such
6 work and all such sub-contractors shall be bound by such
7 adoption if made; and the Commission shall, in the manner
8 provided herein, readvertise and relet the work specified in
9 the original contract exclusive of so much thereof as shall
10 be accepted. Every contract when made and entered into, as
11 herein provided for, shall be executed in duplicate, one copy
12 of which shall be held by the Commission, and filed in its
13 records, and one copy of which shall be given to the
14 contractor.

15 (Source: P.A. 84-249.)

16 Section 10. The Public Community College Act is amended
17 by changing Section 3-27.1 as follows:

18 (110 ILCS 805/3-27.1) (from Ch. 122, par. 103-27.1)

19 Sec. 3-27.1. Contracts. To award all contracts for
20 purchase of supplies, materials or work involving an
21 expenditure in excess of \$10,000 to the lowest responsible
22 bidder considering conformity with specifications, terms of
23 delivery, quality, and serviceability; after due
24 advertisement, except the following: (a) contracts for the
25 services of individuals possessing a high degree of
26 professional skill where the ability or fitness of the
27 individual plays an important part; (b) contracts for the
28 printing of finance committee reports and departmental
29 reports; (c) contracts for the printing or engraving of
30 bonds, tax warrants and other evidences of indebtedness; (d)
31 contracts for materials and work which have been awarded to
32 the lowest responsible bidder after due advertisement, but

1 due to unforeseen revisions, not the fault of the contractor
2 for materials and work, must be revised causing expenditures
3 not in excess of 10% of the contract price; (e) contracts for
4 the maintenance or servicing of, or provision of repair parts
5 for, equipment which are made with the manufacturer or
6 authorized service agent of that equipment where the
7 provision of parts, maintenance, or servicing can best be
8 performed by the manufacturer or authorized service agent;
9 (f) purchases and contracts for the use, purchase, delivery,
10 movement, or installation of data processing equipment,
11 software, or services and telecommunications and
12 inter-connect equipment, software, and services; (g)
13 contracts for duplicating machines and supplies; (h)
14 contracts for the purchase of natural gas when the cost is
15 less than that offered by a public utility; (i) purchases of
16 equipment previously owned by some entity other than the
17 district itself; (j) contracts for repair, maintenance,
18 remodeling, renovation, or construction, or a single project
19 involving an expenditure not to exceed \$25,000 ~~\$15,000~~ and
20 not involving a change or increase in the size, type, or
21 extent of an existing facility; (k) contracts for goods or
22 services procured from another governmental agency; (l)
23 contracts for goods or services which are economically
24 procurable from only one source, such as for the purchase of
25 magazines, books, periodicals, pamphlets and reports, and for
26 utility services such as water, light, heat, telephone or
27 telegraph; and (m) where funds are expended in an emergency
28 and such emergency expenditure is approved by 3/4 of the
29 members of the board.

30 All competitive bids for contracts involving an
31 expenditure in excess of \$10,000 must be sealed by the bidder
32 and must be opened by a member or employee of the board at a
33 public bid opening at which the contents of the bids must be
34 announced. Each bidder must receive at least 3 days' notice

1 of the time and place of such bid opening. For purposes of
2 this Section due advertisement includes, but is not limited
3 to, at least one public notice at least 10 days before the
4 bid date in a newspaper published in the district, or if no
5 newspaper is published in the district, in a newspaper of
6 general circulation in the area of the district.

7 The provisions of this Section do not apply to guaranteed
8 energy savings contracts entered into under Article V-A.

9 (Source: P.A. 87-1023; 88-173.)".