



Rep. Kevin John Olickal

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10400HB3177ham001

LRB104 10935 LNS 24793 a

1 AMENDMENT TO HOUSE BILL 3177

2 AMENDMENT NO. _____. Amend House Bill 3177 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Innovations for Transportation
5 Infrastructure Act is amended by changing Section 15 as
6 follows:

7 (630 ILCS 10/15)

8 (Section scheduled to be repealed on July 1, 2032)

9 Sec. 15. Authorization of project delivery methods.

10 (a) Notwithstanding any other law, and as authority
11 supplemental to its existing powers, except as otherwise
12 provided for in this Act, the Transportation Agency, in
13 accordance with this Act, may use the design-build project
14 delivery method for transportation facilities if the capital
15 costs for transportation facilities delivered utilizing the
16 design-build project delivery method or Construction

1 Manager/General Contractor project delivery method or
2 Alternative Technical Concepts in a design-bid-build project
3 delivery method do not: (i) for transportation facilities
4 delivered by the Department, exceed \$500,000,000 ~~\$400 million~~
5 of contracts awarded on an annual basis ~~during the~~
6 ~~Department's multi year highway improvement program for any~~
7 ~~5 year period~~; or (ii) for transportation facilities delivered
8 by the Authority, exceed 20% of the Authority's annual
9 improvement program. The Transportation Agency shall make this
10 calculation before commencing the procurement. The Department
11 may, by rule, adjust the applicable monetary threshold set
12 forth in item (i) on a yearly basis to reflect inflationary
13 costs in highway construction as measured by the United States
14 Department of Transportation in the National Highway
15 Construction Cost Index or other similar index. A notice of
16 any change to that threshold shall be published in the
17 Illinois Transportation Bulletin. ~~Notwithstanding any other~~
18 ~~law, and as authority supplemental to its existing powers, the~~
19 ~~Department, in accordance with this Act, may use the~~
20 ~~Construction Manager/General Contractor project delivery~~
21 ~~method for up to 2 transportation facilities per year.~~ Before
22 commencing a procurement under this Act for either a
23 design-build contract or a Construction Manager/General
24 Contractor contract, the Transportation Agency shall first
25 undertake an analysis and make a written determination that it
26 is in the best interests of this State to use the selected

1 delivery method for that transportation facility. The analysis
2 and determination shall discuss the design-build project
3 delivery method or Construction Manager/General Contractor
4 project delivery method's impact on the anticipated schedule,
5 completion date, and project costs. The best interests of the
6 State analysis shall be made available to the public.

7 (b) The Transportation Agency shall report to the General
8 Assembly annually for the first 5 years after June 15, 2022
9 (the effective date of this Act) on the progress of
10 procurements and transportation facilities procured under this
11 Act.

12 (c) A contract entered into pursuant to the provisions of
13 this Act is excepted from the Public Contract Fraud Act.

14 (Source: P.A. 102-1094, eff. 6-15-22; 103-154, eff. 6-30-23.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."