



Rep. Thaddeus Jones

Filed: 4/23/2018

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LRB100 19685 AXK 39150 a

1 AMENDMENT TO HOUSE BILL 5593

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5593 as follows:

3 on page 1, by replacing lines 7 and 8 with the following:

4 "General Assembly to authorize up to 5 design-build  
5 demonstration projects statewide where it is shown"; and

6 on page 1, line 9, by replacing "the" with "a"; and

7 on page 2, immediately below line 9, by inserting the  
8 following:

9 "Design-build entity" means any individual, sole  
10 proprietorship, firm, partnership, joint venture, corporation,  
11 professional corporation, or other entity that proposes to  
12 design and construct any public project under this Act. A  
13 design-build entity and any associated design-build  
14 professionals shall conduct themselves in accordance with the  
15 laws of this State and the related provisions of the Illinois

1 Administrative Code, as referenced by the licensed design  
2 professionals Acts of this State."; and

3 on page 2, line 24, by replacing "entity." with "entity in  
4 accordance with this Act."; and

5 on page 3, line 22, by deleting "public"; and

6 on page 3, by replacing lines 23 and 24 with the following:

7 "permitted under this Act, make a written determination,  
8 including a description as to the particular advantages of the  
9 design-build procurement method, that it is in the best  
10 interests of the school district to"; and

11 on page 6, line 11, after "shall", by inserting "be developed  
12 with the assistance of a licensed design professional and  
13 shall"; and

14 on page 10, line 9, after "criteria;" by inserting "and"; and

15 on page 10, by replacing lines 10 and 11 with the following:

16 "constructability of the proposed project. A school district  
17 may include any additional relevant technical evaluation  
18 factors it deems necessary for proper selection. A school  
19 district shall include the following criteria in every Phase II  
20 cost evaluation: (I) the total project cost; (II) the

1 construction costs; and (III) the time of"; and

2 on page 10, line 13, by replacing "technical" with "cost"; and

3 on page 12, immediately below line 4, by inserting the  
4 following:

5 " (d) After a proposal has been submitted in accordance with  
6 this Act, a design-build entity may not replace, remove, or  
7 otherwise modify any design professional firm identified as a  
8 member of the design-build team unless one of the following  
9 criteria is met:

10 (1) The firm is no longer in business.

11 (2) The firm is unable to fulfill its legal, financial,  
12 or business obligations.

13 (3) The firm no longer meets the terms of the agreement  
14 with the design-build entity.

15 (4) The firm voluntarily removes itself from the  
16 design-build entity.

17 (5) The firm fails to provide a sufficient number of  
18 qualified personnel to fulfill the duties identified in the  
19 proposal.

20 (6) The firm fails to negotiate in good faith and in a  
21 timely manner in accordance with the provisions  
22 established in the agreement with the design-build entity.

23 (7) The school district requests the firm be replaced.

24 If the design-build entity replaces, removes, or otherwise

1 modifies any design professional firm, any cost savings shall  
2 accrue to the school district and not to the design-build  
3 entity."; and

4 on page 12, immediately below line 14, by inserting the  
5 following:

6 "Section 60. Reports and evaluation. The design-build  
7 entity, regional superintendent of schools, and State Board of  
8 Education shall annually submit a detailed report to the  
9 General Assembly on the status of projects procured under this  
10 Act, including estimated and actual project costs, estimated  
11 and actual project delivery schedules, estimated cost  
12 differences resulting from the design-build delivery system  
13 over the traditional design-bid-build delivery system, and any  
14 other impacts resulting from the use of the design-build  
15 delivery system. The report shall be filed with the Clerk of  
16 the House of Representatives and the Secretary of the Senate in  
17 electronic form only, in the manner that the Clerk and the  
18 Secretary shall direct.

19 Section 65. Compliance. All projects procured under this  
20 Act using the design-build delivery method shall comply with  
21 Section 2-3.12 of the School Code and may be subject to review  
22 and approval by the State Board of Education. A school district  
23 that elects to enter into a design-build contract under this

1 Act must comply with all local rules governing disadvantaged  
2 business enterprises, minority-owned businesses, and  
3 women-owned businesses."