



Sen. Terri Bryant

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1 AMENDMENT TO HOUSE BILL 3456

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3456, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Short title. This Act may be cited as the  
6 Department of Natural Resources World Shooting and  
7 Recreational Complex Act.

8 Section 5. Legislative intent. The General Assembly finds  
9 that authorizing the Department of Natural Resources to enter  
10 into a public-private partnership will allow the World  
11 Shooting and Recreational Complex to become a fully  
12 reactivated space in a timely manner and is in the best  
13 interest of the State and the local community.

14 Section 10. Definitions.

15 "Contractor" means a person who has been selected to enter

1 or has entered into a public-private agreement with the  
2 Department on behalf of the State for the development,  
3 financing, management, or operation of the World Shooting and  
4 Recreational Complex pursuant to this Act.

5 "Department" means the Department of Natural Resources.

6 "Director" means the Director of Natural Resources.

7 "Maintain" or "maintenance" includes ordinary maintenance,  
8 repair, rehabilitation, capital maintenance, replacement, and  
9 any other categories of maintenance that may be designated by  
10 the Department.

11 "Offeror" means a person who responds to a request for  
12 proposals under this Act.

13 "Operate" or "operation" means to do one or more of the  
14 following: maintain, improve, equip, modify, or otherwise  
15 operate.

16 "Person" means any individual, firm, association, joint  
17 venture, partnership, estate, trust, syndicate, fiduciary,  
18 corporation, or any other legal entity, group, or combination  
19 thereof.

20 "Public-private agreement" means an agreement or contract  
21 between the Department and the contractor on behalf of the  
22 State and all schedules, exhibits, and attachments thereto,  
23 entered into pursuant to a competitive request for proposals  
24 process governed by this Act, for the financing, management  
25 and operation of the World Shooting and Recreational Complex  
26 under this Act.

1 "Revenues" means all revenues, including, but not limited  
2 to, income, user fees, earnings, interest, lease payments,  
3 allocations, moneys from the federal government, the State,  
4 and units of local government, including, but not limited to,  
5 federal, State, and local appropriations, grants, loans, lines  
6 of credit, and credit guarantees; bond proceeds; equity  
7 investments; service payments; or other receipts arising out  
8 of or in connection with the financing, development,  
9 management, or operation of the World Shooting and  
10 Recreational Complex.

11 "World Shooting and Recreational Complex" means real  
12 property in Sparta, Illinois, consisting of approximately  
13 1,620 acres including a 117-acre lake, over 1,000 camping  
14 sites, 120 trap houses, 2 sporting clays courses, 24  
15 combination trap skeet fields, a cowboy action shooting area,  
16 a vendor mall, and a restaurant.

17 Section 15. Authority to enter public-private agreement.  
18 Notwithstanding any provision of law to the contrary, the  
19 Department, on behalf of the State, may enter into a  
20 public-private agreement to develop, finance, lease, manage,  
21 and operate the World Shooting and Recreational Complex on  
22 behalf of the State, pursuant to which the contractors may  
23 receive certain revenues, including management or user fees in  
24 consideration of the payment of moneys to the State for that  
25 right.

1           Section 20. Engagement prior to request for proposals. The  
2 Director or the Director's designee may, prior to soliciting  
3 requests for proposals, enter into discussions with interested  
4 persons in order to assess existing market conditions and  
5 demands, provided that no such interested persons shall have  
6 any role in drafting any request for proposals, nor shall any  
7 request for proposal be provided to any interested person  
8 prior to its general public distribution. The Director may  
9 issue a request for qualifications that requests interested  
10 persons to provide such information as the Director deems  
11 necessary in order to evaluate the qualifications of such  
12 interested persons. This may include, but is not limited to,  
13 the ability of interested persons to acquire the property, as  
14 determined by the Director. Such engagement and discussions  
15 with interested persons are exempt from Sections 50-10.5,  
16 50-39, 50-40, 50-45, and 50-50 of the Illinois Procurement  
17 Code.

18           Section 25. Requests for proposals. If requests for  
19 proposals are made by the Department, the Department shall  
20 comply with the competitive request for proposals process  
21 under Article 20 of the Illinois Procurement Code, rules  
22 adopted under that Code, and this Act.

23           Section 30. Request for proposal process.

1 (a) The Department, on behalf of the State, may select a  
2 contractor through a competitive request for proposals process  
3 under Article 20 of the Illinois Procurement Code and rules  
4 adopted under that Article of the Code.

5 (b) The competitive request for proposals process shall  
6 solicit statements of qualification and proposals from  
7 offerors.

8 (c) In addition to any requirements under Article 20 of  
9 the Illinois Procurement Code, the competitive request for  
10 proposals process may take into account the following  
11 criteria:

12 (1) the offeror's plans for the World Shooting and  
13 Recreational Complex project;

14 (2) the offeror's current and past business practices;  
15 and

16 (3) the offeror's poor or inadequate past performance  
17 in developing, financing, constructing, managing, or  
18 operating other historic landmark properties or other  
19 public assets.

20 Section 35. Provisions of the public-private agreement.

21 (a) The public-private agreement may include, but is not  
22 limited to, the following:

23 (1) the powers, duties, responsibilities, obligations,  
24 and functions of the Department and the contractor;

25 (2) compensation or payments to the Department, if

1 applicable;

2 (3) compensation or payments to the contractor, if  
3 applicable;

4 (4) a provision specifying that the Department:

5 (A) has ready access to information regarding the  
6 contractor's powers, duties, responsibilities,  
7 obligations, and functions under the public-private  
8 agreement;

9 (B) has the right to demand and receive  
10 information from the contractor concerning any aspect  
11 of the contractor's powers, duties, responsibilities,  
12 obligations, and functions under the public-private  
13 agreement; and

14 (C) has the authority to direct or countermand  
15 decisions by the contractor at any time.

16 (5) the authority of the contractor to impose user  
17 fees and the amounts of those fees;

18 (6) a provision governing the deposit and allocation  
19 of revenues, including user fees;

20 (7) a provision governing rights to real and personal  
21 property of the State, the Department, the contractor, and  
22 other third parties;

23 (8) rights and remedies of the Department if the  
24 contractor defaults or otherwise fails to comply with the  
25 terms of the agreement; and

26 (9) all other terms, conditions, and provisions

1 acceptable to the Department that the Department deems  
2 necessary and proper and in the public interest.

3 Section 40. Labor.

4 (a) A public-private agreement related to the World  
5 Shooting and Recreational Complex pertaining to the building,  
6 altering, repairing, maintaining, improving, or demolishing of  
7 the Complex shall require the contractor and all  
8 subcontractors to comply with the requirements of Section  
9 30-22 of the Illinois Procurement Code as they apply to  
10 responsible bidders, including, but not limited to, all  
11 applicable provisions of the Prevailing Wage Act, and to  
12 present satisfactory evidence of that compliance to the  
13 Department, unless the project is federally funded and the  
14 application of those requirements would jeopardize the receipt  
15 or use of federal funds in support of the project.

16 (b) A public-private agreement related to the World  
17 Shooting and Recreational Complex pertaining to the building,  
18 altering, repairing, maintaining, improving, or demolishing  
19 the Complex shall require the contractor and all  
20 subcontractors to enter into a project labor agreement used by  
21 the Capital Development Board.

22 Section 45. Term of agreement; reversion of property to  
23 the Department.

24 (a) The term of any public-private agreement entered into

1 under this Act shall be no less than 25 years and no more than  
2 99 years.

3 (b) The Department may terminate the contractor's  
4 authority and duties under the public-private agreement on the  
5 date set forth in the public-private agreement. The Department  
6 may also terminate the public-private agreement pursuant to  
7 any clause or condition as set forth in the public-private  
8 agreement.

9 (c) Upon termination of the public-private agreement, the  
10 authority, and duties of the contractor under this Act cease,  
11 except for those duties and obligations that extend beyond the  
12 termination, as set forth in the public-private agreement, and  
13 all interests in the World Shooting and Recreational Complex  
14 shall revert to the Department.

15 Section 50. The Prevailing Wage Act is amended by changing  
16 Section 2 as follows:

17 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)

18 Sec. 2. This Act applies to the wages of laborers,  
19 mechanics and other workers employed in any public works, as  
20 hereinafter defined, by any public body and to anyone under  
21 contracts for public works. This includes any maintenance,  
22 repair, assembly, or disassembly work performed on equipment  
23 whether owned, leased, or rented.

24 As used in this Act, unless the context indicates



1 otherwise:

2 "Public works" means all fixed works constructed or  
3 demolished by any public body, or paid for wholly or in part  
4 out of public funds. "Public works" as defined herein includes  
5 all projects financed in whole or in part with bonds, grants,  
6 loans, or other funds made available by or through the State or  
7 any of its political subdivisions, including but not limited  
8 to: bonds issued under the Industrial Project Revenue Bond Act  
9 (Article 11, Division 74 of the Illinois Municipal Code), the  
10 Industrial Building Revenue Bond Act, the Illinois Finance  
11 Authority Act, the Illinois Sports Facilities Authority Act,  
12 or the Build Illinois Bond Act; loans or other funds made  
13 available pursuant to the Build Illinois Act; loans or other  
14 funds made available pursuant to the Riverfront Development  
15 Fund under Section 10-15 of the River Edge Redevelopment Zone  
16 Act; or funds from the Fund for Illinois' Future under Section  
17 6z-47 of the State Finance Act, funds for school construction  
18 under Section 5 of the General Obligation Bond Act, funds  
19 authorized under Section 3 of the School Construction Bond  
20 Act, funds for school infrastructure under Section 6z-45 of  
21 the State Finance Act, and funds for transportation purposes  
22 under Section 4 of the General Obligation Bond Act. "Public  
23 works" also includes (i) all projects financed in whole or in  
24 part with funds from the Environmental Protection Agency under  
25 the Illinois Renewable Fuels Development Program Act for which  
26 there is no project labor agreement; (ii) all work performed

1 pursuant to a public private agreement under the Public  
2 Private Agreements for the Illiana Expressway Act or the  
3 Public-Private Agreements for the South Suburban Airport Act;  
4 (iii) all projects undertaken under a public-private agreement  
5 under the Public-Private Partnerships for Transportation Act  
6 or the Department of Natural Resources World Shooting and  
7 Recreational Complex Act; and (iv) all transportation  
8 facilities undertaken under a design-build contract or a  
9 Construction Manager/General Contractor contract under the  
10 Innovations for Transportation Infrastructure Act. "Public  
11 works" also includes all projects at leased facility property  
12 used for airport purposes under Section 35 of the Local  
13 Government Facility Lease Act. "Public works" also includes  
14 the construction of a new wind power facility by a business  
15 designated as a High Impact Business under Section  
16 5.5(a)(3)(E) and the construction of a new utility-scale solar  
17 power facility by a business designated as a High Impact  
18 Business under Section 5.5(a)(3)(E-5) of the Illinois  
19 Enterprise Zone Act. "Public works" also includes electric  
20 vehicle charging station projects financed pursuant to the  
21 Electric Vehicle Act and renewable energy projects required to  
22 pay the prevailing wage pursuant to the Illinois Power Agency  
23 Act. "Public works" does not include work done directly by any  
24 public utility company, whether or not done under public  
25 supervision or direction, or paid for wholly or in part out of  
26 public funds. "Public works" also includes construction

1 projects performed by a third party contracted by any public  
2 utility, as described in subsection (a) of Section 2.1, in  
3 public rights-of-way, as defined in Section 21-201 of the  
4 Public Utilities Act, whether or not done under public  
5 supervision or direction, or paid for wholly or in part out of  
6 public funds. "Public works" also includes construction  
7 projects that exceed 15 aggregate miles of new fiber optic  
8 cable, performed by a third party contracted by any public  
9 utility, as described in subsection (b) of Section 2.1, in  
10 public rights-of-way, as defined in Section 21-201 of the  
11 Public Utilities Act, whether or not done under public  
12 supervision or direction, or paid for wholly or in part out of  
13 public funds. "Public works" also includes any corrective  
14 action performed pursuant to Title XVI of the Environmental  
15 Protection Act for which payment from the Underground Storage  
16 Tank Fund is requested. "Public works" does not include  
17 projects undertaken by the owner at an owner-occupied  
18 single-family residence or at an owner-occupied unit of a  
19 multi-family residence. "Public works" does not include work  
20 performed for soil and water conservation purposes on  
21 agricultural lands, whether or not done under public  
22 supervision or paid for wholly or in part out of public funds,  
23 done directly by an owner or person who has legal control of  
24 those lands.

25 "Construction" means all work on public works involving  
26 laborers, workers or mechanics. This includes any maintenance,

1 repair, assembly, or disassembly work performed on equipment  
2 whether owned, leased, or rented.

3 "Locality" means the county where the physical work upon  
4 public works is performed, except (1) that if there is not  
5 available in the county a sufficient number of competent  
6 skilled laborers, workers and mechanics to construct the  
7 public works efficiently and properly, "locality" includes any  
8 other county nearest the one in which the work or construction  
9 is to be performed and from which such persons may be obtained  
10 in sufficient numbers to perform the work and (2) that, with  
11 respect to contracts for highway work with the Department of  
12 Transportation of this State, "locality" may at the discretion  
13 of the Secretary of the Department of Transportation be  
14 construed to include two or more adjacent counties from which  
15 workers may be accessible for work on such construction.

16 "Public body" means the State or any officer, board or  
17 commission of the State or any political subdivision or  
18 department thereof, or any institution supported in whole or  
19 in part by public funds, and includes every county, city,  
20 town, village, township, school district, irrigation, utility,  
21 reclamation improvement or other district and every other  
22 political subdivision, district or municipality of the state  
23 whether such political subdivision, municipality or district  
24 operates under a special charter or not.

25 "Labor organization" means an organization that is the  
26 exclusive representative of an employer's employees recognized

1 or certified pursuant to the National Labor Relations Act.

2 The terms "general prevailing rate of hourly wages",  
3 "general prevailing rate of wages" or "prevailing rate of  
4 wages" when used in this Act mean the hourly cash wages plus  
5 annualized fringe benefits for training and apprenticeship  
6 programs approved by the U.S. Department of Labor, Bureau of  
7 Apprenticeship and Training, health and welfare, insurance,  
8 vacations and pensions paid generally, in the locality in  
9 which the work is being performed, to employees engaged in  
10 work of a similar character on public works.

11 (Source: P.A. 102-9, eff. 1-1-22; 102-444, eff. 8-20-21;  
12 102-673, eff. 11-30-21; 102-813, eff. 5-13-22; 102-1094, eff.  
13 6-15-22.)

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