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09400SB2049ham001

LRB094 09144 RCE 58524 a

1 AMENDMENT TO SENATE BILL 2049

2 AMENDMENT NO. _____. Amend Senate Bill 2049 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Public Building Commission Act is amended
5 by changing Section 20 and by adding Section 20.1 as follows:

6 (50 ILCS 20/20) (from Ch. 85, par. 1050)

7 Sec. 20. Contracts let to lowest responsible bidder;
8 competitive bidding; advertisement for bids; design-build
9 contracts. All contracts to be let for the construction,
10 alteration, improvement, repair, enlargement, demolition or
11 removal of any buildings or other facilities, or for materials
12 or supplies to be furnished, where the amount thereof is in
13 excess of \$5,000, shall be let to the lowest responsible
14 bidder, or bidders, except in the case of an offeror for a
15 design-build contract, on open competitive bidding after
16 public advertisement published at least once in each week for
17 three consecutive weeks prior to the opening of bids, in a
18 daily newspaper of general circulation in the county where the
19 commission is located. Nothing contained in this Section shall
20 be construed to prohibit the Board of Commissioners from
21 placing additional advertisements in recognized trade
22 journals. Advertisements for bids shall describe the character
23 of the proposed contract in sufficient detail to enable the
24 bidders or offerors thereon to know what their obligation will

1 be, either in the advertisement itself, or by reference to
2 detailed plans and specifications, or a design-build scope of
3 work statement that includes criteria and preliminary design,
4 budget parameters or guaranteed maximum price, schedule, and
5 delivery requirements, on file in the office of the Public
6 Building Commission at the time of the publication of the first
7 announcement. Such advertisement shall also state the date,
8 time, and place assigned for the opening of bids or offers. No
9 ~~and no~~ bids or offers shall be received at any time subsequent
10 to the time indicated in said advertisement. The Board of
11 Commissioners may reject any and all bids or offers received
12 and readvertise for bids or offers. All bids shall be open to
13 public inspection in the office of the Public Building
14 Commission for a period of at least forty-eight (48) hours
15 before award is made. The successful bidder or offeror for such
16 work shall enter into contracts furnished and prescribed by the
17 Board of Commissioners and in addition to any other bonds
18 required under this Act the successful bidder shall execute and
19 give bond, payable to and to be approved by the Commission,
20 with a corporate surety authorized to do business under the
21 laws of the State of Illinois, in an amount to be determined by
22 the Board of Commissioners, conditioned upon the payment of all
23 labor furnished and materials supplied in the prosecution of
24 the contracted work. If the bidder or offeror whose bid has
25 been accepted shall neglect or refuse to accept the contract
26 within five (5) days after written notice that the same has
27 been awarded to him, or if he accepts but does not execute the
28 contract and give the proper security, the Commission may
29 accept the next lowest bidder or offeror, or readvertise and
30 relet in manner above provided. In case any work shall be
31 abandoned by any contractor or design-builder, the Commission
32 may, if the best interests of the Commission be thereby served,
33 adopt on behalf of the Commission all subcontracts made by such
34 contractor or design-builder for such work and all such

1 sub-contractors shall be bound by such adoption if made; and
2 the Commission shall, in the manner provided herein,
3 readvertise and relet the work specified in the original
4 contract exclusive of so much thereof as shall be accepted.
5 Every contract when made and entered into, as herein provided
6 for, shall be executed in duplicate, one copy of which shall be
7 held by the Commission, and filed in its records, and one copy
8 of which shall be given to the contractor or design-builder.
9 (Source: P.A. 84-249.)

10 (50 ILCS 20/20.1 new)

11 Sec. 20.1. Design-build; criteria and evaluation factors.
12 Notwithstanding any provision to the contrary in Section 20 of
13 this Act, any contract with a design-build company or firm to
14 furnish the architectural or engineering and related design
15 services as well as labor, material, and construction services
16 for a building or improvement shall be let based upon criteria
17 and evaluation factors determined by the Commission, which may
18 include, without limitation, specialized experience and
19 technical competence, capability to perform, past performance
20 of the offeror's team, and other appropriate technical and
21 qualifications factors."