



Rep. Barbara Flynn Currie

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1 AMENDMENT TO HOUSE BILL 1457

2 AMENDMENT NO. _____. Amend House Bill 1457 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Procurement Code is amended by
5 changing Section 30-30 as follows:

6 (30 ILCS 500/30-30)

7 Sec. 30-30. Contracts in excess of \$250,000. For building
8 construction contracts in excess of \$250,000, separate
9 specifications shall be prepared for all equipment, labor, and
10 materials in connection with the following 5 subdivisions of
11 the work to be performed:

12 (1) plumbing;

13 (2) heating, piping, refrigeration, and automatic
14 temperature control systems, including the testing and
15 balancing of those systems;

16 (3) ventilating and distribution systems for

1 conditioned air, including the testing and balancing of
2 those systems;

3 (4) electric wiring; and

4 (5) general contract work.

5 The specifications must be so drawn as to permit separate
6 and independent bidding upon each of the 5 subdivisions of
7 work. All contracts awarded for any part thereof shall award
8 the 5 subdivisions of work separately to responsible and
9 reliable persons, firms, or corporations engaged in these
10 classes of work. The contracts, at the discretion of the
11 construction agency, may be assigned to the successful bidder
12 on the general contract work or to the successful bidder on the
13 subdivision of work designated by the construction agency
14 before the bidding as the prime subdivision of work, provided
15 that all payments will be made directly to the contractors for
16 the 5 subdivisions of work upon compliance with the conditions
17 of the contract. A contract may be let for one or more
18 buildings in any project to the same contractor. The
19 specifications shall require, however, that unless the
20 buildings are identical, a separate price shall be submitted
21 for each building. The contract may be awarded to the lowest
22 responsible bidder for each or all of the buildings included in
23 the specifications.

24 Until a date 4 years after January 1, 2009 (the effective
25 date of Public Act 95-758), the requirements of this Section do
26 not apply to a construction project for which the Capital

1 Development Board is the construction agency if: (i) the
2 project budget is at least \$20,000,000; (ii) the Capital
3 Development Board has submitted to the Procurement Policy Board
4 a written request for a public hearing on waiver of the
5 application of the requirements of this Section to that
6 project, including its reasons for seeking the waiver and why
7 the waiver is in the best interest of the State; (iii) the
8 Capital Development Board has posted notice of the waiver
9 hearing on its procurement web page and on the online
10 Procurement Bulletin at least 15 working days before the
11 hearing; (iv) the Procurement Policy Board, after conducting
12 the public hearing on the waiver request, reviews and approves
13 the request in writing before the award of the contract; (v)
14 the successful low bidder has prequalified with the Capital
15 Development Board; (vi) the bid of the successful low bidder
16 identifies the name of the subcontractor, if any, and the bid
17 proposal costs for each of the 5 subdivisions of work set forth
18 in this Section; and (vii) the contract entered into with the
19 successful bidder provides that no identified subcontractor
20 may be terminated without the written consent of the Capital
21 Development Board. With respect to any construction project
22 described in this paragraph, the Capital Development Board
23 shall: (i) provide to the Auditor General an affidavit that the
24 waiver of the application of the requirements of this Section
25 is in the best interest of the State; (ii) specify in writing
26 as a public record that the project shall comply with the

1 disadvantaged business practices of the Business Enterprise
2 for Minorities, Females, and Persons with Disabilities Act and
3 the equal employment practices of Section 2-105 of the Illinois
4 Human Rights Act; and (iii) report annually to the Governor and
5 the General Assembly on the bidding, award, and performance. On
6 and after January 1, 2009 (the effective date of Public Act
7 95-758), the Capital Development Board may award in each year
8 contracts with an aggregate total value of no more than
9 \$100,000,000 with respect to construction projects described
10 in this paragraph.

11 Until a date 11 ~~5~~ years after November 29, 2005 (the
12 effective date of Public Act 94-699), the requirements of this
13 Section do not apply to the Capitol Building HVAC upgrade
14 project if (i) the bid of the successful bidder identifies the
15 name of the subcontractor, if any, and the bid proposal costs
16 for each of the 5 subdivisions of work set forth in this
17 Section, and (ii) the contract entered into with the successful
18 bidder provides that no identified subcontractor may be
19 terminated without the written consent of the Capital
20 Development Board.

21 (Source: P.A. 95-758, eff. 1-1-09; 96-1204, eff. 7-22-10.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."