



Rep. William Cunningham

Filed: 4/26/2011

09700SB1967ham001

LRB097 05368 RPM 54585 a

1 AMENDMENT TO SENATE BILL 1967

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1967 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Public Community College Act is amended by  
5 changing Section 3-27.1 as follows:

6 (110 ILCS 805/3-27.1) (from Ch. 122, par. 103-27.1)

7 Sec. 3-27.1. Contracts. To award all contracts for purchase  
8 of supplies, materials or work involving an expenditure in  
9 excess of \$25,000 or a lower amount as required by board policy  
10 to the lowest responsible bidder considering conformity with  
11 specifications, terms of delivery, quality, and  
12 serviceability; after due advertisement, except the following:  
13 (a) contracts for the services of individuals possessing a high  
14 degree of professional skill where the ability or fitness of  
15 the individual plays an important part; (b) contracts for the  
16 printing of finance committee reports and departmental

1 reports; (c) contracts for the printing or engraving of bonds,  
2 tax warrants and other evidences of indebtedness; (d) contracts  
3 for materials and work which have been awarded to the lowest  
4 responsible bidder after due advertisement, but due to  
5 unforeseen revisions, not the fault of the contractor for  
6 materials and work, must be revised causing expenditures not in  
7 excess of 10% of the contract price; (e) contracts for the  
8 maintenance or servicing of, or provision of repair parts for,  
9 equipment which are made with the manufacturer or authorized  
10 service agent of that equipment where the provision of parts,  
11 maintenance, or servicing can best be performed by the  
12 manufacturer or authorized service agent; (f) purchases and  
13 contracts for the use, purchase, delivery, movement, or  
14 installation of data processing equipment, software, or  
15 services and telecommunications and inter-connect equipment,  
16 software, and services; (g) contracts for duplicating machines  
17 and supplies; (h) contracts for the purchase of natural gas  
18 when the cost is less than that offered by a public utility;  
19 (i) purchases of equipment previously owned by some entity  
20 other than the district itself; (j) contracts for repair,  
21 maintenance, remodeling, renovation, or construction, or a  
22 single project involving an expenditure not to exceed \$50,000  
23 and not involving a change or increase in the size, type, or  
24 extent of an existing facility; (k) contracts for goods or  
25 services procured from another governmental agency; (l)  
26 contracts for goods or services which are economically

1 procurable from only one source, such as for the purchase of  
2 magazines, books, periodicals, pamphlets and reports, and for  
3 utility services such as water, light, heat, telephone or  
4 telegraph; and (m) where funds are expended in an emergency and  
5 such emergency expenditure is approved by 3/4 of the members of  
6 the board.

7 All competitive bids for contracts involving an  
8 expenditure in excess of \$25,000 or a lower amount as required  
9 by board policy must be sealed by the bidder and must be opened  
10 by a member or employee of the board at a public bid opening at  
11 which the contents of the bids must be announced. Each bidder  
12 must receive at least 3 days' notice of the time and place of  
13 such bid opening. For purposes of this Section due  
14 advertisement includes, but is not limited to, at least one  
15 public notice at least 10 days before the bid date in a  
16 newspaper published in the district, or if no newspaper is  
17 published in the district, in a newspaper of general  
18 circulation in the area of the district. Electronic bid  
19 submissions shall be considered a sealed document for  
20 competitive bid requests if they are received at the designated  
21 office by the time and date set for receipt for bids. However,  
22 bids for construction purposes are prohibited from being  
23 submitted electronically. Electronic bid submissions must be  
24 authorized by specific language in the bid documents in order  
25 to be considered and must be opened in accordance with  
26 electronic security measures in effect at the community college

1 at the time of opening. Unless the electronic submission  
2 procedures provide for a secure receipt, the vendor assumes the  
3 risk of premature disclosure due to submission in an unsealed  
4 form.

5 A board may by the vote of two-thirds of its members then  
6 holding office authorize a contract preference to a bidder  
7 other than the lowest responsible bidder provided such  
8 preferred bidder (i) has submitted a bid that is no more than  
9 5% higher than the lowest bid; (ii) has its principal place of  
10 business within the community college district or the adjacent  
11 community college district or districts or within the State of  
12 Illinois; and (iii) is otherwise responsible. Any such award  
13 must be accompanied by a specific finding of the reason for the  
14 award in the minutes of the board meeting in which the contract  
15 is awarded.

16 The provisions of this Section do not apply to guaranteed  
17 energy savings contracts entered into under Article V-A.

18 (Source: P.A. 95-990, eff. 10-3-08; 96-380, eff. 8-13-09.)".