

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Local Library Act is amended by  
5 changing Section 5-5 as follows:

6 (75 ILCS 5/5-5) (from Ch. 81, par. 5-5)

7 Sec. 5-5. When the board determines ~~directors determine~~ to  
8 commence the construction of the building or the remodeling,  
9 repairing or improving of an existing library building or the  
10 erection of an addition thereto, the purchase of the necessary  
11 equipment for such library, or the acquisition of library  
12 materials such as books, periodicals, recordings and  
13 electronic data storage and retrieval facilities in connection  
14 with either the purchase or construction of a new library  
15 building or the expansion of an existing library building, they  
16 may then revise the plan therefor or adopt a new plan and  
17 provide estimates of the costs thereof, and shall, when the  
18 cost is in excess of \$20,000, advertise for bids for the  
19 construction of the building, or the remodeling, repairing or  
20 improving of an existing library building or the erection of an  
21 addition thereto, or the purchase of the necessary equipment  
22 for such library, or the acquisition of library materials such  
23 as books, periodicals, recordings and electronic data storage

1 and retrieval facilities in connection with either the purchase  
2 or construction of a new library building or the expansion of  
3 an existing library building, and shall let the contract or  
4 contracts for the same, when the cost is in excess of \$20,000,  
5 to the lowest responsible bidder or bidders.

6 The board shall not be required to accept a bid that does  
7 not meet the library's established specifications, terms of  
8 delivery, quality, and serviceability requirements. Contracts  
9 which, by their nature, are not adapted to award by competitive  
10 bidding, are not subject to competitive bidding, including, but  
11 not limited to:

12 (1) contracts for the services of individuals  
13 possessing a high degree of professional skill where the  
14 ability or fitness of the individual plays an important  
15 part;

16 (2) contracts for the printing of finance committee  
17 reports and departmental reports;

18 (3) contracts for the printing or engraving of bonds,  
19 tax warrants and other evidences of indebtedness;

20 (4) contracts for the maintenance or servicing of, or  
21 provision of repair parts for, equipment which are made  
22 with the manufacturer or authorized service agent of that  
23 equipment where the provision of parts, maintenance, or  
24 servicing can best be performed by the manufacturer or  
25 authorized service agent;

26 (5) purchases and contracts for the use, purchase,

1 delivery, movement, or installation of data processing  
2 equipment, software, or services and telecommunications  
3 and interconnect equipment, software, and services;

4 (6) contracts for duplicating machines and supplies;

5 (7) contracts for utility services such as water,  
6 light, heat, telephone or telegraph;

7 (8) contracts for goods or services procured from  
8 another governmental agency;

9 (9) purchases of equipment previously owned by some  
10 entity other than the library itself; and

11 (10) contracts for goods or services which are  
12 economically procurable from only one source, such as for  
13 the purchase of magazines, books, periodicals, pamphlets,  
14 and reports.

15 Contracts for emergency expenditures are also exempt from  
16 competitive bidding when the emergency expenditure is approved  
17 by 3/4 of the members of the board.

18 The board shall ~~and may~~ require from such bidders, ~~such~~  
19 security for the performance of the bids determined by ~~as~~ the  
20 board pursuant to law ~~shall determine~~. The board ~~directors~~ may  
21 let the contract or contracts to one or more bidders, as they  
22 shall determine.

23 (Source: P.A. 94-435, eff. 8-2-05.)

24 Section 10. The Public Library District Act of 1991 is  
25 amended by changing Section 40-45 as follows:

1 (75 ILCS 16/40-45)

2 Sec. 40-45. Bids for construction, improvements, or  
3 equipment purchases.

4 (a) When the trustees determine to commence constructing  
5 the building, purchasing a site or a building, remodeling,  
6 repairing, or improving an existing library building, erecting  
7 an addition to an existing library building, or purchasing the  
8 necessary equipment for the library, they may then revise the  
9 plan or adopt a new plan and provide estimates of the costs of  
10 the revised or new plan.

11 (b) The board shall, when the cost is in excess of \$20,000,  
12 advertise for bids for constructing the building, remodeling,  
13 repairing, or improving of an existing library building,  
14 erecting an addition to an existing library building, or  
15 purchasing the necessary equipment for the library and shall  
16 let the contract or contracts for the project, when the cost is  
17 in excess of \$20,000, to the lowest responsible bidder or  
18 bidders. The board shall not be required to accept a bid that  
19 does not meet the library's established specifications, terms  
20 of delivery, quality, and serviceability requirements.  
21 Contracts which, by their nature, are not adapted to award by  
22 competitive bidding, are not subject to competitive bidding,  
23 including, but not limited to:

24 (1) contracts for the services of individuals  
25 possessing a high degree of professional skill where the

1 ability or fitness of the individual plays an important  
2 part;

3 (2) contracts for the printing of finance committee  
4 reports and departmental reports;

5 (3) contracts for the printing or engraving of bonds,  
6 tax warrants and other evidences of indebtedness;

7 (4) contracts for the maintenance or servicing of, or  
8 provision of repair parts for, equipment which are made  
9 with the manufacturer or authorized service agent of that  
10 equipment where the provision of parts, maintenance, or  
11 servicing can best be performed by the manufacturer or  
12 authorized service agent;

13 (5) purchases and contracts for the use, purchase,  
14 delivery, movement, or installation of data processing  
15 equipment, software, or services and telecommunications  
16 and interconnect equipment, software, and services;

17 (6) contracts for duplicating machines and supplies;

18 (7) contracts for utility services such as water,  
19 light, heat, telephone or telegraph;

20 (8) contracts for goods or services procured from  
21 another governmental agency;

22 (9) purchases of equipment previously owned by some  
23 entity other than the library itself; and

24 (10) contracts for goods or services which are  
25 economically procurable from only one source, such as for  
26 the purchase of magazines, books, periodicals, pamphlets,

1       and reports.

2       Contracts for emergency expenditures are also exempt from  
3       competitive bidding when the emergency expenditure is approved  
4       by 3/4 of the members of the board.

5           The board shall require from the bidders security for the  
6       performance of the bids determined by the board pursuant to  
7       law. The trustees may let the contract or contracts to one or  
8       more bidders as they determine.

9       (Source: P.A. 94-435, eff. 8-2-05.)