



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB0245

by Rep. Michael J. Zalewski

SYNOPSIS AS INTRODUCED:

65 ILCS 5/4-5-11

from Ch. 24, par. 4-5-11

65 ILCS 5/8-9-1

from Ch. 24, par. 8-9-1

Amends the Illinois Municipal Code. Increases the base amount from \$20,000 to \$50,000 for public improvement or maintenance of public property at which a municipality must enter into a contract by public bid or four-fifths council approval. If the contract is approved by council, increases the base amount of expenses that must be taken by public bid from \$20,000 to \$50,000. Effective immediately.

LRB099 03754 AWJ 23767 b

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 Municipal Code is amended by
5 changing Sections 4-5-11 and 8-9-1 as follows:

6 (65 ILCS 5/4-5-11) (from Ch. 24, par. 4-5-11)

7 Sec. 4-5-11. Except as otherwise provided, all contracts,
8 of whatever character, pertaining to public improvement, or to
9 the maintenance of the public property of a municipality
10 involving an outlay of \$10,000 or more, shall be based upon
11 specifications to be approved by the council. Any work or other
12 public improvement which is not to be paid for in whole or in
13 part by special assessment or special taxation, when the
14 expense thereof will exceed \$50,000 ~~\$20,000~~, shall be
15 constructed as follows:

16 (1) By a contract let to the lowest responsible bidder
17 after advertising for bids, in the manner prescribed by
18 ordinance, except that any such contract may be entered
19 into by the proper officers without advertising for bids,
20 if authorized by a vote of 4 of the 5 council members
21 elected; or

22 (2) In the following manner, if authorized by a vote of
23 4 of the 5 council members elected: the commissioner of

1 public works or other proper officers to be designated by
2 ordinance, shall superintend and cause to be carried out
3 the construction of the work or other public improvement
4 and shall employ exclusively for the performance of all
5 manual labor thereon, laborers and artisans whom the city
6 or village shall pay by the day or hour, but all material
7 of the value of \$50,000 ~~\$20,000~~ and upward used in the
8 construction of the work or other public improvement, shall
9 be purchased by contract let to the lowest responsible
10 bidder in the manner to be prescribed by ordinance.

11 Nothing contained in this Section shall apply to any
12 contract by a municipality with the United States of America or
13 any agency thereof.

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

15 (65 ILCS 5/8-9-1) (from Ch. 24, par. 8-9-1)

16 Sec. 8-9-1. In municipalities of less than 500,000 except
17 as otherwise provided in Articles 4 and 5 any work or other
18 public improvement which is not to be paid for in whole or in
19 part by special assessment or special taxation, when the
20 expense thereof will exceed \$50,000 ~~\$20,000~~, shall be
21 constructed either (1) by a contract let to the lowest
22 responsible bidder after advertising for bids, in the manner
23 prescribed by ordinance, except that any such contract may be
24 entered into by the proper officers without advertising for
25 bids, if authorized by a vote of two-thirds of all the aldermen

1 or trustees then holding office; or (2) in the following
2 manner, if authorized by a vote of two-thirds of all the
3 aldermen or trustees then holding office, to-wit: the
4 commissioner of public works or other proper officers to be
5 designated by ordinance, shall superintend and cause to be
6 carried out the construction of the work or other public
7 improvement and shall employ exclusively for the performance of
8 all manual labor thereon, laborers and artisans whom the
9 municipality shall pay by the day or hour; and all material of
10 the value of \$50,000 ~~\$20,000~~ and upward used in the
11 construction of the work or other public improvement, shall be
12 purchased by contract let to the lowest responsible bidder in
13 the manner to be prescribed by ordinance. However, nothing
14 contained in this section shall apply to any contract by a
15 city, village or incorporated town with the federal government
16 or any agency thereof.

17 In every city which has adopted Division 1 of Article 10,
18 every such laborer or artisan shall be certified by the civil
19 service commission to the commissioner of public works or other
20 proper officers, in accordance with the requirement of that
21 division.

22 In municipalities of 500,000 or more population the letting
23 of contracts for work or other public improvements of the
24 character described in this section shall be governed by the
25 provisions of Division 10 of this Article 8.

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

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.