

1 AN ACT concerning schools.

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

4 Section 5. The School Code is amended by changing
5 Sections 10-20.21 and 34-21.3 as follows:

6 (105 ILCS 5/10-20.21) (from Ch. 122, par. 10-20.21)

7 Sec. 10-20.21. Contracts. To award all contracts for
8 purchase of supplies, materials or work or contracts with
9 private carriers for transportation of pupils involving an
10 expenditure in excess of \$20,000 ~~\$10,000~~ to the lowest
11 responsible bidder, considering conformity with
12 specifications, terms of delivery, quality and
13 serviceability, after due advertisement, except the
14 following: (i) contracts for the services of individuals
15 possessing a high degree of professional skill where the
16 ability or fitness of the individual plays an important part;
17 (ii) contracts for the printing of finance committee reports
18 and departmental reports; (iii) contracts for the printing or
19 engraving of bonds, tax warrants and other evidences of
20 indebtedness; (iv) contracts for the purchase of perishable
21 foods and perishable beverages; (v) contracts for materials
22 and work which have been awarded to the lowest responsible
23 bidder after due advertisement, but due to unforeseen
24 revisions, not the fault of the contractor for materials and
25 work, must be revised causing expenditures not in excess of
26 10% of the contract price; (vi) contracts for the maintenance
27 or servicing of, or provision of repair parts for, equipment
28 which are made with the manufacturer or authorized service
29 agent of that equipment where the provision of parts,
30 maintenance, or servicing can best be performed by the
31 manufacturer or authorized service agent; (vii) purchases and

1 contracts for the use, purchase, delivery, movement, or
2 installation of data processing equipment, software, or
3 services and telecommunications and interconnect equipment,
4 software, and services; (viii) contracts for duplicating
5 machines and supplies; (ix) contracts for the purchase of
6 natural gas when the cost is less than that offered by a
7 public utility; (x) purchases of equipment previously owned
8 by some entity other than the district itself; (xi) contracts
9 for repair, maintenance, remodeling, renovation, or
10 construction, or a single project involving an expenditure
11 not to exceed \$30,000 ~~\$20,000~~ and not involving a change or
12 increase in the size, type, or extent of an existing
13 facility; (xii) contracts for goods or services procured from
14 another governmental agency; (xiii) contracts for goods or
15 services which are economically procurable from only one
16 source, such as for the purchase of magazines, books,
17 periodicals, pamphlets and reports, and for utility services
18 such as water, light, heat, telephone or telegraph; and (xiv)
19 where funds are expended in an emergency and such emergency
20 expenditure is approved by 3/4 of the members of the board.
21 All competitive bids for contracts involving an expenditure
22 in excess of \$20,000 ~~\$10,000~~ must be sealed by the bidder and
23 must be opened by a member or employee of the school board at
24 a public bid opening at which the contents of the bids must
25 be announced. Each bidder must receive at least 3 days'
26 notice of the time and place of the bid opening. For purposes
27 of this Section due advertisement includes, but is not
28 limited to, at least one public notice at least 10 days
29 before the bid date in a newspaper published in the district,
30 or if no newspaper is published in the district, in a
31 newspaper of general circulation in the area of the district.
32 (Source: P.A. 86-411; 87-414.)

33 (105 ILCS 5/34-21.3) (from Ch. 122, par. 34-21.3)

1 Sec. 34-21.3. Contracts. The board shall by record vote
2 let all contracts (other than those excepted by Section
3 10-20.21 of The School Code) for supplies, materials, work,
4 and contracts with private carriers for transportation of
5 pupils, involving an expenditure in excess of \$20,000 ~~\$10,000~~
6 by competitive bidding as provided in Section 10-20.21 of The
7 School Code.

8 The board may delegate to the general superintendent of
9 schools, by resolution, the authority to approve contracts in
10 amounts of \$20,000 ~~\$10,000~~ or less.

11 For a period of one year from and after the expiration or
12 other termination of his or her term of office as a member of
13 the board: (i) the former board member shall not be eligible
14 for employment nor be employed by the board, a local school
15 council, an attendance center, or any other subdivision or
16 agent of the board or the school district governed by the
17 board, and (ii) neither the board nor the chief purchasing
18 officer shall let or delegate authority to let any contract
19 for services, employment, or other work to the former board
20 member or to any corporation, partnership, association, sole
21 proprietorship, or other entity other than publicly traded
22 companies from which the former board member receives an
23 annual income, dividends, or other compensation in excess of
24 \$1,500. Any contract that is entered into by or under a
25 delegation of authority from the board or the chief
26 purchasing officer shall contain a provision stating that the
27 contract is not legally binding on the board if entered into
28 in violation of the provisions of this paragraph.

29 In addition, the State Board of Education, in
30 consultation with the board, shall (i) review existing
31 conflict of interest and disclosure laws or regulations that
32 are applicable to the executive officers and governing boards
33 of school districts organized under this Article and school
34 districts generally, (ii) determine what additional

1 disclosure and conflict of interest provisions would enhance
2 the reputation and fiscal integrity of the board and the
3 procedure under which contracts for goods and services are
4 let, and (iii) develop appropriate reporting forms and
5 procedures applicable to the executive officers, governing
6 board, and other officials of the school district.

7 (Source: P.A. 89-15, eff. 5-30-95.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.