



Rep. Michael J. Zalewski

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10000HB0547ham002

LRB100 05531 AWJ 22095 a

1 AMENDMENT TO HOUSE BILL 547

2 AMENDMENT NO. _____. Amend House Bill 547 by replacing
3 everything after the enacting clause with the following:

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 \$25,000 ~~\$20,000~~, shall be
15 constructed as follows:

16 (1) By a contract let to the lowest responsible bidder

1 after advertising for bids, in the manner prescribed by
2 ordinance, except that any such contract may be entered
3 into by the proper officers without advertising for bids,
4 if authorized by a vote of 4 of the 5 council members
5 elected; or

6 (2) In the following manner, if authorized by a vote of
7 4 of the 5 council members elected: the commissioner of
8 public works or other proper officers to be designated by
9 ordinance, shall superintend and cause to be carried out
10 the construction of the work or other public improvement
11 and shall employ exclusively for the performance of all
12 manual labor thereon, laborers and artisans whom the city
13 or village shall pay by the day or hour, but all material
14 of the value of \$25,000 ~~\$20,000~~ and upward used in the
15 construction of the work or other public improvement, shall
16 be purchased by contract let to the lowest responsible
17 bidder in the manner to be prescribed by ordinance.

18 Nothing contained in this Section shall apply to any
19 contract by a municipality with the United States of America or
20 any agency thereof.

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

22 (65 ILCS 5/8-9-1) (from Ch. 24, par. 8-9-1)

23 Sec. 8-9-1. In municipalities of less than 500,000 except
24 as otherwise provided in Articles 4 and 5 any work or other
25 public improvement which is not to be paid for in whole or in

1 part by special assessment or special taxation, when the
2 expense thereof will exceed \$25,000 ~~\$20,000~~, shall be
3 constructed either (1) by a contract let to the lowest
4 responsible bidder after advertising for bids, in the manner
5 prescribed by ordinance, except that any such contract may be
6 entered into by the proper officers without advertising for
7 bids, if authorized by a vote of two-thirds of all the aldermen
8 or trustees then holding office; or (2) in the following
9 manner, if authorized by a vote of two-thirds of all the
10 aldermen or trustees then holding office, to-wit: the
11 commissioner of public works or other proper officers to be
12 designated by ordinance, shall superintend and cause to be
13 carried out the construction of the work or other public
14 improvement and shall employ exclusively for the performance of
15 all manual labor thereon, laborers and artisans whom the
16 municipality shall pay by the day or hour; and all material of
17 the value of \$25,000 ~~\$20,000~~ and upward used in the
18 construction of the work or other public improvement, shall be
19 purchased by contract let to the lowest responsible bidder in
20 the manner to be prescribed by ordinance. However, nothing
21 contained in this section shall apply to any contract by a
22 city, village or incorporated town with the federal government
23 or any agency thereof.

24 In every city which has adopted Division 1 of Article 10,
25 every such laborer or artisan shall be certified by the civil
26 service commission to the commissioner of public works or other

1 proper officers, in accordance with the requirement of that
2 division.

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

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

8 Section 10. The Illinois Local Library Act is amended by
9 changing Section 5-5 as follows:

10 (75 ILCS 5/5-5) (from Ch. 81, par. 5-5)

11 Sec. 5-5. When the board determines to commence the
12 construction of the building or the remodeling, repairing or
13 improving of an existing library building or the erection of an
14 addition thereto, the purchase of the necessary equipment for
15 such library, or the acquisition of library materials such as
16 books, periodicals, recordings and electronic data storage and
17 retrieval facilities in connection with either the purchase or
18 construction of a new library building or the expansion of an
19 existing library building, they may then revise the plan
20 therefor or adopt a new plan and provide estimates of the costs
21 thereof, and shall, when the cost is in excess of \$25,000
22 ~~\$20,000~~, advertise for bids for the construction of the
23 building, or the remodeling, repairing or improving of an
24 existing library building or the erection of an addition

1 thereto, or the purchase of the necessary equipment for such
2 library, or the acquisition of library materials such as books,
3 periodicals, recordings and electronic data storage and
4 retrieval facilities in connection with either the purchase or
5 construction of a new library building or the expansion of an
6 existing library building, and shall let the contract or
7 contracts for the same, when the cost is in excess of \$25,000
8 ~~\$20,000~~, to the lowest responsible bidder or bidders.

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

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

19 (2) contracts for the printing of finance committee
20 reports and departmental reports;

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

23 (4) contracts for the maintenance or servicing of, or
24 provision of repair parts for, equipment which are made
25 with the manufacturer or authorized service agent of that
26 equipment where the provision of parts, maintenance, or

1 servicing can best be performed by the manufacturer or
2 authorized service agent;

3 (5) purchases and contracts for the use, purchase,
4 delivery, movement, or installation of data processing
5 equipment, software, or services and telecommunications
6 and interconnect equipment, software, and services;

7 (6) contracts for duplicating machines and supplies;

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

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

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

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

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

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

25 (Source: P.A. 98-952, eff. 1-1-15.)

1 Section 15. The Public Library District Act of 1991 is
2 amended by changing Section 40-45 as follows:

3 (75 ILCS 16/40-45)

4 Sec. 40-45. Bids for construction, improvements, or
5 equipment purchases.

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

13 (b) The board shall, when the cost is in excess of \$25,000
14 ~~\$20,000~~, advertise for bids for constructing the building,
15 remodeling, repairing, or improving of an existing library
16 building, erecting an addition to an existing library building,
17 or purchasing the necessary equipment for the library and shall
18 let the contract or contracts for the project, when the cost is
19 in excess of \$25,000 ~~\$20,000~~, to the lowest responsible bidder
20 or bidders. The board shall not be required to accept a bid
21 that does not meet the library's established specifications,
22 terms of delivery, quality, and serviceability requirements.
23 Contracts which, by their nature, are not adapted to award by
24 competitive bidding, are not subject to competitive bidding,
25 including, but not limited to:

1 (1) contracts for the services of individuals
2 possessing a high degree of professional skill where the
3 ability or fitness of the individual plays an important
4 part;

5 (2) contracts for the printing of finance committee
6 reports and departmental reports;

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

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

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

19 (6) contracts for duplicating machines and supplies;

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

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

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

26 (10) contracts for goods or services which are

1 economically procurable from only one source, such as for
2 the purchase of magazines, books, periodicals, pamphlets,
3 and reports.

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

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

11 (Source: P.A. 98-952, eff. 1-1-15.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law."