

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 \$25,000 ~~\$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 \$25,000 ~~\$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 \$25,000 ~~\$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 \$25,000 ~~\$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 10. The Illinois Local Library Act is amended by
2 changing Section 5-5 as follows:

3 (75 ILCS 5/5-5) (from Ch. 81, par. 5-5)

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

1 ~~\$20,000~~, to the lowest responsible bidder or bidders.

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

8 (1) contracts for the services of individuals
9 possessing a high degree of professional skill where the
10 ability or fitness of the individual plays an important
11 part;

12 (2) contracts for the printing of finance committee
13 reports and departmental reports;

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

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

22 (5) purchases and contracts for the use, purchase,
23 delivery, movement, or installation of data processing
24 equipment, software, or services and telecommunications
25 and interconnect equipment, software, and services;

26 (6) contracts for duplicating machines and supplies;

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

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

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

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

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

14 The board shall require from such bidders security for the
15 performance of the bids determined by the board pursuant to
16 law. The board may let the contract or contracts to one or more
17 bidders, as they shall determine.

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

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

21 (75 ILCS 16/40-45)

22 Sec. 40-45. Bids for construction, improvements, or
23 equipment purchases.

24 (a) When the trustees determine to commence constructing

1 the building, purchasing a site or a building, remodeling,
2 repairing, or improving an existing library building, erecting
3 an addition to an existing library building, or purchasing the
4 necessary equipment for the library, they may then revise the
5 plan or adopt a new plan and provide estimates of the costs of
6 the revised or new plan.

7 (b) The board shall, when the cost is in excess of \$25,000
8 ~~\$20,000~~, advertise for bids for constructing the building,
9 remodeling, repairing, or improving of an existing library
10 building, erecting an addition to an existing library building,
11 or purchasing the necessary equipment for the library and shall
12 let the contract or contracts for the project, when the cost is
13 in excess of \$25,000 ~~\$20,000~~, to the lowest responsible bidder
14 or bidders. The board shall not be required to accept a bid
15 that does not meet the library's established specifications,
16 terms of delivery, quality, and serviceability requirements.
17 Contracts which, by their nature, are not adapted to award by
18 competitive bidding, are not subject to competitive bidding,
19 including, but not limited to:

20 (1) contracts for the services of individuals
21 possessing a high degree of professional skill where the
22 ability or fitness of the individual plays an important
23 part;

24 (2) contracts for the printing of finance committee
25 reports and departmental reports;

26 (3) contracts for the printing or engraving of bonds,

1 tax warrants and other evidences of indebtedness;

2 (4) contracts for the maintenance or servicing of, or
3 provision of repair parts for, equipment which are made
4 with the manufacturer or authorized service agent of that
5 equipment where the provision of parts, maintenance, or
6 servicing can best be performed by the manufacturer or
7 authorized service agent;

8 (5) purchases and contracts for the use, purchase,
9 delivery, movement, or installation of data processing
10 equipment, software, or services and telecommunications
11 and interconnect equipment, software, and services;

12 (6) contracts for duplicating machines and supplies;

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

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

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

19 (10) contracts for goods or services which are
20 economically procurable from only one source, such as for
21 the purchase of magazines, books, periodicals, pamphlets,
22 and reports.

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

26 The board shall require from the bidders security for the

1 performance of the bids determined by the board pursuant to
2 law. The trustees may let the contract or contracts to one or
3 more bidders as they determine.

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

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.