



Sen. Edward D. Maloney

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09400SB1882sam001

LRB094 11434 AJO 43122 a

1 AMENDMENT TO SENATE BILL 1882

2 AMENDMENT NO. _____. Amend Senate Bill 1882 by inserting
3 on page 1, between lines 3 and 4 the following:

4 "Section 3. The Township Code is amended by changing
5 Section 85-30 as follows:

6 (60 ILCS 1/85-30)

7 Sec. 85-30. Purchases; bids. Any purchase by a township
8 ~~having fewer than 10,000 inhabitants and located in a county~~
9 ~~with a population under 3,000,000~~ for services, materials,
10 equipment, or supplies in excess of \$20,000 ~~\$10,000~~ (other than
11 professional services) ~~and any purchase by a township in a~~
12 ~~county with a population of 3,000,000 or more, or by a township~~
13 ~~having 10,000 or more inhabitants and located in a county with~~
14 ~~a population of less than 3,000,000, for services, materials,~~
15 ~~equipment, or supplies in excess of \$10,000 (other than~~
16 ~~professional services)~~ shall be contracted for in one of the
17 following ways:

- 18 (1) By a contract let to the lowest responsible bidder
19 after advertising for bids at least once (i) in a newspaper
20 published within the township, or (ii) if no newspaper is
21 published within the township, then in one published within
22 the county, or (iii) if no newspaper is published within
23 the county, then in a newspaper having general circulation
24 within the township.

1 (2) By a contract let without advertising for bids in
2 the case of an emergency if authorized by the township
3 board.

4 This Section does not apply to contracts by a township with
5 the federal government.

6 (Source: P.A. 92-627, eff. 7-11-02.)

7 Section 4. The Illinois Municipal Code is amended by
8 changing Sections 4-5-11 and 8-9-1 as follows:

9 (65 ILCS 5/4-5-11) (from Ch. 24, par. 4-5-11)

10 Sec. 4-5-11. Except as otherwise provided, all contracts,
11 of whatever character, pertaining to public improvement, or to
12 the maintenance of the public property of a municipality
13 involving an outlay of \$10,000 ~~\$1,500~~ or more, shall be based
14 upon specifications to be approved by the council. Any work or
15 other public improvement which is not to be paid for in whole
16 or in part by special assessment or special taxation, when the
17 expense thereof will exceed \$20,000 ~~\$10,000~~, shall be
18 constructed as follows:

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

24 (2) In the following manner, if authorized by a vote of 4
25 of the 5 council members elected: the commissioner of public
26 works or other proper officers to be designated by ordinance,
27 shall superintend and cause to be carried out the construction
28 of the work or other public improvement and shall employ
29 exclusively for the performance of all manual labor thereon,
30 laborers and artisans whom the city or village shall pay by the
31 day or hour, but all material of the value of \$20,000 ~~\$10,000~~
32 and upward used in the construction of the work or other public

1 improvement, shall be purchased by contract let to the lowest
2 responsible bidder in the manner to be prescribed by ordinance.

3 Nothing contained in this section shall apply to any
4 contract by a municipality with the United States of America or
5 any agency thereof.

6 (Source: P.A. 86-576.)

7 (65 ILCS 5/8-9-1) (from Ch. 24, par. 8-9-1)

8 Sec. 8-9-1. In municipalities of less than 500,000 except
9 as otherwise provided in Articles 4 and 5 any work or other
10 public improvement which is not to be paid for in whole or in
11 part by special assessment or special taxation, when the
12 expense thereof will exceed \$20,000 ~~\$10,000~~, shall be
13 constructed either (1) by a contract let to the lowest
14 responsible bidder after advertising for bids, in the manner
15 prescribed by ordinance, except that any such contract may be
16 entered into by the proper officers without advertising for
17 bids, if authorized by a vote of two-thirds of all the aldermen
18 or trustees then holding office; or (2) in the following
19 manner, if authorized by a vote of two-thirds of all the
20 aldermen or trustees then holding office, to-wit: the
21 commissioner of public works or other proper officers to be
22 designated by ordinance, shall superintend and cause to be
23 carried out the construction of the work or other public
24 improvement and shall employ exclusively for the performance of
25 all manual labor thereon, laborers and artisans whom the
26 municipality shall pay by the day or hour; and all material of
27 the value of \$20,000 ~~\$10,000~~ and upward used in the
28 construction of the work or other public improvement, shall be
29 purchased by contract let to the lowest responsible bidder in
30 the manner to be prescribed by ordinance. However, nothing
31 contained in this section shall apply to any contract by a
32 city, village or incorporated town with the federal government
33 or any agency thereof.

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

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

10 (Source: P.A. 86-576.)"; and

11 on page 2, between lines 25 and 26, by inserting the following:

12 "Section 15. The Illinois Highway Code is amended by
13 changing Section 6-201.7 as follows:

14 (605 ILCS 5/6-201.7) (from Ch. 121, par. 6-201.7)

15 Sec. 6-201.7. Construct, maintain and repair and be
16 responsible for the construction, maintenance and repair of
17 roads within the district, let contracts, employ labor and
18 purchase material and machinery therefor, subject to the
19 limitations provided in this Code. Contracts, labor,
20 machinery, disposal, and incidental expenses related to
21 special services under Section 6-201.21 of this Code constitute
22 maintenance, for purposes of this Section.

23 Except for professional services, when the cost of
24 construction, materials, supplies, new machinery or equipment
25 exceeds \$20,000 ~~\$10,000~~, the contract for such construction,
26 materials, supplies, machinery or equipment shall be let to the
27 lowest responsible bidder after advertising for bids at least
28 once, and at least 10 days prior to the time set for the
29 opening of such bids, in a newspaper published within the
30 township or road district, or, if no newspaper is published
31 within the township or road district then in one published

1 within the county, or, if no newspaper is published within the
2 county then in a newspaper having general circulation within
3 the township or road district, but, in case of an emergency,
4 such contract may be let without advertising for bids. For
5 purposes of this Section "new machinery or equipment" shall be
6 defined as that which has been previously untitled or that
7 which shows fewer than 200 hours on its operating clock and
8 that is accompanied by a new equipment manufacturer's warranty.
9 (Source: P.A. 92-268, eff. 1-1-02; 93-109, eff. 7-8-03; 93-164,
10 eff. 7-10-03; 93-610, eff. 11-18-03; revised 12-4-03.)".