

SB3427



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3427

Introduced 2/14/2014, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

70 ILCS 705/11k new

Amends the Fire Protection District Act. Provides that the board of trustees is not required to accept the lowest contract bid for certain projects when the cost is in excess of \$20,000 if the bid does not meet the board's established specifications, terms of delivery, quality, and serviceability requirements. Sets forth the types of contracts that are not subject to competitive bidding. Exempts emergency expenditures from competitive bidding when the emergency expenditure is approved by a vote of 3/4 of the members of the board. Provides notice and advertisement requirements for bid proposals and bid submissions.

LRB098 19632 JLK 54831 b

A BILL FOR

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 Fire Protection District Act is amended by
5 adding Section 11k as follows:

6 (70 ILCS 705/11k new)

7 Sec. 11k. Competitive bidding; notice requirements.

8 (a) The board of trustees shall have the power to acquire
9 by gift, legacy, or purchase any personal property necessary
10 for its corporate purposes provided that all contracts for
11 supplies, materials, or work involving an expenditure in excess
12 of \$20,000 shall be let to the lowest responsible bidder after
13 advertising as required under subsection (b) of this Section.
14 The board is not required to accept a bid that does not meet
15 the district's established specifications, terms of delivery,
16 quality, and serviceability requirements. Contracts which, by
17 their nature, are not adapted to award by competitive bidding,
18 are not subject to competitive bidding, including, but not
19 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;

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

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

5 (4) contracts for the maintenance or servicing of, or
6 provision of repair parts for, equipment which are made
7 with the manufacturer or authorized service agent of that
8 equipment where the provision of parts, maintenance, or
9 servicing can best be performed by the manufacturer or
10 authorized service agent, or which involve proprietary
11 parts or technology not otherwise available;

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

16 (6) contracts for duplicating machines and supplies;

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

19 (8) contracts for goods or services procured from
20 another governmental agency;

21 (9) purchases of equipment previously owned by some
22 entity other than the district itself; and

23 (10) contracts for goods or services which are
24 economically procurable from only one source, such as for
25 the purchase of magazines, books, periodicals, pamphlets,
26 reports, and online subscriptions.

1 Contracts for emergency expenditures are also exempt from
2 competitive bidding when the emergency expenditure is approved
3 by a vote of 3/4 of the members of the board.

4 (b) Except as otherwise provided in subsection (a) of this
5 Section, all proposals to award contracts involving amounts in
6 excess of \$20,000 shall be published at least 10 days,
7 excluding Sundays and legal holidays, in advance of the date
8 announced for the receiving of bids, in a secular English
9 language daily newspaper of general circulation throughout the
10 district. Advertisements for bids shall describe the character
11 of the proposed contract or agreement in sufficient detail to
12 enable the bidders thereon to know what their obligations will
13 be, either in the advertisement itself, or by reference to
14 detailed plans and specifications on file at the time of the
15 publication of the first announcement. Such advertisement
16 shall also state the date, time and place assigned for the
17 opening of bids, and no bids shall be received at any time
18 subsequent to the time indicated in the announcement. All
19 competitive bids for contracts involving an expenditure in
20 excess of \$20,000 must be sealed by the bidder and must be
21 opened by a member of the board or an employee of the district
22 at a public bid opening at which the contents of the bids must
23 be announced. Each bidder must receive at least 3 days notice
24 of the time and place of the bid opening.