

SB2336



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2336

Introduced 2/7/2025, by Sen. Cristina Castro

SYNOPSIS AS INTRODUCED:

30 ILCS 537/5
30 ILCS 537/90 rep.

Amends the Design-Build Procurement Act. Provides that certain provisions are inoperative for public institutions of higher education on and after January 1, 2026. Removes provisions repealing the Act. Effective immediately.

LRB104 10649 HLH 22260 b

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The Design-Build Procurement Act is amended by
5 changing Section 5 as follows:

6 (30 ILCS 537/5)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 5. Legislative policy. It is the intent of the
9 General Assembly that the State construction agency be allowed
10 to use the design-build delivery method for public projects if
11 it is shown to be in the State's best interest for that
12 particular project. It shall be the policy of the State
13 construction agency in the procurement of design-build
14 services to publicly announce all requirements for
15 design-build services and to procure these services on the
16 basis of demonstrated competence and qualifications and with
17 due regard for the principles of competitive selection.

18 The State construction agency shall, prior to issuing
19 requests for proposals, promulgate and publish procedures for
20 the solicitation and award of contracts pursuant to this Act.

21 The State construction agency shall, for each public
22 project or projects permitted under this Act, make a written
23 determination, including a description as to the particular

1 advantages of the design-build procurement method, that it is
2 in the best interests of this State to enter into a
3 design-build contract for the project or projects. In making
4 that determination, the following factors shall be considered:

5 (1) The probability that the design-build procurement
6 method will be in the best interests of the State by
7 providing a material savings of time or cost over the
8 design-bid-build or other delivery system.

9 (2) The type and size of the project and its
10 suitability to the design-build procurement method.

11 (3) The ability of the State construction agency to
12 define and provide comprehensive scope and performance
13 criteria for the project.

14 No State construction agency may use a design-build
15 procurement method unless the agency determines in writing
16 that the project will comply with the disadvantaged business
17 and equal employment practices of the State as established in
18 the Business Enterprise for Minorities, Women, and Persons
19 with Disabilities Act and Section 2-105 of the Illinois Human
20 Rights Act.

21 The State construction agency shall within 15 days after
22 the initial determination provide an advisory copy to the
23 Procurement Policy Board and maintain the full record of
24 determination for 5 years.

25 The provisions of this Section are inoperative for public
26 institutions of higher education on and after January 1, 2026.

1 (Source: P.A. 102-1119, eff. 1-23-23.)

2 (30 ILCS 537/90 rep.)

3 Section 10. The Design-Build Procurement Act is amended by
4 repealing Section 90.

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