

SB1686



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1686

Introduced 2/9/2017, by Sen. Martin A. Sandoval

SYNOPSIS AS INTRODUCED:

70 ILCS 705/11k

Amends the Fire Protection District Act. Provides that contracts with companies providing the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part are not subject to competitive bidding. Effective immediately.

LRB100 08453 AWJ 18571 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 changing Section 11k as follows:

6 (70 ILCS 705/11k)

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, and contracts with companies providing the services

1 of individuals possessing a high degree of professional
2 skill where the ability or fitness of the individual plays
3 an important part;

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

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

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

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 district 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 reports, and online subscriptions.

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

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

1 of the time and place of the bid opening.

2 (Source: P.A. 98-799, eff. 1-1-15.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.