



Rep. Stephanie A. Kifowit

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10100SB2120ham002

LRB101 10535 RJF 60740 a

1 AMENDMENT TO SENATE BILL 2120

2 AMENDMENT NO. _____. Amend Senate Bill 2120 as follows:

3 on page 9, immediately below line 25, by inserting the
4 following:

5 "Section 15. The Illinois Procurement Code is amended by
6 changing Sections 1-15.93 and 30-30 as follows:

7 (30 ILCS 500/1-15.93)

8 (Section scheduled to be repealed on January 1, 2020)

9 Sec. 1-15.93. Single prime. "Single prime" means the
10 design-bid-build procurement delivery method for a building
11 construction project in which the Capital Development Board is
12 the construction agency procuring 2 or more subdivisions of
13 work enumerated in paragraphs (1) through (5) of subsection (a)
14 of Section 30-30 of this Code under a single contract. This
15 Section is repealed on January 1, 2021 ~~2020~~.

1 (Source: P.A. 99-257, eff. 8-4-15.)

2 (30 ILCS 500/30-30)

3 Sec. 30-30. Design-bid-build construction.

4 (a) The provisions of this subsection are operative through
5 December 31, 2020 ~~2019~~.

6 For building construction contracts in excess of \$250,000,
7 separate specifications may be prepared for all equipment,
8 labor, and materials in connection with the following 5
9 subdivisions of the work to be performed:

10 (1) plumbing;

11 (2) heating, piping, refrigeration, and automatic
12 temperature control systems, including the testing and
13 balancing of those systems;

14 (3) ventilating and distribution systems for
15 conditioned air, including the testing and balancing of
16 those systems;

17 (4) electric wiring; and

18 (5) general contract work.

19 The specifications may be so drawn as to permit separate
20 and independent bidding upon each of the 5 subdivisions of
21 work. All contracts awarded for any part thereof may award the
22 5 subdivisions of work separately to responsible and reliable
23 persons, firms, or corporations engaged in these classes of
24 work. The contracts, at the discretion of the construction
25 agency, may be assigned to the successful bidder on the general

1 contract work or to the successful bidder on the subdivision of
2 work designated by the construction agency before the bidding
3 as the prime subdivision of work, provided that all payments
4 will be made directly to the contractors for the 5 subdivisions
5 of work upon compliance with the conditions of the contract.

6 Beginning on the effective date of this amendatory Act of
7 the 101st ~~99th~~ General Assembly and through December 31, 2020
8 ~~2019~~, for single prime projects: (i) the bid of the successful
9 low bidder shall identify the name of the subcontractor, if
10 any, and the bid proposal costs for each of the 5 subdivisions
11 of work set forth in this Section; (ii) the contract entered
12 into with the successful bidder shall provide that no
13 identified subcontractor may be terminated without the written
14 consent of the Capital Development Board; (iii) the contract
15 shall comply with the disadvantaged business practices of the
16 Business Enterprise for Minorities, Women, and Persons with
17 Disabilities Act and the equal employment practices of Section
18 2-105 of the Illinois Human Rights Act; ~~(iv) the Capital~~
19 ~~Development Board shall submit a quarterly report to the~~
20 ~~Procurement Policy Board with information on the general scope,~~
21 ~~project budget, and established Business Enterprise Program~~
22 ~~goals for any single prime procurement bid in the previous 3~~
23 ~~months with a total construction cost valued at \$10,000,000 or~~
24 ~~less;~~ and (iv) ~~(v)~~ the Capital Development Board shall submit
25 an annual report to the General Assembly and Governor on the
26 bidding, award, and performance of all single prime projects.

1 For building construction projects with a total
2 construction cost valued at \$5,000,000 or less, the Capital
3 Development Board shall not use the single prime procurement
4 delivery method for more than 50% of the total number of
5 projects bid for each fiscal year. Any project with a total
6 construction cost valued greater than \$5,000,000 may be bid
7 using single prime at the discretion of the Executive Director
8 of the Capital Development Board.

9 ~~Beginning on the effective date of this amendatory Act of~~
10 ~~the 99th General Assembly and through December 31, 2017, the~~
11 ~~Capital Development Board shall, on a weekly basis: review the~~
12 ~~projects that have been designed, and approved to bid; and, for~~
13 ~~every fifth determination to use the single prime procurement~~
14 ~~delivery method for a project under \$10,000,000, submit to the~~
15 ~~Procurement Policy Board a written notice of its intent to use~~
16 ~~the single prime method on the project. The notice shall~~
17 ~~include the reasons for using the single prime method and an~~
18 ~~explanation of why the use of that method is in the best~~
19 ~~interest of the State. The Capital Development Board shall post~~
20 ~~the notice on its online procurement webpage and on the online~~
21 ~~Procurement Bulletin at least 3 business days following~~
22 ~~submission. The Procurement Policy Board shall review and~~
23 ~~provide its decision on the use of the single prime method for~~
24 ~~every fifth use of the single prime procurement delivery method~~
25 ~~for a project under \$10,000,000 within 7 business days of~~
26 ~~receipt of the notice from the Capital Development Board.~~

1 ~~Approval by the Procurement Policy Board shall not be~~
2 ~~unreasonably withheld and shall be provided unless the~~
3 ~~Procurement Policy Board finds that the use of the single prime~~
4 ~~method is not in the best interest of the State. Any decision~~
5 ~~by the Procurement Policy Board to disapprove the use of the~~
6 ~~single prime method shall be made in writing to the Capital~~
7 ~~Development Board, posted on the online Procurement Bulletin,~~
8 ~~and shall state the reasons why the single prime method was~~
9 ~~disapproved and why it is not in the best interest of the~~
10 ~~State.~~

11 (b) The provisions of this subsection are operative on and
12 after January 1, 2021 ~~2020~~. For building construction contracts
13 in excess of \$250,000, separate specifications shall be
14 prepared for all equipment, labor, and materials in connection
15 with the following 5 subdivisions of the work to be performed:

16 (1) plumbing;

17 (2) heating, piping, refrigeration, and automatic
18 temperature control systems, including the testing and
19 balancing of those systems;

20 (3) ventilating and distribution systems for
21 conditioned air, including the testing and balancing of
22 those systems;

23 (4) electric wiring; and

24 (5) general contract work.

25 The specifications must be so drawn as to permit separate
26 and independent bidding upon each of the 5 subdivisions of

1 work. All contracts awarded for any part thereof shall award
2 the 5 subdivisions of work separately to responsible and
3 reliable persons, firms, or corporations engaged in these
4 classes of work. The contracts, at the discretion of the
5 construction agency, may be assigned to the successful bidder
6 on the general contract work or to the successful bidder on the
7 subdivision of work designated by the construction agency
8 before the bidding as the prime subdivision of work, provided
9 that all payments will be made directly to the contractors for
10 the 5 subdivisions of work upon compliance with the conditions
11 of the contract.

12 (Source: P.A. 99-257, eff. 8-4-15; 100-391, eff. 8-25-17.);
13 and

14 on page 10, lines 1 and 2, by replacing "January 1, 2020" with
15 "December 15, 2019".