



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB3720

Introduced 2/24/2005, by Rep. Eileen Lyons

#### SYNOPSIS AS INTRODUCED:

110 ILCS 805/3-27.1  
30 ILCS 805/8.29 new

from Ch. 122, par. 103-27.1

Amends the Public Community College Act. Provides that in awarding contracts involving an expenditure in excess of \$10,000, the board of trustees of a community college district shall comply with the same requirements that apply to the awarding of State contracts under the Business Enterprise for Minorities, Females, and Persons with Disabilities Act. Provides that at least 5% less than the percentage preference given under the Business Enterprise for Minorities, Females, and Persons with Disabilities Act shall be established as a goal to be awarded to businesses located within the community college district. Amends the State Mandates Act to require implementation without reimbursement. Effective July 1, 2005.

LRB094 08714 RAS 38926 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning education.

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

4 Section 5. The Public Community College Act is amended by  
5 changing Section 3-27.1 as follows:

6 (110 ILCS 805/3-27.1) (from Ch. 122, par. 103-27.1)

7 Sec. 3-27.1. Contracts. To award all contracts for purchase  
8 of supplies, materials or work involving an expenditure in  
9 excess of \$10,000 in accordance with this Section.

10 In awarding contracts under this Section, the board shall  
11 comply with the same requirements that apply to the awarding of  
12 State contracts under Section 4 of the Business Enterprise for  
13 Minorities, Females, and Persons with Disabilities Act. In  
14 addition, at least 5% less than the percentage preference given  
15 under Section 4 of the Business Enterprise for Minorities,  
16 Females, and Persons with Disabilities Act shall be established  
17 as a goal to be awarded to businesses located within the  
18 community college district. In meeting these preference goals  
19 and for any contracts awarded after these preference goals have  
20 been met, the board shall award contracts under this Section  
21 to the lowest responsible bidder considering conformity with  
22 specifications, terms of delivery, quality, and  
23 serviceability; after due advertisement, except the following:  
24 (a) contracts for the services of individuals possessing a high  
25 degree of professional skill where the ability or fitness of  
26 the individual plays an important part; (b) contracts for the  
27 printing of finance committee reports and departmental  
28 reports; (c) contracts for the printing or engraving of bonds,  
29 tax warrants and other evidences of indebtedness; (d) contracts  
30 for materials and work which have been awarded to the lowest  
31 responsible bidder after due advertisement, but due to  
32 unforeseen revisions, not the fault of the contractor for

1 materials and work, must be revised causing expenditures not in  
2 excess of 10% of the contract price; (e) contracts for the  
3 maintenance or servicing of, or provision of repair parts for,  
4 equipment which are made with the manufacturer or authorized  
5 service agent of that equipment where the provision of parts,  
6 maintenance, or servicing can best be performed by the  
7 manufacturer or authorized service agent; (f) purchases and  
8 contracts for the use, purchase, delivery, movement, or  
9 installation of data processing equipment, software, or  
10 services and telecommunications and inter-connect equipment,  
11 software, and services; (g) contracts for duplicating machines  
12 and supplies; (h) contracts for the purchase of natural gas  
13 when the cost is less than that offered by a public utility;  
14 (i) purchases of equipment previously owned by some entity  
15 other than the district itself; (j) contracts for repair,  
16 maintenance, remodeling, renovation, or construction, or a  
17 single project involving an expenditure not to exceed \$15,000  
18 and not involving a change or increase in the size, type, or  
19 extent of an existing facility; (k) contracts for goods or  
20 services procured from another governmental agency; (l)  
21 contracts for goods or services which are economically  
22 procurable from only one source, such as for the purchase of  
23 magazines, books, periodicals, pamphlets and reports, and for  
24 utility services such as water, light, heat, telephone or  
25 telegraph; and (m) where funds are expended in an emergency and  
26 such emergency expenditure is approved by 3/4 of the members of  
27 the board.

28 All competitive bids for contracts involving an  
29 expenditure in excess of \$10,000 must be sealed by the bidder  
30 and must be opened by a member or employee of the board at a  
31 public bid opening at which the contents of the bids must be  
32 announced. Each bidder must receive at least 3 days' notice of  
33 the time and place of such bid opening. For purposes of this  
34 Section due advertisement includes, but is not limited to, at  
35 least one public notice at least 10 days before the bid date in  
36 a newspaper published in the district, or if no newspaper is

1 published in the district, in a newspaper of general  
2 circulation in the area of the district.

3 The provisions of this Section do not apply to guaranteed  
4 energy savings contracts entered into under Article V-A.

5 (Source: P.A. 87-1023; 88-173.)

6 Section 90. The State Mandates Act is amended by adding  
7 Section 8.29 as follows:

8 (30 ILCS 805/8.29 new)

9 Sec. 8.29. Exempt mandate. Notwithstanding Sections 6 and 8  
10 of this Act, no reimbursement by the State is required for the  
11 implementation of any mandate created by this amendatory Act of  
12 the 94th General Assembly.

13 Section 99. Effective date. This Act takes effect July 1,  
14 2005.