



Rep. Jay Hoffman

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10400HB3730ham001

LRB104 12221 HLH 24641 a

1 AMENDMENT TO HOUSE BILL 3730

2 AMENDMENT NO. _____. Amend House Bill 3730 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Design-Build Procurement Act is amended by
5 changing Section 10 as follows:

6 (30 ILCS 537/10)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 10. Definitions. As used in this Act:

9 "State construction agency" means the Capital Development
10 Board or, until January 1, 2028, in the case of a design-build
11 procurement for a public institution of higher education, the
12 public institution of higher education. On and after January
13 1, 2028, a public institution of higher education is not
14 considered a State construction agency.

15 "Delivery system" means the design and construction
16 approach used to develop and construct a project.

1 "Design-bid-build" means the traditional delivery system
2 used on public projects in this State that incorporates the
3 Architectural, Engineering, and Land Surveying Qualification
4 Based Selection Act (30 ILCS 535/) and the principles of
5 competitive selection in the Illinois Procurement Code (30
6 ILCS 500/).

7 "Design-build" means a delivery system that provides
8 responsibility within a single contract for the furnishing of
9 architecture, engineering, land surveying and related services
10 as required, and the labor, materials, equipment, and other
11 construction services for the project.

12 "Design-build contract" means a contract for a public
13 project under this Act between the State construction agency
14 and a design-build entity to furnish architecture,
15 engineering, land surveying, and related services as required,
16 and to furnish the labor, materials, equipment, and other
17 construction services for the project. The design-build
18 contract may be conditioned upon subsequent refinements in
19 scope and price and may allow the State construction agency to
20 make modifications in the project scope without invalidating
21 the design-build contract.

22 "Design-build entity" means any individual, sole
23 proprietorship, firm, partnership, joint venture, corporation,
24 professional corporation, or other entity that proposes to
25 design and construct any public project under this Act. A
26 design-build entity and associated design-build professionals

1 shall conduct themselves in accordance with the laws of this
2 State and the related provisions of the Illinois
3 Administrative Code, as referenced by the licensed design
4 professionals Acts of this State.

5 "Design professional" means any individual, sole
6 proprietorship, firm, partnership, joint venture, corporation,
7 professional corporation, or other entity that offers services
8 under the Illinois Architecture Practice Act of 1989 (225 ILCS
9 305/), the Professional Engineering Practice Act of 1989 (225
10 ILCS 325/), the Structural Engineering Licensing Act of 1989
11 (225 ILCS 340/), or the Illinois Professional Land Surveyor
12 Act of 1989 (225 ILCS 330/).

13 "Evaluation criteria" means the requirements for the
14 separate phases of the selection process as defined in this
15 Act and may include the specialized experience, technical
16 qualifications and competence, capacity to perform, past
17 performance, experience with similar projects, assignment of
18 personnel to the project, and other appropriate factors. Price
19 may not be used as a factor in the evaluation of Phase I
20 proposals.

21 "Proposal" means the offer to enter into a design-build
22 contract as submitted by a design-build entity in accordance
23 with this Act.

24 "Public institution of higher education" has the meaning
25 ascribed in subsection (f) of Section 1-13 of the Illinois
26 Procurement Code.

1 "Request for proposal" means the document used by the
2 State construction agency to solicit proposals for a
3 design-build contract.

4 "Scope and performance criteria" means the requirements
5 for the public project, including but not limited to, the
6 intended usage, capacity, size, scope, quality and performance
7 standards, life-cycle costs, and other programmatic criteria
8 that are expressed in performance-oriented and quantifiable
9 specifications and drawings that can be reasonably inferred
10 and are suited to allow a design-build entity to develop a
11 proposal.

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

13 (30 ILCS 537/90 rep.)

14 Section 10. The Design-Build Procurement Act is amended by
15 repealing Section 90.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."