

HB2567



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2567

Introduced 2/19/2021, by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

30 ILCS 500/1-15.93
30 ILCS 500/30-30

Amends the Illinois Procurement Code. Modifies provisions concerning design-bid-build construction. Removes requirements concerning the use of the single prime procurement delivery method for building construction projects with total construction costs valued greater than or less than \$5,000,000. Extends the operative dates of specified provisions. Extends the repeal date of a Section defining "single prime". Makes conforming changes.

LRB102 13430 RJF 18774 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 Illinois Procurement Code is amended by
5 changing Sections 1-15.93 and 30-30 as follows:

6 (30 ILCS 500/1-15.93)

7 (Section scheduled to be repealed on January 1, 2022)

8 Sec. 1-15.93. Single prime. "Single prime" means the
9 design-bid-build procurement delivery method for a building
10 construction project in which the Capital Development Board is
11 the construction agency procuring 2 or more subdivisions of
12 work enumerated in paragraphs (1) through (5) of subsection
13 (a) of Section 30-30 of this Code under a single contract. This
14 Section is repealed on January 1, 2027 ~~2022~~.

15 (Source: P.A. 101-369, eff. 12-15-19; 101-645, eff. 6-26-20.)

16 (30 ILCS 500/30-30)

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

18 (a) The provisions of this subsection are operative
19 through December 31, 2026 ~~2021~~.

20 For building construction contracts in excess of \$250,000,
21 separate specifications may be prepared for all equipment,
22 labor, and materials in connection with the following 5

1 subdivisions of the work to be performed:

2 (1) plumbing;

3 (2) heating, piping, refrigeration, and automatic
4 temperature control systems, including the testing and
5 balancing of those systems;

6 (3) ventilating and distribution systems for
7 conditioned air, including the testing and balancing of
8 those systems;

9 (4) electric wiring; and

10 (5) general contract work.

11 The specifications may be so drawn as to permit separate
12 and independent bidding upon each of the 5 subdivisions of
13 work. All contracts awarded for any part thereof may award the
14 5 subdivisions of work separately to responsible and reliable
15 persons, firms, or corporations engaged in these classes of
16 work. The contracts, at the discretion of the construction
17 agency, may be assigned to the successful bidder on the
18 general contract work or to the successful bidder on the
19 subdivision of work designated by the construction agency
20 before the bidding as the prime subdivision of work, provided
21 that all payments will be made directly to the contractors for
22 the 5 subdivisions of work upon compliance with the conditions
23 of the contract.

24 Beginning on the effective date of this amendatory Act of
25 the 101st General Assembly and through December 31, 2026 ~~2020~~,
26 for single prime projects: (i) the bid of the successful low

1 bidder shall identify the name of the subcontractor, if any,
2 and the bid proposal costs for each of the 5 subdivisions of
3 work set forth in this Section; (ii) the contract entered into
4 with the successful bidder shall provide that no identified
5 subcontractor may be terminated without the written consent of
6 the Capital Development Board; (iii) the contract shall comply
7 with the disadvantaged business practices of the Business
8 Enterprise for Minorities, Women, and Persons with
9 Disabilities Act and the equal employment practices of Section
10 2-105 of the Illinois Human Rights Act; and (iv) the Capital
11 Development Board shall submit an annual report to the General
12 Assembly and Governor on the bidding, award, and performance
13 of all single prime projects.

14 ~~For building construction projects with a total~~
15 ~~construction cost valued at \$5,000,000 or less, the Capital~~
16 ~~Development Board shall not use the single prime procurement~~
17 ~~delivery method for more than 50% of the total number of~~
18 ~~projects bid for each fiscal year. Any project with a total~~
19 ~~construction cost valued greater than \$5,000,000 may be bid~~
20 ~~using single prime at the discretion of the Executive Director~~
21 ~~of the Capital Development Board.~~

22 (b) The provisions of this subsection are operative on and
23 after January 1, 2027 ~~2022~~. For building construction
24 contracts in excess of \$250,000, separate specifications shall
25 be prepared for all equipment, labor, and materials in
26 connection with the following 5 subdivisions of the work to be

1 performed:

2 (1) plumbing;

3 (2) heating, piping, refrigeration, and automatic
4 temperature control systems, including the testing and
5 balancing of those systems;

6 (3) ventilating and distribution systems for
7 conditioned air, including the testing and balancing of
8 those systems;

9 (4) electric wiring; and

10 (5) general contract work.

11 The specifications must be so drawn as to permit separate
12 and independent bidding upon each of the 5 subdivisions of
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14 the 5 subdivisions of work separately to responsible and
15 reliable persons, firms, or corporations engaged in these
16 classes of work. The contracts, at the discretion of the
17 construction agency, may be assigned to the successful bidder
18 on the general contract work or to the successful bidder on the
19 subdivision of work designated by the construction agency
20 before the bidding as the prime subdivision of work, provided
21 that all payments will be made directly to the contractors for
22 the 5 subdivisions of work upon compliance with the conditions
23 of the contract.

24 (Source: P.A. 100-391, eff. 8-25-17; 101-369, eff. 12-15-19;
25 101-645, eff. 6-26-20.)