

HB4111



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4111

by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

75 ILCS 5/5-5
75 ILCS 16/40-45

from Ch. 81, par. 5-5

Amends the Illinois Local Library Act and the Public Library District Act of 1991. Requires competitive bidding for contracts in excess of \$30,000 (rather than \$25,000) for specified improvements and equipment purchases. Effective immediately.

LRB103 33002 AWJ 62809 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 Illinois Local Library Act is amended by
5 changing Section 5-5 as follows:

6 (75 ILCS 5/5-5) (from Ch. 81, par. 5-5)

7 Sec. 5-5. When the board determines to commence the
8 construction of the building or the remodeling, repairing or
9 improving of an existing library building or the erection of
10 an addition thereto, the purchase of the necessary equipment
11 for such library, or the acquisition of library materials such
12 as books, periodicals, recordings and electronic data storage
13 and retrieval facilities in connection with either the
14 purchase or construction of a new library building or the
15 expansion of an existing library building, they may then
16 revise the plan therefor or adopt a new plan and provide
17 estimates of the costs thereof, and shall, when the cost is in
18 excess of \$30,000 ~~\$25,000~~, advertise for bids for the
19 construction of the building, or the remodeling, repairing or
20 improving of an existing library building or the erection of
21 an addition thereto, or the purchase of the necessary
22 equipment for such library, or the acquisition of library
23 materials such as books, periodicals, recordings and

1 electronic data storage and retrieval facilities in connection
2 with either the purchase or construction of a new library
3 building or the expansion of an existing library building, and
4 shall let the contract or contracts for the same, when the cost
5 is in excess of \$30,000 ~~\$25,000~~, to the lowest responsible
6 bidder or bidders.

7 The board shall not be required to accept a bid that does
8 not meet the library's established specifications, terms of
9 delivery, quality, and serviceability requirements. Contracts
10 which, by their nature, are not adapted to award by
11 competitive bidding, are not subject to competitive bidding,
12 including, but not limited to:

13 (1) contracts for the services of individuals
14 possessing a high degree of professional skill where the
15 ability or fitness of the individual plays an important
16 part;

17 (2) contracts for the printing of finance committee
18 reports and departmental reports;

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

21 (4) contracts for the maintenance or servicing of, or
22 provision of repair parts for, equipment which are made
23 with the manufacturer or authorized service agent of that
24 equipment where the provision of parts, maintenance, or
25 servicing can best be performed by the manufacturer or
26 authorized service agent;

1 (5) purchases and contracts for the use, purchase,
2 delivery, movement, or installation of data processing
3 equipment, software, or services and telecommunications
4 and interconnect equipment, software, and services;

5 (6) contracts for duplicating machines and supplies;

6 (7) contracts for utility services such as water,
7 light, heat, telephone or telegraph;

8 (8) contracts for goods or services procured from
9 another governmental agency;

10 (9) purchases of equipment previously owned by some
11 entity other than the library itself; and

12 (10) contracts for goods or services which are
13 economically procurable from only one source, such as for
14 the purchase of magazines, books, periodicals, pamphlets,
15 and reports.

16 Contracts for emergency expenditures are also exempt from
17 competitive bidding when the emergency expenditure is approved
18 by 3/4 of the members of the board.

19 The board shall require from such bidders security for the
20 performance of the bids determined by the board pursuant to
21 law. The board may let the contract or contracts to one or more
22 bidders, as they shall determine.

23 (Source: P.A. 100-338, eff. 8-25-17.)

24 Section 10. The Public Library District Act of 1991 is
25 amended by changing Section 40-45 as follows:

1 (75 ILCS 16/40-45)

2 Sec. 40-45. Bids for construction, improvements, or
3 equipment purchases.

4 (a) When the trustees determine to commence constructing
5 the building, purchasing a site or a building, remodeling,
6 repairing, or improving an existing library building, erecting
7 an addition to an existing library building, or purchasing the
8 necessary equipment for the library, they may then revise the
9 plan or adopt a new plan and provide estimates of the costs of
10 the revised or new plan.

11 (b) The board shall, when the cost is in excess of \$30,000
12 ~~\$25,000~~, advertise for bids for constructing the building,
13 remodeling, repairing, or improving of an existing library
14 building, erecting an addition to an existing library
15 building, or purchasing the necessary equipment for the
16 library and shall let the contract or contracts for the
17 project, when the cost is in excess of \$30,000 ~~\$25,000~~, to the
18 lowest responsible bidder or bidders. The board shall not be
19 required to accept a bid that does not meet the library's
20 established specifications, terms of delivery, quality, and
21 serviceability requirements. Contracts which, by their nature,
22 are not adapted to award by competitive bidding, are not
23 subject to competitive bidding, including, but not limited to:

24 (1) contracts for the services of individuals
25 possessing a high degree of professional skill where the

1 ability or fitness of the individual plays an important
2 part;

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

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

7 (4) contracts for the maintenance or servicing of, or
8 provision of repair parts for, equipment which are made
9 with the manufacturer or authorized service agent of that
10 equipment where the provision of parts, maintenance, or
11 servicing can best be performed by the manufacturer or
12 authorized service agent;

13 (5) purchases and contracts for the use, purchase,
14 delivery, movement, or installation of data processing
15 equipment, software, or services and telecommunications
16 and interconnect equipment, software, and services;

17 (6) contracts for duplicating machines and supplies;

18 (7) contracts for utility services such as water,
19 light, heat, telephone or telegraph;

20 (8) contracts for goods or services procured from
21 another governmental agency;

22 (9) purchases of equipment previously owned by some
23 entity other than the library itself; and

24 (10) contracts for goods or services which are
25 economically procurable from only one source, such as for
26 the purchase of magazines, books, periodicals, pamphlets,

1 and reports.

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

5 The board shall require from the bidders security for the
6 performance of the bids determined by the board pursuant to
7 law. The trustees may let the contract or contracts to one or
8 more bidders as they determine.

9 (Source: P.A. 100-338, eff. 8-25-17.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.