



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4415

Introduced 1/16/2024, by Rep. Lawrence "Larry" Walsh, Jr.

SYNOPSIS AS INTRODUCED:

110 ILCS 805/3-27.1

from Ch. 122, par. 103-27.1

Amends the Public Community College Act. With respect to the awarding of contracts by boards of trustees of community college districts, deletes the prohibition on electronic bid submissions for construction purposes.

LRB103 35441 CES 65509 b

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
8 purchase of supplies, materials or work involving an
9 expenditure in excess of \$25,000 or a lower amount as required
10 by board policy to the lowest responsible bidder considering
11 conformity with specifications, terms of delivery, quality,
12 and serviceability; after due advertisement, except the
13 following: (a) 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 part;
16 (b) contracts for the printing of finance committee reports
17 and departmental reports; (c) contracts for the printing or
18 engraving of bonds, tax warrants and other evidences of
19 indebtedness; (d) contracts for materials and work which have
20 been awarded to the lowest responsible bidder after due
21 advertisement, but due to unforeseen revisions, not the fault
22 of the contractor for materials and work, must be revised
23 causing expenditures not in excess of 10% of the contract

1 price; (e) contracts for the maintenance or servicing of, or
2 provision of repair parts for, equipment which are made with
3 the manufacturer or authorized service agent of that equipment
4 where the provision of parts, maintenance, or servicing can
5 best be performed by the manufacturer or authorized service
6 agent; (f) purchases and contracts for the use, purchase,
7 delivery, movement, or installation of data processing
8 equipment, software, or services and telecommunications and
9 inter-connect equipment, software, and services; (g) contracts
10 for duplicating machines and supplies; (h) contracts for the
11 purchase of natural gas when the cost is less than that offered
12 by a public utility; (i) purchases of equipment previously
13 owned by some entity other than the district itself; (j)
14 contracts for repair, maintenance, remodeling, renovation, or
15 construction, or a single project involving an expenditure not
16 to exceed \$50,000 and not involving a change or increase in the
17 size, type, or extent of an existing facility; (k) contracts
18 for goods or services procured from another governmental
19 agency; (l) contracts for goods or services which are
20 economically procurable from only one source, such as for the
21 purchase of magazines, books, periodicals, pamphlets and
22 reports, and for utility services such as water, light, heat,
23 telephone or telegraph; (m) where funds are expended in an
24 emergency and such emergency expenditure is approved by 3/4 of
25 the members of the board; and (n) contracts for the purchase of
26 perishable foods and perishable beverages.

1 All competitive bids for contracts involving an
2 expenditure in excess of \$25,000 or a lower amount as required
3 by board policy must be sealed by the bidder and must be opened
4 by a member or employee of the board at a public bid opening at
5 which the contents of the bids must be announced. Each bidder
6 must receive at least 3 days' notice of the time and place of
7 such bid opening. For purposes of this Section due
8 advertisement includes, but is not limited to, at least one
9 public notice at least 10 days before the bid date in a
10 newspaper published in the district, or if no newspaper is
11 published in the district, in a newspaper of general
12 circulation in the area of the district. Electronic bid
13 submissions shall be considered a sealed document for
14 competitive bid requests if they are received at the
15 designated office by the time and date set for receipt for
16 bids. ~~However, bids for construction purposes are prohibited~~
17 ~~from being submitted electronically.~~ Electronic bid
18 submissions must be authorized by specific language in the bid
19 documents in order to be considered and must be opened in
20 accordance with electronic security measures in effect at the
21 community college at the time of opening. Unless the
22 electronic submission procedures provide for a secure receipt,
23 the vendor assumes the risk of premature disclosure due to
24 submission in an unsealed form.

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

1 provisions of this Section do not prevent a community college
2 from complying with the terms and conditions of a grant, gift,
3 or bequest that calls for the procurement of a particular good
4 or service, provided that the grant, gift, or bequest provides
5 all funding for the contract, complies with all applicable
6 laws, and does not interfere with or otherwise impair any
7 collective bargaining agreements the community college may
8 have with labor organizations.

9 (Source: P.A. 97-1031, eff. 8-17-12; 98-269, eff. 1-1-14.)