



Sen. Cristina Castro

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10300HB5511sam002

LRB103 38791 RPS 74007 a

1 AMENDMENT TO HOUSE BILL 5511

2 AMENDMENT NO. _____. Amend House Bill 5511, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment
4 No. 1, by replacing line 11 on page 61 through line 19 on page
5 66 with the following:

6 "Section 7-5. The Illinois Procurement Code is amended by
7 adding Section 45-46 as follows:

8 (30 ILCS 500/45-46 new)

9 Sec. 45-46. Mid-size businesses.

10 (a) As used in the Section, "mid-size business" means a
11 business that is independently owned and operated and that is
12 not dominant in its field of operation. "Mid-size business"
13 includes a construction business with annual sales and
14 receipts in excess of \$14,000,000 but not over \$45,000,000.

15 (a-5) This Section applies only to construction-related
16 procurements for the Illinois State Toll Highway Authority.

1 (b) The chief procurement officer shall adopt rules to
2 establish additional criteria to designate mid-size businesses
3 for the purposes of the mid-size business set-asides described
4 in subsection (c), including the number of employees and
5 annual sales and receipts of the business. When computing the
6 size status of a potential contractor, annual sales and
7 receipts of the potential contractor and all of its affiliates
8 shall be included. The maximum number of employees and the
9 maximum annual sales and receipts that a mid-size business may
10 have under the rules adopted by the chief procurement officer
11 may vary from industry to industry, to the extent necessary to
12 reflect differing characteristics of those industries, subject
13 to the limitation that no business shall qualify as a mid-size
14 business if its annual sales and receipts exceed \$45,000,000.

15 (c) The applicable chief procurement officer shall
16 designate a fair proportion, as determined by the applicable
17 chief procurement officer in consultation with the Illinois
18 State Toll Highway Authority, of construction,
19 construction-related, and construction support contracts as
20 mid-size business set-asides for award to mid-size businesses
21 in Illinois. Advertisements for bids or offers for these
22 contracts shall specify designation as mid-size business
23 set-asides. In awarding the contracts, only bids or offers
24 from qualified mid-size businesses shall be considered. The
25 Illinois State Toll Highway Authority shall prepare an annual
26 report setting forth the use of this Section during the

1 preceding fiscal year and shall provide that report to the
2 applicable chief procurement officer no later than March 1 of
3 each calendar year. This Section is repealed 5 years after the
4 effective date of this Section."