

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 Civic Center Code is amended by changing
5 Section 280-80 as follows:

6 (70 ILCS 200/280-80)

7 Sec. 280-80. Contracts; bidding. All contracts for the
8 sale of property of the value of more than the small purchase
9 maximum under Section 20-20 of the Illinois Procurement Code
10 ~~\$10,000~~ or for any concession in or lease of property of the
11 Authority for a term of more than one year shall be awarded to
12 the highest responsible bidder, after advertising for bids.
13 All construction contracts and contracts for supplies,
14 materials, equipment and services, when the expense thereof
15 will exceed the small purchase maximum under Section 20-20 of
16 the Illinois Procurement Code ~~\$10,000~~, shall be let to the
17 lowest responsible bidder, after advertising for bids
18 excepting (1) when repair parts, accessories, equipment or
19 services are required for equipment or services previously
20 furnished or contracted for; (2) when the nature of the
21 services required is such that competitive bidding is not in
22 the best interest of the public, including, without limiting
23 the generality of the foregoing, the services of accountants,

1 architects, attorneys, engineers, physicians, superintendents
2 of construction, and others possessing a high degree of skill;
3 and (3) when services such as water, light, heat, power,
4 telephone or telegraph are required.

5 All contracts involving less than the small purchase
6 maximum under Section 20-20 of the Illinois Procurement Code
7 ~~\$10,000~~ shall be let by competitive bidding whenever possible,
8 and in any event in a manner calculated to ensure the best
9 interests of the public.

10 Competitive bidding is not required for the lease of real
11 estate or buildings owned or controlled by the Authority on
12 July 13, 1982 (the effective date of Public Act 82-786). The
13 Board is empowered to offer such leases upon such terms as it
14 deems advisable.

15 In determining the responsibility of any bidder, the Board
16 may take into account the past record of dealings with the
17 bidder, the bidder's experience, adequacy of equipment, and
18 ability to complete performance within the time set, and other
19 factors besides financial responsibility, but in no case shall
20 any such contracts be awarded to any other than the highest
21 bidder (in case of sale, concession or lease) or the lowest
22 bidder (in case of purchase or expenditure) unless authorized
23 or approved by a vote of at least three-fourths of the members
24 of the Board, and unless such action is accompanied by a
25 statement in writing setting forth the reasons for not
26 awarding the contract to the highest or lowest bidder, as the

1 case may be, which statement shall be kept on file in the
2 principal office of the Authority and open to public
3 inspection.

4 From the group of responsible bidders the lowest bidder
5 shall be selected in the following manner: to all bids for
6 sales the gross receipts of which are not taxable under the
7 "Retailers' Occupation Tax Act", approved June 28, 1933, as
8 amended, there shall be added an amount equal to the tax which
9 would be payable under said Act, if applicable, and the lowest
10 in amount of said adjusted bids and bids for sales the gross
11 receipts of which are taxable under said Act shall be
12 considered the lowest bid; provided, that, if said lowest bid
13 relates to a sale not taxable under said Act, any contract
14 entered into thereon shall be in the amount of the original bid
15 not adjusted as aforesaid.

16 Contracts shall not be split into parts involving
17 expenditures of less than the small purchase maximum under
18 Section 20-20 of the Illinois Procurement Code ~~\$10,000~~ for the
19 purposes of avoiding the provisions of this Section, and all
20 such split contracts shall be void. If any collusion occurs
21 among bidders or prospective bidders in restraint of freedom
22 of competition, by agreement to bid a fixed amount or to
23 refrain from bidding or otherwise, the bids of such bidders
24 shall be void. Each bidder shall accompany his bid with a sworn
25 statement that he has not been a party to any such agreement.

26 Members of the Board, officers and employees of the

1 Authority, and their relatives within the fourth degree of
2 consanguinity by the terms of the civil law, are forbidden to
3 be interested directly or indirectly in any contract for
4 construction of maintenance work or for the delivery of
5 materials, supplies or equipment.

6 The Board shall have the right to reject all bids and to
7 readvertise for bids. If after any such advertisement no
8 responsible and satisfactory bid, within the terms of the
9 advertisement, shall be received, the Board may award such
10 contract, without competitive bidding, provided that it shall
11 not be less advantageous to the Authority than any valid bid
12 received pursuant to advertisement.

13 The Board shall adopt rules and regulations to carry into
14 effect the provisions of this Section.

15 (Source: P.A. 93-491, eff. 1-1-04.)

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