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LEGAL ALERT

REQUIREMENTS RELAXED FOR LOCAL GOVERNMENT PROCUREMENT OF ARCHITECTURAL, ENGINEERING, AND LAND SURVEYING SERVICES

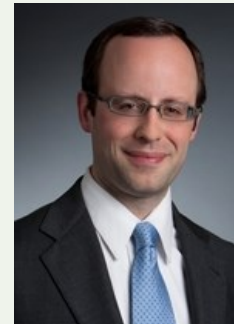
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All units of local government in Illinois, including school districts, but excluding home rule municipalities and counties, must follow the quality based selection process in the Illinois Local Government Professional Services Selection Act (“Act”) before contracting for architectural, engineering and land surveying services, with some exceptions. *See* 50 ILCS 510/1, *et seq.* The Act’s selection process requires public notice, an evaluation procedure and a selection procedure. The Act’s selection process does not apply if the unit of local government contracts with an architectural, engineering or land surveying firm with which the unit of local government already has a satisfactory relationship. The Act has exceptions, including in emergency situations, and if the cost of the architectural, engineering and land surveying services are expected to be below the threshold in Section 8 of the Act. 50 ILCS 510/8.



The Illinois General Assembly amended Section 8 of the Act in Public Act 100-968 (“Public Act”), which took effect January 1, 2019. Prior to January 1, 2019, the threshold for the cost of services exempt from the Act’s selection process was \$25,000. The Public Act amended Section 8 by increasing the cost threshold exception to \$40,000, which amount will be adjusted annually by any percentage increase in the Consumer Price Index-U, as determined by the United States Bureau of Labor Statistics. Decreases in

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the Consumer Price Index-U will not reduce the cost threshold.

The specific amendments to Section 8 of the Act from the Public Act are below, with additions underlined and deletions struck through:

A political subdivision may waive the requirements of Sections 4, 5, and 6 if it determines, by resolution, that an emergency situation exists and a firm must be selected in an expeditious manner, or the cost of architectural, engineering, and land surveying services for the project is expected to be less than \$40,000 ~~\$25,000~~. This amount shall be increased annually by a percentage equal to the annual unadjusted percentage increase, if any, as determined by the consumer price index-u.

For purposes of this Section, "consumer price index-u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84=100.

This Public Act relaxes the requirements of the Act, by raising the cost threshold to \$40,000, and automatically increasing the threshold thereafter if the Consumer Price Index-U increased in the prior year. Because the cost threshold has been raised, it is expected that less contracts for services with architectural, engineering or land surveying firms will be subject to the Act's selection procedures.