

Begin forwarded message:

From: "Scott E. Nemanich" <senemanich@ktjlaw.com>
Date: February 18, 2025 at 7:08:39 AM CST
To: "Greenlee, Mike" <mgreenlee@nbcusd.org>
Subject: Response to inquiry

In answer to the question- hiring an architect is exempt from the general bidding statute for contracts as well as your policy regarding bidding in that it is governed by the specific statute that I already detailed to you. When it comes to the selection of an architect, you cannot legally go out to bid- you follow the process previously described. I would ask you to note 50 ILCS 510/5, which states in relevant part: "In no case shall a political subdivision, prior to selecting a firm for negotiation under Section 7 (50 ILCS 510/7), seek formal or informal submission of verbal or written estimates of costs or proposals in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation."
 The district's policy is fine as to contracts where you request bids, such as all covered under 105 ILCS 5/10-20.21. It simply doesn't apply to the selection of architects. Scott N.

K|T|J KLEIN, THORPE & JENKINS

SCOTT E. NEMANICH
 Partner

senemanich@ktjlaw.com
 o: 708.349.3888 | c: 815.347.7851

15010 S. Ravinia Avenue, Ste 10
 Orland Park, IL 60462 | p: 708.349.3888

ktjlaw.com

From: Greenlee, Mike <mgreenlee@nbcusd.org>
Sent: Monday, February 17, 2025 4:58 PM
To: Scott E. Nemanich <senemanich@ktjlaw.com>
Subject: Fwd: Life Safety Study

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Hi Scott,

Can you specifically answer Nancy's question below. She is asking how this complies with policy 4:60. I have provided her direct wording.

Mike

----- Forwarded message -----

From: Schilling, Nan <nschilling@nbcusd.org>
Date: Mon, Feb 17, 2025 at 8:04 AM
Subject: Life Safety Study
To: Mike Greenlee <mgreenlee@nbcusd.org>

Morning Mike:

In reviewing the agenda for the upcoming board meeting, I noticed that the question posed to the board attorney was not the question I requested be answered. Specifically, a review of the live stream clearly reveals the following:

Mrs. Schilling, "How does that comply with our policy requiring three bids for \$10,000 and over?"

Ms. Corder, "This is generally something that is"

Mrs. Schilling, "It's not exempt. So how do we comply with policy?"

Ms.Corder, "I guess that would be a question I would ask every district because I know lots of districts that don't do it that way.

Mrs. Schilling, "I don't care about any other district, but right here. Our policy, we put in specific language. We just talked about it. We just passed it less than a half hour ago, says we need three bids. How are we complying with our board policy?"

Dr. Greenlee, "That could be a question for uh, Scott Nemanich I can bring that back."

Therefore, please have Attorney Nemanich provide his legal opinion as to how our board is complying with our board policy requiring three bids for any item over \$10,000.

Thanks so much,
 Nancy