

Bond Case Briefs

Municipal Finance Law Since 1971

PUBLIC CONTRACTS - ILLINOIS

Restore Construction Company, Inc. v. Board of Education of Proviso Township High Schools District 209

Supreme Court of Illinois - April 16, 2020 - N.E.3d - 2020 IL 125133 - 2020 WL 1880809

Contractors brought action against school district's board of education, seeking recovery under quantum meruit, among other claims, for repair and restoration work performed for fire-damaged high school.

The Circuit Court granted board's motion to dismiss. Contractors appealed. The Appellate Court reversed. Board's petition for leave to appeal was allowed.

The Supreme Court held that lack of competitive bidding and absence of formal vote by board did not preclude quantum meruit claims.

Lack of competitive bidding and absence of formal, recorded vote by board of education did not preclude contractors' quantum meruit claims against school district to recover for emergency repair and restoration work performed, despite contention that contracts were ultra vires; district was operating under fiscal management of a financial oversight panel that was fully apprised of the work performed, school code specifically provided that enumerated powers were not exclusive, and hiring an entity to do repair and restoration work was among types of action boards were authorized to undertake.