

VILLAGE OF BIG ROCK
ORDINANCE NO. 2019- _____

AN ORDINANCE REGARDING COMPETITIVE BIDDING

ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF BIG ROCK
THIS 26TH DAY OF MARCH, 2019

Published in pamphlet form by the authority of the Board of Trustees of the
Village of Big Rock, Kane County, Illinois
this 26th day of March, 2019

ORDINANCE NO. 2019-_____
AN ORDINANCE REGARDING COMPETITIVE BIDDING

WHEREAS, the Village of Big Rock is a municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, State statute, 65 ILCS 5/8-9-1, requires municipalities to seek competitive bids and award contracts to the lowest responsible bidder for public improvements which exceed the minimum amount established by State statute, which amount is currently \$25,000.00; and

WHEREAS, the Village has consistently complied with the competitive bidding requirements of this State statute for public improvement projects; and

WHEREAS, this State statute also allows a municipality to dispense with competitive bidding when authorized by a vote of two-thirds of the village trustees then holding office; and

WHEREAS, by this ordinance, the Village of Big Rock Board of Trustees desires to reconfirm its obligation and intent to adhere to the requirements of this competitive bidding statute, and to establish exceptions where competitive bidding is not required and if authorized by a two-thirds vote of the Village Trustees then holding office; and

WHEREAS, the Village of Big Rock Board of Trustees find that this ordinance promotes and protects the public health, safety and welfare and is in the public interest.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Big Rock, Kane County, Illinois, as follows:

Section 1: The above-stated Recitals are hereby restated and incorporated into this Section 1 as though fully set forth herein.

Section 2: It is the policy of the Village to engage in competitive bidding and to award contracts to the lowest responsible bidder for public improvements projects where the costs of said projects exceed the minimum amount established by State statute, 65 ILCS 5/8-9-1 (the "Act"), as amended from time to time. It is further the policy of the Village to comply with the requirements of the Act, other applicable provisions of Illinois law, and any policies established by the Village, when awarding contracts for public improvements, except as limited by Section 3 below.

Section 3: The Act allows the Village to dispense with the competitive bidding requirements and approve a contract for a public improvement project if approved by a vote of two-thirds of the Village Trustees then holding office. It is the policy of the Village that it may waive competitive bidding and approve contracts for public improvement projects under the following circumstances and only if approved by a vote of two-thirds of the Village Trustees then holding office:

- A. Where competitive bidding is impractical because the public improvement project is capable of being performed primarily and realistically by a single source, or because it primarily or realistically involves a single source of product;
- B. Where competitive bidding is impractical because the costs of the public improvement project, although over the statutory limit, are too low in comparison to the costs to engage in competitive bidding (design and engineering, preparation of bid package, advertising for bids, review and award of bids), where such competitive bidding is performed by a third party on behalf of the Village;
- C. Where the public improvement project involves renovations or improvements to existing Village buildings or facilities (i.e., waste treatment plant; gazebo) which cost in excess of the statutory limit, and competitive bidding is impractical for such work; or
- D. Where an emergency renders competitive bidding impractical.

Section 4: In the event that competitive bidding is waived pursuant to Section 3(B) or (C) of this ordinance, the Village is encouraged when possible to seek multiple proposals for the work and to award the contract based on the lowest, responsible proposal received.

Section 5: As set forth in the Act, competitive bidding is not required for the purchase of materials, for the use of professional or unique services, or for contracts between the Village and the federal government or any agency thereof.

Section 6: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 7: This ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PRESENTED to the Board of Trustees of the Village of Big Rock, Kane County, Illinois on this 26th day of March, 2019.

Trustee Hanninen ____ Trustee Metzger ____ Trustee Lynch ____
 Trustee McCannon ____ Trustee Walsh ____

PASSED by the Board of Trustees of the Village of Big Rock, Kane County, Illinois, this 26th day of March, 2019.

SIGNED by the President of the Board of Trustees of the Village of Big Rock, Kane

County, Illinois, this 26th day of March, 2019.

Dean Hummell, President
Village of Big Rock, Illinois

ATTEST:

Tim May, Village Clerk
Village of Big Rock, Illinois

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

CLERK’S CERTIFICATE

I, Tim May, certify that I am the Village Clerk of the Village of Big Rock, Kane County, Illinois, and as such officer I am the keeper of the records, files and proceedings of the corporate authorities of said municipality.

I further certify that:

ORDINANCE NO. 2019-_____

AN ORDINANCE REGARDING COMPETITIVE BIDDING

was adopted by the President and Board of Trustees of the Village of Big Rock at a meeting held on March 26, 2019 and approved by the Village President on March 26, 2019. I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board complied with all the requirements of the Illinois Open Meeting Act.

I do further certify that the ordinance, of which the attached is a true and correct copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of same.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and the seal of the municipality this 26th day of March, 2019.

(SEAL)

Tim May, Village Clerk
Village of Big Rock, Illinois