

**CHAPTER 31**

**PURCHASING CODE**

**31-1-1      GENERAL PROCEDURES.**

(A)            The Village Administrator shall be the purchasing agent for the Village, as provided in **65 ILCS 5/3.1-30-5**. As purchasing agent, the Village Administrator shall oversee the purchasing of goods and services by Village employees, requiring that they follow good purchasing practices. The Village Administrator shall have the authority to reject any and all requests or requisitions for the expenditure of funds unless the expenditures are required by law or unless instructed by the Village Board to proceed with an expenditure.

(B)            The Village Administrator shall monitor all expenditures, bringing to the attention of the Board of Trustees any purchasing practices he or she feels are unethical or could be considered a conflict of interest.

(C)            A purchase order or contract shall be valid only when signed by the Village Administrator who shall have determined that there are sufficient funds appropriated to cover such purchases.

(D)            All purchases must be covered by a purchase order or by a contract, except those purchases under **One Hundred Dollars (\$100.00)** which a separate form will be provided.

(E)            The Village Administrator shall examine all purchase orders and he or she shall have the authority to revise purchase orders as to quantity or established cost after consulting with the director of the using department.

(F)            Questions of interpretation of these regulations or questions on procedures in purchasing not specifically stated herein shall be referred to the Village Administrator.

(G)            Except in cases where they are not as restrictive as the Village's purchasing regulations, applicable state and federal laws shall supersede any regulations of the Village concerning purchasing.

(Former Code, § 31-1-1)

**31-1-2      PURCHASING.**

(A)            **Purchases Less Than Five Hundred Dollars (\$500.00).** Purchases within this category may be authorized by a department director. Purchases in this category may be made for goods or services for which there are line items in the budget. **(Ord. No. 1206; 01-17-06)**

(B)            **Purchases From Five Hundred Dollars (\$500.00) to Five Thousand Dollars (\$5,000.00).**

(1)            For purchases within this category, a department director shall solicit, orally or in writing, at least **three (3) bids**, either oral or written non-sealed, for the item or items. The department director shall submit the completed purchase order with bids attached to the Village Administrator, or in his or her absence, the acting Village Administrator, prior to the issuance and signing of a purchase order. The execution of the bid requirement shall be documented by the department director on the purchase order provided by the office of the Village Administrator.

- (2) The department director may then, after a purchase order number has been assigned and the purchase order is signed by the Village Administrator, proceed with the purchase or contract for services to the lowest responsible bidder who submits the bid most advantageous to the Village. **(Ord. No. 1206; 01-17-06)**

(C) **Purchases From Five Thousand Dollars (\$5,000.00) to Ten Thousand Dollars (\$10,000.00).**

- (1) For purchases within this category, a department director shall solicit, orally or in writing, at least **three (3)** non-sealed written bids for the item or items. The department director shall submit the completed purchase order with bids attached to the Village Administrator, prior to the issuance and signing of a purchase order. The execution of the bid requirement shall be documented by the department director on the purchase order provided by the office of the Village Administrator.
- (2) The department director may then, after a purchase order number has been assigned and the purchase order is signed by the Village Administrator, proceed with the purchase or contract for service to the lowest responsible bidder who submits the bid most advantageous to the Village. **(Ord. No. 1206; 01-17-06)**

(D) **Purchases From Ten Thousand Dollars (\$10,000.00) to Twenty Thousand Dollars (\$20,000.00).**

- (1) Purchases within this category shall require prior approval of the Board of Trustees, except for emergency purchases, in which case the Village Administrator may proceed with the purchase and shall, at the next regularly scheduled Board meeting, advise the Village Board of the purchase the circumstances creating an emergency.
- (2) For purchases within this category, a department director shall solicit, orally or in writing, at least **three (3)** non-sealed written bids for item or items. The Village Administrator may then submit his or her recommendation to the Board for approval. **(Ord. No. 1206; 01-17-06)**

(E) **Purchases Greater Than Twenty Thousand Dollars (\$20,000.00).** Contracts and supplies in excess of **Twenty Thousand Dollars (\$20,000.00)** shall be handled in accordance with the requirements contained in **65 ILCS 5/8-9-1** and **5/8-9-2**. The Board of Trustees shall have the authority to award contracts within this category. Items within this category shall be purchased from the lowest responsible bidder, after due notice inviting bids, unless competitive bidding is waived by **two-thirds (2/3)** of the Trustees then holding office. **(Ord. No. 1206; 01-17-06)**

(F) **Blanket Orders.** Blanket purchase orders will be issued each month to the several vendors the Village uses to supply minor items on a regular basis. Purchase of small items can then be made by going to the store, purchasing the item, signing a sales slip, and telling the vendor to charge the purchase against the blanket purchase order. A signed copy of the sales slip is left with the vendor who will send it to the Village with his or her monthly statement.

(G)

**Exceptions to the Purchasing Policy.**

- (1) **Single-Source Purchases.** In the event there is only one acceptable vendor capable of furnishing a particular service or commodity, the department director may be authorized to procure such service or commodity without bidding. The department director shall document the particular facts which make the item a single-source purchase, and the purchase shall be approved by the Village Administrator.
- (2) **Emergency Purchases.**
  - (a) Emergency purchases will happen and must be handled. Emergency purchases are defined as those purchases which must be made in order to prevent the loss of life, or to protect a service that simply cannot be stopped or delayed. Emergency purchases do not include items that are discovered to be needed at once simply because a department director forgot to order an item ahead of time.
  - (b) When it is necessary to make an emergency purchase, the procedure will be to call the Village Administrator for oral approval, then proceed with the purchase. A purchase order complete with all details of the purchase and marked "confirming emergency order of (date)" will then be submitted to the Village Administrator.
  - (c) If for some reason it is impossible to reach the Village Administrator, for example on a weekend or in the evening, the department director can order the purchase. In this case, the purchase and rationale must be reported to the Village Administrator immediately on the first working day after the purchase. A purchase order complete as to details of the purchase must be submitted.
- (3) **Cooperative Purchasing.** The purchasing procedures established shall not apply to purchases made by, through, or with the division of procurement of the state, the purchasing department, or any other governmental agency or unit with whom the Village is permitted to engage in cooperative purchasing. The Village Administrator has the authority to join with any other governmental unit in cooperative purchasing when the best interests of the Village shall be served by such cooperative purchasing.
- (4) **Confidential Expenditures.** Confidential expenditures such as payments to informants, purchase of materials as evidence (such as narcotics), or other uses as may be required by law enforcement personnel working in an undercover capacity, cannot be subject to normal purchasing procedures. All such disbursements made shall be approved by the Chief of Police and Village Administrator and shall be documented by written vouchers showing date, amount, nature of expenditure, signature of requesting officer or agent, and approval of the Chief of Police.

(5) **Professional Services and Real Estate.** Specifically excluded from the provisions of the Village's purchasing policy are the procurement of real estate and professional services.

(H) **Subdivision of Contracts.** No contract or purchase shall be subdivided to avoid the requirements of the Village's purchasing policy.  
(Former Code, § 31-1-2)

**31-1-3 BIDDING AND CONTRACTS FOR PURCHASES GREATER THAN TWENTY THOUSAND DOLLARS (\$20,000.00).**

(A) **Notice Inviting Bids.** Notice inviting bids for purchases greater than **Twenty Thousand Dollars (\$20,000.00)** shall be published at least once in a newspaper with general circulation within the Village.

(B) **Scope of Notice.** The newspaper notice required herein shall include a general description of the work to be performed or the articles to be purchased, shall state where specifications may be secured, and the time and place for opening bids.

(C) **Bid Deposits.** When deemed necessary by the Board of Trustees, bid deposits shall be prescribed in the public notices inviting bids. Unsuccessful bidders shall be entitled to the return of their bid deposits upon the award of the contract by the Board of Trustees. A successful bidder shall forfeit any bid deposit required by the Board of Trustees upon failure on his or her part to enter into a contract within ten days after the award.

(D) **Bid Specifications.**

(1) It shall be the duty of the department director to prepare written specifications for open, competitive bidding. Such specifications shall be approved by the Village Administrator or by such knowledgeable person as the Village Administrator may appoint to review the specifications. The Village Administrator, at his or her discretion, may mail bid specifications to prospective bidders.

(2) The department director shall have the authority to interview such salesmen or representatives of manufacturing concerns as he or she may wish in the development of specifications as long as such interviewing does not result in a cost to the Village.

(E) **Bid Opening Procedure.**

(1) **Sealed.** Bids for purchases greater than **Twenty Thousand Dollars (\$20,000.00)** shall be submitted sealed to the Village Administrator's office and shall be identified as bids on the envelope.

(2) **Opening.** Bids shall be opened in public at the time and place stated in the public notice.

(3) **Tabulation.** A tabulation of all bids received shall be made by the Board of Trustees or by a Village employee, in which event, a tabulation of the bids shall be furnished to the Board of Trustees at its next regular meeting.

(F) **Rejection of Bids.** The Village shall have the authority to reject all bids or parts of all bids when the public interest will be served thereby.

(G) **Bidders in Default to Village.** The Village shall not accept the bid of a contractor who is in default on the payment of taxes, licenses, or other monies due the Village.

(H)

**Award of Contract.**

- (1) **Lowest Responsible Bidder.** Contracts shall be awarded to the lowest responsible bidder on the basis of the bid that is in the best interest of the Village to accept. In awarding the contract, in addition to price, the Board of Trustees shall consider:
  - (a) The ability, capacity, and skill of the bidder to perform the contract to provide the service required;
  - (b) Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;
  - (c) The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
  - (d) The quality of the performance of previous contracts or services;
  - (e) The previous and existing compliance by the bidder with laws and ordinances relating to the contract and service;
  - (f) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;
  - (g) The quality, availability, and adaptability of the supplies or contractual services to the particular use required;
  - (h) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract;
  - (i) The number and scope of conditions attached to the bid.
- (2) **Performance Bonds.** The Board of Trustees shall have the authority to require a performance bond, before entering into a contract, in such amounts as it shall find reasonably necessary to protect the best interests of the Village.