

ORDINANCE NUMBER 06 - 08

**ORDINANCE AMENDING THE TEXT OF TITLE III,
ADMINISTRATION, CHAPTER 34, VILLAGE POLICIES,
SECTIONS 34.01 AND 34.03, OF THE CODE OF ORDINANCES
OF THE VILLAGE OF EAST DUNDEE**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the President and Board of Trustees of the Village of East Dundee having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that Title III, **Administration**, Chapter 34, **Village Policies**, Sections 34.01 and 34.03, be amended.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That **Title III, Administration, Chapter 34, Village Policies**, of the Village of East Dundee Code of Ordinances is hereby amended by deleting Sections 34.01 and 34.03 in their entirety and inserting the following in lieu thereof:

§ 34.01 COMPETITIVE BIDS TO BE OBTAINED.

Any labor, lease, goods or services to be purchased, sale of personal property, equipment or supplies or public improvement which is not to be paid for in whole or in part by a special assessment or special taxation, where the expenses or costs thereof will exceed \$20,000 shall be constructed or purchased either:

(A) By a contract let to the lowest responsible bidder after advertising for bids, except that any contract may be entered into by the proper officers without advertising for bids if authorized by a vote of two-thirds of all the Trustees elected; or

(B) In the manner following, if authorized by a vote of two-thirds of all the Trustees elected, to wit: the proper officers or departmental head shall make the

purchase or shall superintend and cause the work or construction to be carried out, but all material of the value of \$20,000 and upward used in any construction work or public improvement shall be purchased by contract let to the lowest responsible bidder in the manner prescribed herein. Nothing herein contained shall apply to any contract with the Federal Government or any agency thereof.

. . .

§ 34.03 PROCEDURE IN CONTRACTS OVER \$20,000

(A) *Publication.* All proposals to award purchase orders or contracts in excess of \$20,000 shall be published once at least ten days in advance of the date announced for the receiving of bids in a newspaper of general circulation throughout the village by the Clerk. Nothing herein shall be construed to prohibit the Clerk from posting additional notices or advertising in addition thereto in trade magazines, if so directed by the Board of Trustees.

(B) *Advertisements for bids.* Advertisement for bids shall describe the character of the proposed contract, purchase or improvement in sufficient detail to enable the bidders thereon to know what their obligations will be, either in the advertisement itself, or by reference, to detailed plans and specifications on file in the office of the Clerk at the time of publication of the announcement. The advertisement shall also state the date, time and place assigned for the opening of bids and the bids will be received at any time subsequent to the time indicated in the announcement.

(C) *Deposit on bids.* Cash, a cashier's check or a certified check as a deposit of good faith, in a reasonable amount not in excess of 10% of the contract or purchase amount, may be required of each bidder on all sums in excess of \$20,000 if specified in the bid announcement.

(D) *Opening of sealed bids.* All sealed bids shall be opened publicly by the Board of Trustees. All bids shall be open to public inspection in the office of the Clerk.

(E) *Bid award.* The award of any purchase or contract in excess of \$20,000 shall be made by the Board of Trustees to the lowest or highest responsible bidder, depending on whether the village is to expend or receive money.

Section Two. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Three. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Four. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 20th day of March, 2006, pursuant to a roll call vote as follows:

AYES: Ruffalo, VanOstenbridge, Scarpelli, O'Leary,
Carlini, President Bartels

NAYES: _____

ABSENT: Gorman

Approved by me this 20th day of March, 2006.

Jerald Bartels
JERALD BARTELS, President

Published in pamphlet form this 23rd day of March, 2006, under the authority of the President and Board of Trustees.

ATTEST:

Sue Norton
Village Clerk Sue Norton

Recorded in the Village Records on March 23rd, 2006.

