

ORDINANCE NO. 18-_____
AN ORDINANCE AMENDING CHAPTER 2 OF THE WESTMONT CODE OF
ORDINANCE TO CREATE A NEW ARTICLE X ENTITLED
“COMPETITIVE BIDDING”

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

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

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

WHEREAS, the Village of Westmont Board of Trustees desires to amend Chapter 2 of the Westmont Code of Ordinances to create a new Article X entitled “Competitive Bidding”; and

WHEREAS, the intent of this new Article X is (1) to confirm the Village’s policy of compliance with the competitive bidding requirements of said State statute; and (2) to establish certain exceptions to the competitive bidding requirements, including but not limited to, renovations or improvements to existing municipal buildings where complying with the competitive bidding requirements is not reasonably feasible; and

WHEREAS, it is further the intent of the new Article X that, in the event that an exception to the competitive bidding requirements applies, that the contract for public improvements shall require the approval of two-thirds of the Village Trustees then holding office, which procedure is specifically authorized by said State statute; and

WHEREAS, the Village of Westmont Board of Trustees finds that approving this amendment to Westmont Code of Ordinances is in the public interest and will allow for more efficient approvals of certain limited public improvement contracts.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Westmont, DuPage 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: Chapter 2, Administration, of the Westmont Code of Ordinances is hereby amended by creating a new Article X entitled “Competitive Bidding” which shall read as follows (amendments are indicated by underlined and shaded text):

ARTICLE X. – COMPETITIVE BIDDING.

Sec. 2-567. – Competitive bidding.

It is the policy of the village to engage in competitive bidding and to award contracts to the lowest responsible bidder for public improvement 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 approved by the village, when awarding contracts for public improvement projects, except as limited by section 2-568.

Sec. 2-568. – Exceptions to competitive bidding.

The village is not obligated to comply with the competitive bidding requirements of State statute under the following circumstances: (1) where the public improvement project involves renovations or improvements to existing village buildings which cost in excess of the minimum amount established by State statute, and competitive bidding is impractical for such work, (2) where competitive bidding is impractical because the public improvement project is capable of only being primarily performed by a single source, or (3) where an emergency exists rendering competitive bidding impractical.

When one of said exceptions to the competitive bidding requirements applies, the contract for the public improvement project shall only be awarded if approved by a vote of two-thirds of the village trustees then holding office, as required by State statute. Additionally, if the public improvement project involves renovations or improvements to existing village buildings, the village shall first make reasonable attempts to obtain three proposals for the work, and the contract shall be awarded based on the lowest responsible proposal.

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

Section 4: This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the Mayor and Board of Trustees of the Village of Westmont, DuPage County, Illinois, this 6th day of December, 2018.

Ayes: _____ Nays: _____ Absent: _____

APPROVED:

Ronald J. Gunter, Mayor

ATTEST:

Virginia Szymski, Village Clerk