

ORDINANCE NUMBER: 2016-01

AN ORDINANCE TRANSFERRING A PORTION OF CHAPTER 2 BIDDING PROCEDURES SECTION 2-561 THROUGH SECTION 2-565 TO CHAPTER 58 ARTICLE IV BIDDING PROCEDURES SECTION 58-182 THROUGH SECTION 58-186 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS

WHEREAS, the Board of Trustees for the Village of Cherry Valley, Illinois has discussed moving the Bidding Procedures Section from 2-561 through Section 2-565 to Chapter 58, Article IV Section 58-182 through Section 58-186; and,

WHEREAS, in order to transfer the above referenced sections it is necessary to enact an Ordinance.

NOW, WHEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, AS FOLLOWS:

SECTION 1: Chapter 2 Administration Bidding Procedures Section 2-561 through Section 2-565 shall and hereby are deleted and reserved.

SECTION 2: Chapter 58, Article IV Bidding Procedures shall and hereby is amended to read as follows:

Sec. 58-182. - When bid required.

- (a) Any work or other public improvement which is not to be paid for in whole or in part by special assessment or special taxation when the expense thereof will exceed \$20,000.00 shall be advertised for bids as stated in this division, except that any such contract may be entered into by the proper officer without advertising for bids, if authorized by a vote of two-thirds of the trustees then holding office or if the proper officers of the village to be designated by ordinance shall supervise and cause to be carried out the construction of work or other public improvement and shall employ exclusively for the performance all manual labor thereon, laborers and artisans whom the village shall pay by the day or hour provided all material of the value of \$20,000.00 and upward used in the construction of the work or other public improvements shall be purchased by contract let to the lowest responsible bidder as set out in this division.
- (b) For the purpose of this section only, the term "public improvement" shall specifically exclude the purchase of equipment and machinery not pertaining to infrastructure improvements. All other expenditures in excess of \$20,000.00 shall be subject to the bidding procedures set forth in this division.

Sec. 58-183.- Notice to bidders; opening bids; form of notice.

- (a) Bids required by this division shall be reduced to definite specifications, which shall be held on file for inspection by the village clerk during regular business hours.

A notice to bidders indicating what is being let for bids and indicating that the specifications of the project can be viewed in the office of the village clerk during regular business hours, shall be published in a newspaper of general circulation in the village. The notice shall provide that the bidders can submit their bids to the village clerk for a definite period of time of not less than 15 days nor more than 30 days after the publication thereof.

- (b) When the time for bidding as stated in the notice has lapsed, no further bids will be accepted by the village clerk. All submitted bids will be opened at the date, time and place as indicated on the invitation for bids of the village at which time all bids will be publicly opened and read aloud. All bidders will be noted in the minutes of that meeting wherein the bids are publicly opened and the bid shall be analyzed as to its responsiveness to the specifications and the committee opening the bids and reviewing them at such time shall make a recommendation to the full village board as to the acceptance of the various bids.
- (c) The invitation for bids of the village, as referred to in subsection (b) of this section shall be in substantially the following form:

INVITATION FOR BIDS
VILLAGE OF CHERRY VALLEY

The Village of Cherry Valley, Winnebago County, Illinois, does hereby invite sealed bids for the purpose: _____

Bids will be received until / / on , by mail or delivered by hand to the village clerk, Village of Cherry Valley, 101 East State Street, Cherry Valley, Illinois, after which time and at such place all bids will be publicly opened and read aloud.

Those desiring to bid may obtain copies of the specifications and other bidding documents after _____ from the office of the village clerk.

Bidders will be required to comply with all laws including those related to the employment of labor and the payment of local prevailing wage rates.

Bid security in the form of a certified check or bank draft payable to the Village of Cherry Valley, or a satisfactory bid bond, in the amount of ten percent of the total bid price shall be submitted with each bid, if deemed necessary by the board of trustees, and as designated in the notice. No bid shall be withdrawn for a period of 30 days subsequent to the opening of bids without consent of the Village of Cherry Valley.

The successful bidder will be required to furnish and pay for a satisfactory performance and payment bond in the amount of 100 percent of the contract sum, if deemed necessary by the village board.

The contract will be awarded to the lowest responsible bidder complying with the provisions of this invitation for bids, contract, without discrimination on the grounds of race,

color, national origin, or physical handicap. The village board reserves the right to reject any and all proposals.

Sec. 58-184. - Lowest responsible bidder.

The lowest responsible bidder as indicated in this division shall mean the bidder who is by experience or otherwise capable of doing the work in a satisfactory manner.

Sec. 58-185.- Cross bidding.

It shall be unlawful for the winning bidder to sublet any or all of the contract so bid to a subcontractor who has also bid on the project. Violation of this division shall, at the option of the board of trustees, void the contract.

Sec. 58-186.-Change orders.

Change orders to contracts under the supervision of the public works department previously approved by the proper village authorities may be allowed, executed and approved by the designated engineer and either the public works director, the village president or the village administrator for an amount not to exceed \$5,000.00, and all change orders in excess of \$5,000.00 shall require prior board approval. Upon the approval of the change order by the proper parties under this section, written notification must be submitted to the board of trustees within 48 hours after the execution of such change order. The failure to submit the change order to the board of trustees within 48 hours after the execution of the change order may result in the disapproval of the change order.

SECTION 3: This Ordinance shall become in full force and effect from and after its approval, passage and publication in pamphlet form.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 5TH DAY OF JANUARY, 2016

AS FOLLOWS:

VOTING "AYE": NANCY BELT, JEFF FUSTIN, SALLY HOLLEMBEAK, GARY MAITLAND, DAVID SCHROEDER

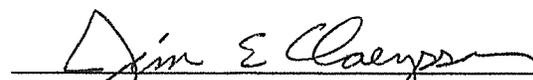
VOTING "NAY": NONE

ABSENT, ABSTAIN, OTHER: STEPHEN APPELL

APPROVED JANUARY 5, 2016

ATTEST:


DEPUTY VILLAGE CLERK,
KATHLEEN TRIMBLE


VILLAGE PRESIDENT, JIM E. CLAEYSSEN