

ORDINANCE NO. O2022-36

**AN ORDINANCE AMENDING THE WARRENVILLE CITY CODE REGARDING
COMPETITIVE BIDDING PROCEDURES**

WHEREAS, the City is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, Section 1-8-4 of the Warrenville City Code ("**City Code**") sets forth the City's purchasing procedures, including the procedures applicable to competitive bidding; and

WHEREAS, the City desires to amend Section 1-8-4 of the City Code to allow for the electronic submission of competitive bids; and

WHEREAS, the Mayor and the City Council have determined that it is in the best interest of the City and the public to amend the City Code pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Ordinance as if fully set forth in this Ordinance.

SECTION 2: Purchasing Procedures. Section 1-8-4, titled "Purchasing Procedures," of Chapter 1, titled "Administrative," is hereby amended to read as follows:

"1-8-4: PURCHASING PROCEDURES:

* * *

B. Bid Procedures:

1. Generally: The City Administrator, or the Corporate Authorities, upon recommendation of any department head or City officer, shall prescribe the requirements to be met whenever free and open competitive bidding is utilized or proposals are solicited or requested. In any instance where the procurement is exempt by virtue of the provisions of this section, the procurement shall be accomplished in a manner that will be most advantageous to the City, giving due consideration to cost, cost of service or price, quality, ability of the vendor to perform, or other relevant factors. The City Administrator, or the Corporate Authorities in the absence of an Administrator, may also prescribe the procedures by which competitive bids or proposals for any specific procurement shall be received, the time limit for receiving such bids or proposals, and the procedure by which bids or proposals shall be opened, accepted, examined, and recommendations made to the Corporate Authorities for acceptance or rejection, as the case may be.

[additions are **bold and double underlined**; deletions are ~~struck through~~]

2. Competitive Bidding: Any instance where competitive bidding is required or a request for proposals is solicited from vendors, the bid or proposal shall be disqualified from consideration unless the bid is submitted to the City ~~in a sealed envelope~~ in accordance with this section.

a. Submission of Bids:

(i) Hard copy bids shall be submitted to the City Clerk in a sealed envelope. The exterior of the envelope shall contain only the following information: the name, address and telephone number of the bidder or vendor making the proposal, and the responsible person to be contacted concerning the bid or proposal. No officer, official, or employee of the City shall accept a **hard copy** bid or proposal that is not in sealed condition, and the information clearly noted on the outside of the bid. The individual accepting the **hard copy** bid shall note the date and time that the bid was received and affix his or her name. All **hard copy** bids or proposals shall be forwarded to the City Clerk who shall keep the sealed bids or sealed proposals in a secure location and shall also keep a separate inventory of all bids received by project.

(ii) Bids submitted through electronic means shall be submitted in the manner and before the date and time specified in the invitation to bid. Bids submitted electronically shall be received in such a manner that the time and date of submittal, along with the contents of such bids, shall be securely stored until the time and date set for the bid opening.

b. Opening of Bids: Bids or proposals shall not be **opened** ~~unsealed~~ and examined until the date specified for opening; provided, however, that prior to the bid or proposal opening, the bidder or vendor making the proposal shall be entitled to withdraw the bid or proposal. **All bids shall be opened in public.** If such a request to withdraw is made in writing to the Clerk, the Clerk shall return the bid or proposal to the bidder or vendor and shall also notify the City Administrator and the department head involved in the procurement. Once bids are opened, they may not be withdrawn except upon the approval of the City Council.

* * *

SECTION 3: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

[Signatures and Voting Record on Following Page]

[additions are **bold and double underlined**; deletions are ~~struck through~~]

PASSED THIS ____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS ____ day of _____, 2022.

MAYOR

ATTEST:

CITY CLERK

[additions are **bold and double underlined**; deletions are ~~struck through~~]