

CHAPTER 19 BIDDING PROCEDURES

19.001 Competitive Bidding Required

Any work or other public improvement which is not to be paid for in whole or in part by special assessment or special taxation, and all purchases of and contracts for supplies, materials and services shall, except as specifically provided herein, be based whenever possible on competitive bids.

19.002 Formal Contract Procedure

All contracts for work or other public improvement which is not to be paid for in whole or in part by special assessment or special taxation, and all purchases, orders or contracts for supplies, materials, equipment or contractual services except as otherwise provided herein, when the estimated cost thereof shall exceed twenty thousand dollars (\$20,000), shall be purchased from the lowest responsible bidder, after due notice inviting bids, unless competitive bidding is waived by a vote of two-thirds of the trustees then holding office.

(Ord. 2007-23, amending Section 19.002, Passed 8-20-2007)

19.003 Notice Inviting Bids

Notice inviting bids shall be published at least once in a newspaper with general circulation within the Village. The Village shall also advertise all pending work or purchases by posting a notice at the Village Hall. 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.

19.004 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 part to enter into a contract within ten (10) days after the award.

19.005 Bid Opening Procedure

- A. Sealed. Bids shall be submitted sealed to the Village and shall be identified as bids on the envelope.

- B. Opening. Bids shall be opened in public at the time and place stated in the public notice.
- C. Tabulation. A tabulation of all bids received shall be made by the board of trustees or by a duly authorized Village employee, in which event a tabulation of the bids shall be furnished to the board of trustees at its next regular meeting.

19.006 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.

19.007 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.

19.008 Award of Contract

- A. Authority in Village. The board of trustees shall have the authority to award contracts within the purview of this section.
- B. 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;
 - 1. The ability, capacity and skill of the bidder to perform the contract to provide the service required;
 - 2. Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;
 - 3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
 - 4. The quality of the performance of previous contracts or services;
 - 5. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service;
 - 6. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;

7. The quality, availability and adaptability of the supplies or contractual services to the particular use required;
 8. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract;
 9. The number and scope of conditions attached to the bid.
- C. Performance Guarantees. The Board of Trustees shall have the authority to require appropriate performance guarantees, before entering into a contract, in such amounts as it shall find reasonably necessary to protect the best interests of the Village. ***(Ord. 2007-23, amending Section 19.008, Passed 8-20-2007)***

19.009 Open Market Procedure

All contracts for work or other public improvements which is not to be paid for in whole or in part by special assessment or special taxation, and all purchases of supplies, materials and services of less than the estimated value of twenty thousand dollars (\$20,000) shall be made in the open market, without newspaper advertisement and without observing the procedure prescribed by this chapter for the award of formal contracts.
(Ord. 2007-23, amending Section 19.009, Passed 8-20-2007)

19.010 Professional Services Exempt From Bidding Requirements

All contracts for professional services, including, but not limited to, attorneys, engineers, real estate appraisers and architects and any other profession whose ethical code involved prohibits or discourages involvement into normal bidding procedures, may be entered into by the Village without observing the bidding procedures prescribed by this chapter for the award of formal contracts.

19.011 Emergency Purchases

In case of an apparent emergency which requires immediate work or purchase of supplies, materials or services, the board of trustees shall be empowered to secure by open market procedure as herein set forth, at the lowest obtainable price, any work, supplies, material or services regardless of the amount of expenditure.

19.012 Cooperative Purchasing

The Village shall have the authority to join with other units of government in cooperative purchasing plans when the best interests of the Village would be served thereby.