

ORDINANCE NO. _____
Date Passed: February 24, 2014

ORDINANCE AUTHORIZING PURCHASE OF MID-SIZED EXCAVATOR AT AUCTION WITHOUT COMPETITIVE BIDDING

WHEREAS, the City of Rochelle is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, et. seq.; and

WHEREAS, the City Engineer has recommended to the City Council and the City Manager that the City, by a designated staff member, be authorized to bid on a used mid-sized excavator for use by the City's street department, at a public auction to be held before the end of the current 2013-2014 fiscal year, and to purchase the excavator if the City is the successful bidder; and

WHEREAS, funds exist in the 2013-2014 fiscal year capital improvements budget for this purpose, if a budgeted line item expenditure for engineering buildings is delayed until the 2014-2015 budget; and

WHEREAS, Section 8-2-9.6 of the Illinois Municipal Code provides that the corporate authorities, upon a two-thirds vote of the corporate authorities then holding office, may revise the annual budget, as long as funds are available to effectuate the purpose of the revision; and

WHEREAS, Section 2-371 of the Rochelle Municipal Code provides that the City Council may, by a two-thirds vote of council members holding office, authorize a purchase without competitive bidding; and

WHEREAS, the City Council finds that it is in the best interest of the City to authorize the City Manager or his designee to bid on the used mid-sized excavator at a public auction to be held before the end of the current fiscal year, after first inspecting the equipment and determining its condition, with a maximum bid in an amount directed by the City Council to the City Manager privately, and to purchase said equipment if the City is the successful bidder, without competitive bidding;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS, as follows:

1. The City Manager or his designee is authorized to bid on a used mid-sized excavator at a public auction to be held before the end of the current fiscal year, up to a maximum amount directed by the City Council to the City Manager privately, and to purchase the equipment if the City is the successful bidder.

2. Before making any bid, City staff shall inspect the equipment to be bid upon to determine a fair value.

3. The City Manager or his designee shall attempt to purchase the equipment at the lowest possible price.

4. The requirement of competitive bidding for this transaction is waived.

5. In the event the City is the successful bidder, the 2013-2014 fiscal year budget for the Capital Improvements Fund shall be revised, if necessary, by deleting or amending a budgeted line item for engineering buildings for the equipment purchase.

This ordinance shall become effective after its passage, approval and publication as provided by law.

PASSED AND APPROVED this 24th day of February, 2014.

Ayes:_____ Nays: _____ Abstain:_____

Mayor

Attested:_____
City Clerk