

ORDINANCE NO. _____
Date Passed: September 22nd, 2014

**ORDINANCE AUTHORIZING PURCHASE OF FRONT END WHEEL LOADER 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 front end wheel loader for use by the City's Street Department, at a public auction to be held before the end of the current 2014-2015 fiscal year, and to purchase the front end wheel loader if the City is the successful bidder; and

WHEREAS, funds exist in the 2014-2015 fiscal year capital improvements budget for this purpose, if certain budgeted line item expenditures are delayed until the 2015-2016 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 front end wheel loader 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 front end wheel loader 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 2014-2015 fiscal year budget for the Capital Improvements Fund shall be revised, if necessary, by deleting or amending certain budgeted line item(s) for the equipment purchase.

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

PASSED AND APPROVED this 22nd day of September, 2014.

Ayes:_____ Nays: _____ Abstain:_____

Mayor

Attested:_____
City Clerk