

**ORDINANCE NO. 2024-02**

**AN ORDINANCE AMENDING CHAPTER 58 – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE IV BIDDING PROCEDURES, SECTION 58-182 WHEN BID REQUIRED, OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS**

**WHEREAS**, the Village of Cherry Valley, Illinois (“Village”) has adopted a Code of Ordinances (“Code”) for the Village; and

**WHEREAS**, the Village Board approves various work and public improvement projects completed within the Village; and

**WHEREAS**, Section 58-182 of the Village Code provides for a process when public works project costs exceed \$20,000.00; and

**WHEREAS**, 65 ILCS 5/8-9-1 of the Illinois Municipal Code, provides for bid requirements when expenses exceed \$25,000.00; and

**WHEREAS**, the Village wishes to amend its Code to comply with the requirements set by the Illinois Municipal Code; and

**WHEREAS**, the Village has determined that adopting such an ordinance to amend the Code is in the best interest of the Village and its citizens.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Cherry Valley, Illinois as follows:

1. Chapter 58, Article IV, Section 58-182, of the Code of Ordinances is hereby amended and shall read as follows (additions shown as **bold and underlined**):

“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 **\$25,000.00**, ~~\$20,000.00~~ shall be **constructed either (a) by contract let to the lowest responsible bidder after advertising for bids, in the manner prescribed by ordinance, advertised for bids as stated in this division, except that any such contract may be entered into by the proper officers without advertising for bids, if authorized by a vote of two-thirds of the trustees then holding office; or (2) in the following manner, if authorized by a vote of two-thirds of all the trustees then holding office, to-wit: the public works director, or other** proper officers to be designated by ordinances, shall ~~supervise~~ **superintend** and cause to be carried out the construction of the work or other public improvement and shall employ exclusively for the performance of all manual labor thereon, laborers and artisans whom the village shall pay by the day or hour; **and all material of the value of \$25,000.00** and

upward used in the construction of the work or other public improvements, shall be purchased by contract let to the lowest responsible bidder in the manner ~~as set out in this division~~ to be prescribed by ordinance. However, nothing contained in this Section shall apply to any contract with the federal government or any agency thereof.

- (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 \$25,000.00 ~~\$20,000.00~~ shall be subject to the bidding procedures set forth in this division."
2. Except as amended in this Ordinance, all other provisions and terms of Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
3. This ordinance shall be in full force and effect after its approval, passage, and publication in pamphlet form as required by law.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2024

AS FOLLOWS:

VOTING "AYE": NANCY BELT, JEFF FUSTIN, SALLY HOLLEMBEAK,  
MIKE NEVILLE, BRANDI PEARSE, CARL WEDIG

VOTING "NAY": NONE

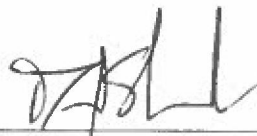
ABSENT, ABSTAIN, OTHER NONE

APPROVED: FEBRUARY 6, 2024

ATTEST:



Kathy Trimble Village Clerk



David Schroeder, Village President