

ORDINANCE NO. [#####]

AN ORDINANCE ESTABLISHING A PURCHASING POLICY FOR THE VILLAGE OF WINNEBAGO

WHEREAS, the Village of Winnebago has historically utilized a purchasing policy maintained by the Finance Committee, which has become outdated and has not been consistently adhered to in practice; and

WHEREAS, it is in the best interest of the Village to formalize and update its purchasing policy to ensure that all purchases of goods and services are conducted in a transparent, efficient, and fiscally responsible manner, consistent with applicable laws and sound governmental practices; and

WHEREAS, the Village Board of Trustees recognizes the need to clarify and streamline the purchasing process by establishing clear authority limits and procedures for Village officials and departments to follow; and

WHEREAS, this ordinance is intended to replace any prior purchasing policies and procedures, bringing current practices into compliance with this updated and legally binding framework.

WHEREAS, the Village's prior purchasing practices and spending authority limits were historically established through Finance Committee discussion and meeting minutes before the creation of the Village Administrator position and without a formally adopted ordinance clearly addressing delegation of authority during the absence of a Department Head; and

WHEREAS, circumstances such as extended leave, training, illness, or vacation may require another individual to act in the stead of a Department Head, and it is in the best interest of the Village to clarify how purchasing and bill approval authority is exercised in such situations to ensure continuity of operations, internal controls, and compliance with audit standards; and

WHEREAS, while this ordinance is not intended to be an exhaustive procurement manual, the Village Board finds that establishing a clear, written purchasing framework represents a meaningful improvement over prior informal practices and provides a stronger foundation for consistent financial oversight moving forward; and

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Winnebago, Winnebago County, Illinois, as follows:

SECTION I: GENERAL PURCHASING POLICY

- The Village of Winnebago adopts the following purchasing guidelines to ensure that goods and services are procured in a manner that promotes transparency, fiscal responsibility, operational efficiency, and accountability, while allowing departments the flexibility necessary to effectively carry out their functions.
- To the greatest extent practicable, departments are encouraged to seek multiple quotes or proposals for goods and services to ensure competitive pricing, appropriate quality, and best value to the Village. However, it is recognized that departments may establish and maintain relationships with preferred or specialized vendors based on prior performance, familiarity with Village systems, compatibility, standardization, or other operational considerations. Nothing in this policy is intended to prohibit the use of such vendors, provided that the purchase is reasonable, justified, and in the best interest of the Village.
- Department Heads and authorized personnel are expected to exercise sound professional judgment in all purchasing decisions, balancing cost, quality, timeliness, and reliability. Documentation of quotes, vendor selection, or justification for vendor preference should be maintained as appropriate to the size and scope of the purchase.
- All purchasing authority granted under this policy is limited to expenditures within the adopting department's approved budget and operational needs. No individual or department shall obligate funds or make purchases on behalf of another department without prior authorization from the Village Administrator or as otherwise provided in this ordinance.
- All purchases must be reviewed and approved to ensure compliance with the budget and authority limits established herein.
- All purchasing, contracting, and procurement activities conducted under this Ordinance shall be performed in compliance with all applicable federal, state, and local laws and regulations, including but not limited to the Illinois Municipal Code, the Illinois Prevailing Wage Act, and any other statutory requirements. Nothing in this Ordinance shall be construed to waive or supersede any such legal requirements.

SECTION II: SPENDING LIMITS

Purchases for goods, services, and professional contracts shall be subject to the following spending authority limits:

Position	Spending Authority Limit
Deputy Clerk	Up to \$1,500
Police Chief	Up to \$5,000
Public Works Director	Up to \$5,000
Superintendent of Streets & Fleets	Up to \$5,000
Village Administrator	Up to \$10,000

Position	Spending Authority Limit
Village President	Up to \$10,000
Board of Trustees	\$10,001 or more

Any purchases exceeding \$10,000 shall require approval by the Village Board via resolution or ordinance, as applicable.

SECTION II: TEMPORARY DELEGATION OF AUTHORITY AND ACTING/INTERIM DESIGNATIONS

In the event that any individual with spending authority under this Section is absent for a limited duration, the Village Administrator is authorized to designate an appropriate employee, in writing, to exercise such authority on a temporary basis, or may exercise such authority directly in the absence of a Department Head. In the absence of the Village Administrator, the Village President may designate an individual to exercise the Administrator's spending authority or may exercise such authority directly.

For purposes of this Section, an "appropriate employee" shall mean a Village employee with sufficient knowledge of the department's operations, budget, and purchasing needs, and who holds a position of responsibility or supervisory capacity, as determined by the Village Administrator.

For purposes of this policy, the following distinctions shall apply:

- A. **Interim Appointment:** An individual formally designated by the village board as "Interim" for a position shall possess all powers, duties, and authorities of that position, including full spending authority as outlined herein.
- B. **Acting Appointment:** An individual designated as "Acting" in a position may perform the general duties of the role but shall not possess independent spending authority unless specifically designated in writing pursuant to this Section.

SECTION III: PURCHASING METHODS

To ensure transparency and adherence to statutory requirements, the following purchasing methods will be applied:

- **Resolution:** A resolution of the Village Board is required for the purchase of goods or services exceeding \$10,000.
- **Request for Proposals (RFPs):**
 - Professional service contracts by their nature are not adaptive to normal procurement or competitive bidding. Examples include contracts for services of individuals or firms possessing a high degree of professional skill where the education, experience, or character

of the individual is a significant factor in determining their ability to meet Village needs. Other examples include service contracts where other considerations besides price are involved. These contracts generally result from the development and issuance of a Request for Proposal (RFP) by the respective department to consultants or vendors to provide professional services.

- The Village Administrator shall be notified prior to the issuance of an RFP or the engagement of professional services. An RFP may be advertised publicly and sent to a group of known vendors based on prior experience in providing the service or other documented reasons, except when a Request for Qualifications (RFQ) process has been conducted which has determined the pool of vendors to be used.
- Based on the complexity of the services sought, interviews and vendor presentations may be appropriate in addition to an evaluation of the proposals received. Factors other than price may be considered when conducting an RFP process. Once proposals are received from interested firms and interviews and/or presentations have been completed, the Village Administrator or designee is authorized to negotiate a contract with the firm deemed most qualified to provide the services based on:
 - Fair and reasonable compensation
 - Ability of professional personnel to provide services
 - Past record and experience with the Village and as well as references
 - Ability of firm to meet deadlines and budget
- **Invoice Payments:** Recurring expenses such as electric, natural gas, and telecommunications services will be paid directly from invoices and subject to board approval for other payments.
- **Gas Cards:** The Police Department will utilize gas cards monitored by the Police Chief or their designee, with oversight by the Treasurer and Village Administrator.

SECTION IV: COMPETITIVE BIDDING FOR PUBLIC WORKS

Public Works purchases exceeding \$25,000 must follow the competitive bidding requirements in accordance with Illinois Statutes (65 ILCS 5/8-9-1).

SECTION V: CREDIT CARD USE POLICY

Village credit cards may only be issued to employees with budgetary spending responsibilities, including but not limited to the Village Administrator, Deputy Clerk, Police Chief, and Public Works Director. All credit card purchases must be documented with detailed receipts and a description of the business purpose. Credit card statements and supporting documentation shall be reviewed and approved as part of the Village's standard accounts payable process. The standard process includes review by the Village's authorized check signers, traditionally the Treasurer, Clerk, and Village President, and presentation to the Village Board for review on a monthly basis. Credit card use is restricted to Village-related business. Expenditures must be reasonable and such use is limited to:

- **Travel and Training Expenses:** Includes hotel accommodations, meals, transportation (airfare, car rental, fuel), conference registration fees, and other travel-related expenses for official Village business, per the Village's Personnel Policy, as amended from time to time.
- **Emergency Purchases:** For unforeseen events or urgent situations where immediate action is required to safeguard public health, safety, or property.
- **Online and Internet Purchases:** For items or services that can only be acquired through online vendors or platforms where other procurement methods are not practical.
- **Situations Where Processing Invoices is Not Feasible:** Instances where vendors do not accept traditional invoicing or where immediate payment is necessary to secure goods or services.
- **Recurring Subscriptions and Memberships:** Payment for approved professional memberships, software licenses, or subscriptions to publications critical to Village operations.
- **Office Supplies and Minor Equipment:** Purchases of office supplies, small tools, or equipment that are needed urgently and fall within the approved departmental budget.
- **Dining/Catering for Village Business Purposes:** Meals for staff meetings, training, or other Village-related business activities that involve working through meal periods. Such expenses must be reasonable, documented, and pre-approved as part of the budget. Under no circumstances shall any purchase of alcohol be included in a purchase using the village credit card.
- **Special Events and Community Outreach:** Expenses related to community events, meetings, or outreach programs that have been preapproved as part of the departmental budget.
- **Facility and Grounds Maintenance:** Minor maintenance supplies or repair parts for Village facilities or grounds, when immediate purchase is required to maintain operations.

Restrictions: Credit cards must not be used for personal expenses, cash advances, or any other purchases that are not "Village Business". Additionally, all credit card purchases must be accompanied by a detailed receipt and justification for the expense. Misuse of the Village credit card may result in disciplinary action, up to and including termination and/or referral for criminal prosecution.

SECTION VI: EFFECT ON PRIOR POLICY AND/OR ORDINANCES REGULATING POLICY

This ordinance replaces and supersedes any prior written and/or oral purchasing policy followed by village personnel and/or contained in any village ordinance regulating purchasing policies.

SECTION VII. EMERGENCY PURCHASES

In the event of a bona fide emergency affecting the public health, safety, or welfare of the Village, or where immediate action is required to prevent the disruption of essential municipal services, the normal purchasing procedures set forth in this Ordinance may be temporarily suspended.

For purposes of this Section, an emergency shall include, but not be limited to, severe weather events, infrastructure or utility failures, critical equipment or technology failures, public safety incidents, or other unforeseen circumstances requiring immediate procurement of goods or services.

During such emergency conditions, the Village Administrator is authorized to approve and execute purchases necessary to respond to the emergency, without prior Board approval and without adherence to standard bidding or procurement thresholds. In the absence of the Village Administrator, such authority shall be vested in the Village President. Any purchase made pursuant to this Section shall require immediate

notification to the Village Board. Misuse of authority granted by this provision may result in disciplinary action, up to and including termination, as statutorily allowed, and/or referral for criminal prosecution.

All emergency purchases shall be subject to the following:

- A. The purchase shall be limited to those goods or services reasonably necessary to address the emergency condition;
- B. Reasonable efforts shall be made, when practicable, to obtain competitive pricing or multiple quotes under the circumstances;
- C. All emergency expenditures shall be fully documented, including the nature of the emergency, the justification for the purchase, and the cost incurred; and
- D. A report of all emergency purchases shall be submitted to the Village Board at the earliest possible meeting, including an emergency or special meeting, or the next regular meeting for review and ratification.
- E. Nothing in this Section shall be construed to waive any applicable state or federal requirements where compliance is feasible under the circumstances.

SECTION VII: EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law