

## ORDINANCE 93-102

FIRST READING:

August 9, 1993

SECOND READING:

August 9, 1993

VOTE: Roll Call Vote 7-0PASSED: August 9, 1993

PUBLISHED IN PAMPHLET FORM BY  
AUTHORITY OF THE CITY COUNCIL  
OF THE CITY OF DEKALB, DEKALB  
COUNTY, ILLINOIS, August 10,  
1993.

ORDINANCE 93-102  
AMEND THE MUNICIPAL CODE  
CHAPTER 54 "FINANCIAL ADMINIS-  
TRATION" SECTION 54.16 & ADD  
54.17. "LOCAL PREFERENCE".

BE IT ORDAINED BY THE CITY COUNCIL of the City of DeKalb,  
Illinois, as follows:

Section 1. That the Municipal Code of the City of DeKalb,  
Illinois, Chapter 54, "Financial Administration", amend Section  
54.16 by deleting from paragraph e) the following:

Bids shall be subject to prior City Council approval and shall  
be the lowest responsible bidder except in cases where the bid  
requirement or the award to the lowest responsible bidder is  
waived by a 2/3 vote of the City Council members then holding  
office.

Section 2. That the Municipal Code of the City of DeKalb,  
Illinois, Chapter 54, "Financial Administration", Section 54.16, be  
amended by inserting, in place of the deletion provided for in  
Section 1 above the following:

Bids shall be subject to prior City Council approval and shall  
be in accordance with the City's Local Preference Policy as  
set forth in Section 54.17.

Section 3. That the Municipal Code of the City of DeKalb,  
Illinois, Chapter 54, "Financial Administration" be amended by  
inserting a new Section 54.17, "Local Preference", as follows:

## 54.17. LOCAL PREFERENCE.

It shall be the policy of the City of DeKalb to procure goods  
and services from qualified local bidders to the greatest extent  
possible. In order to be considered a qualified local bidder, a  
business must meet each of the following criteria:

1. Located within the corporate limits of the City of DeKalb.
2. Employs year round staff located at the business within the City.
3. Is current with property tax payments, sales tax, water billing and other utility tax payments to the City.
4. Does not have any outstanding cited code violations.
5. Is not receiving any incentives or subsidies from the City.
6. Has adequately qualified/trained staff to service the bid item.

a) If the lowest responsible bidder is not a qualified local bidder and if a qualified local bidder has submitted a bid which is within 5% of the lowest responsible bidder for an item or bid; the qualified local bidder shall be given written notice by the City of DeKalb to that effect and shall, within 10 days from the date of such notice, provide written confirmation to the City that it will match the bid price of the lowest responsible bidder. Should a

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qualified local bidder fail to provide such confirmation within the time allowed, its bid shall be considered as originally submitted.

b) When more than one qualified local bidder is within 5% of the lowest responsible bidder, only the qualified local bidder submitting the lowest local bid, shall be given the opportunity to match the bid of the lowest responsible bidder, it shall, where the bid is an aggregate of separate price components, reduce the price of each subcomponent of its aggregate bid by the same percentage that was used to match the bid of the lowest responsible bidder

c) The City of DeKalb may reject any and all bids and award the contract to someone other than the lowest responsible bidder or a qualified local bidder who matches the lowest responsible bid upon a 2/3 vote of the City Council members then holding office.

Section 4. That each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof, other than that part affected by such decision.

Section 5. That except as to the amendments heretofore mentioned, all Sections of the Municipal Code of shall remain in full force and effect.

Section 6. That this Ordinance shall, by the authority of the City Council be published in pamphlet form. From and after ten days after such publication, this Ordinance shall be in full force and effect upon its passage according to law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, at a regular meeting thereof held on August 2, 1993, and approved by me as Mayor on the same day.



*Marguerite Hoyt*  
MARGUERITE HOYT, City Clerk

*Greg Sparrow*  
GREG SPARROW, Mayor

AYE: Polzin  
AYE: Johnson  
AYE: Wiggins  
AYE: Tewksbury

AYE: Chronopoulos  
AYE: Strauss  
AYE: Kagan