



MEMORANDUM

February 27, 2024

TONI PRECKWINKLE
President

**Board of
Commissioners**

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Superintendent**

Eileen Figel

TO: Toni Preckwinkle, Forest Preserve District Board President &
Forest Preserve District Board of Commissioners

CC: Eileen Figel, Interim General Superintendent
Delio Calzolari, Director, Legislative and Governmental Affairs

FROM: Tom Conlon, Purchasing Agent
Tony Fioretti, Deputy Chief Attorney
Lisa Lee, Chief Attorney

RE: Proposed Purchasing Ordinance Changes – February Board Meeting
Board Item Nos. 24-0139 and 24-0140

This memorandum is to advise you that the Forest Preserve District of Cook County (the “Forest Preserves”) has placed on its February board agenda proposed changes to the Forest Preserves’ Procurement Code. The Forest Preserves understands its solemn obligation to be responsible stewards of taxpayer funded resources. To that end the Forest Preserves has made substantial revisions to the processes and procedures described in its Procurement Code in order to modernize portions of the Code and bring it in line with changes to the Forest Preserves’ enabling statute.

These changes are the first-step in a multi-stage process in order to modernize and update the Forest Preserves procurement processes and to make doing business with the Forest Preserves simpler and more streamlined for user Departments, the business community, and the public at-large. The Forest Preserves also proposes creating the option of utilizing the design-build procurement method. A summary of the revisions is attached to this memo and highlights key changes.

With respect to the proposed revisions, the Forest Preserves provided courtesy copies to the Cook County’s Chief Procurement Officer Raffi Sarrafian and the Office of the Independent Inspector General, in case they wanted to provide feedback. The Forest Preserves intends to request of the Committee Chair that the Finance Committee’s Agenda for March 2024 contain the proposed ordinance changes. The changes have an effective date of January 1, 2025.

Please do not hesitate to contact any of us if you have any questions, comments, or concerns.

BACK-UP FOR ITEMS 24-0139 & 24-0140 (ORDINANCE CHANGES RELATED TO PROCUREMENT PROCESS)

Summary of Forest Preserve District Purchasing Code Changes February 27, 2024		
No.	Section/Title	Change/Justification
1	1-8-2(A)(2) <i>Restrictions on Awarding a Contract</i>	<ul style="list-style-type: none"> Modifies language of disqualification to include convictions in “any federal, state or local jurisdiction” Consistency with County Code (Sec. 34-173), simplification of terminology, ease of application
2	1-8-2(B)(1) <i>Signatures Required on Contracts</i>	<ul style="list-style-type: none"> Changes upper monetary limit on General Superintendent’s ability to delegate signature authority to Department Head for contracts one year or less from \$25,000 to \$30,000 Consistency with Enabling Statute as amended by P.A. 102-460. <i>See 70 ILCS 810/14</i>
3	1-8-2(B)(2) <i>Signatures Required on Contracts</i>	<ul style="list-style-type: none"> Changes upper limitation on online procurements from \$25,000 to \$30,000 Consistency with Enabling Statute as amended by P.A. 102-460. <i>See 70 ILCS 810/14</i>
4	1-8-2(E)(1) <i>Bids by Local Businesses</i>	<ul style="list-style-type: none"> Changes minimum dollar threshold for competitively bid purchases from \$25,000 to \$30,000 Consistency with Enabling Statute as amended by P.A. 102-460. <i>See 70 ILCS 810/14</i>
5	1-8-2(I)(6) <i>Powers and duties of Purchasing Agent</i>	<ul style="list-style-type: none"> Changes Purchasing Agent’s authority to waive certain form completion, disclosure, or other requirements from prospective vendors for goods, materials, or supplies from \$25,000 to \$30,000 or less in a single year Changes Purchasing Agent’s authority to waive the same for prospective vendors for services from \$5,000 to \$10,000 in a single year Exempts Public Works Contracts and Consulting Contracts from such waivers Authorizes the use of “No Change” Affidavits to allow previously qualified vendors awarded contracts within the previous 12 months by either the District or the County to submit an affidavit that their prior submittals remain unchanged Streamlines purchase procedure; reduces duplication of paperwork; makes purchasing process more small-business friendly Gives Purchasing Agent greater authority based on recent inflationary pressures
6	1-8-2(M) <i>Competitive Bidding Contracts</i>	<ul style="list-style-type: none"> Changes minimum dollar threshold for competitively bid purchases from \$25,000 to \$30,000 Modernization of process – electronic submittals; flexibility in receipt of financial security; date flexibility in pre-submittal timelines Conformity with County Code (Sec. 34-136) in Purchasing Agent’s authority to open a bid when only one qualified bidder has submitted Consistency with Enabling Statute as amended by P.A. 102-460. <i>See 70 ILCS 810/14</i>

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7	1-8-2(N) <i>Requests for Proposals or Requests for Qualifications</i>	<ul style="list-style-type: none"> • Changes minimum dollar threshold for RFP or RFQ postings from \$25,000 to \$30,000 • Modernization – posting of results electronically; removal of “telegraph” services • Authority to consider overall cost in qualifications based submittals • Consistency with Enabling Statute as amended by P.A. 102-460. <i>See 70 ILCS 810/14</i>
8	1-8-2(O) <i>Purchase Procedure</i>	<ul style="list-style-type: none"> • Changes no-bid threshold for contracts from \$5,000 to \$10,000 in a single year to a single vendor • Prohibits District from utilizing no-bid contracts in Public Works contracts or contracts for “Consulting Services” • Defines “Consulting Services” • Adds reporting obligation to Board on no-bid purchases • Raises threshold for acquiring quotes (if not otherwise competitively bid) from \$25,000 to \$30,000 • Allows Dept. Head to obtain quotes for vetting by Purchasing Agent • Raises dollar threshold for competitively bid contracts from \$25,000 to \$30,000 • Consistency with Enabling Statute as amended by P.A. 102-460. <i>See 70 ILCS 810/14</i>
9	1-8-2(P) <i>Sole Source Procurements</i>	<ul style="list-style-type: none"> • Raises upper limit on sole source procurements without board approval from \$25,000 to \$30,000 • Consistency with Enabling Statute as amended by P.A. 102-460. <i>See 70 ILCS 810/14</i>
10	1-8-2(T) <i>Living Wage</i>	<ul style="list-style-type: none"> • Defines <i>Living Wage</i> to be consistent with County Code (Sec. 2-408)
11	Various Sections	<ul style="list-style-type: none"> • Conforming Code to gender-neutral references • Removal of outdated language, i.e. references to decades-old commencements or deadlines
12	Creation of Section 1-8-6	<ul style="list-style-type: none"> • Creates option of utilizing “design-build” procurement method • Authorized in 2022 by the Forest Preserve District and Conservation District Design-Build Authorization Act 70 ILCS 860 <i>et seq</i>