



## Legislation Details (With Text)

**File #:** 17-0234      **Version:** 1      **Name:** PROPOSED ORDINANCE AMENDMENT

Title 1 Chapter 8 Section 2: Contracts and Purchases

**Type:** Ordinance Amendment      **Status:** Approved

**File created:** 5/24/2017      **In control:** Finance Committee

**On agenda:** 11/14/2017      **Final action:** 11/14/2017

**Title:** PROPOSED ORDINANCE AMENDMENT

Title 1 Chapter 8 Section 2: Contracts and Purchases

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 1 - Administrative, Chapter 8 - District Finances, Section 2 - Contracts and Purchases of the Forest Preserve District of Cook County Code is hereby amended as Follows:

Sec. 1-8-2. Contracts and Purchases.

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I. Powers and duties of Purchasing Agent: The District Purchasing Agent shall, pursuant to the terms, exceptions, or restrictions established by this Code and the President and Board of Commissioners:

1. Purchase or contract for all supplies, materials and equipment, and contractual services required by any Office, department, institution or agency of the District subject to the provisions, restrictions and limitations of this Subsection;
2. Establish and enforce standard and non-standard specifications established in accordance with this Subsection which shall apply to all supplies, materials and equipment purchased for the use of any Office, department, institution or agency of the District;
3. Transfer to or between, and/or assign to the various offices, departments, institutions or agencies of the District and the Forest Preserves Foundation (as an approved Donee), or otherwise trade in and/or sell supplies, materials and equipment that are surplus, obsolete, abandoned, or unusable, except for such property which has been approved for donation as a charitable contribution per Section 1-8-2(O) below;
4. Have charge of such other purchasing activities as the Board of Commissioners may assign from time to time;
5. Distribute or cause to be distributed to the various Offices, departments, institutions or agencies of the District all supplies, materials and equipment purchased by the Office of the Purchasing Agent;
6. Require all vendors to submit a notarized certification or affidavit of their compliance with all requirements imposed by this Subsection on forms promulgated by the Purchasing Agent, which shall include, but shall not be limited to: an affirmation that the vendor is a registered business in good standing with the State of Illinois and, in the case of a contractor operating under an assumed name, with the County Clerk, and an affirmation with respect to Section 1-8-2(U) of this Ordinance (Child Support), Section 1-8-2(D) of this Ordinance (Taxes and Fees) and that said vendor is in compliance with the District's Ethics Act including the provisions regarding receiving and soliciting gifts and favors

as well as the limitations of contributions to candidates and elected officials and an economic disclosure statement disclosing all persons or entities who have made lobbying contacts on behalf of the vendor with respect to the contract.

Except as otherwise expressly provided by law, no supplies, materials or equipment or contractual services shall be purchased or contracted for by any Elected Official, department, institution or agency of the District, or by any officer or employee thereof, but all such supplies, materials, equipment or contractual services shall be purchased or contracted for by such Purchasing Agent in accordance with this Subsection.

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O Purchase Procedure:

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6. Distribution of assets:

a. Notwithstanding any other provisions of this section, the District Board reserves the right to designate certain unusable, surplus and/or obsolete personal property, equipment or other property. The Purchasing Agent, in conjunction with the applicable District department(s), is authorized to approve or deny the distribution of supplies, materials and equipment that have been declared unusable, surplus, abandoned, and/or obsolete per Section 1-8-2(l) above (hereinafter referred to collectively as "assets" for distribution for purposes of this Subsection 6) as charitable donations. Assets may be designated for distribution as charitable donations as specifically authorized by State of Illinois statute(s), or if:

(1) A determination has been made that the assets are not needed by any department or division of the District;

(2) The assets are of a type that would provide a beneficial service in either the medical, or education fields to a another entity education, public safety, social services, environmental, and/or conservation fields; and

(3) The recipient of the assets is a legitimate nonprofit organization, or a local or foreign governmental entity.

b. The assets shall be transferred by an appropriate instrument of transfer, which shall include:

(1) A provision that requires the recipient to use the property in a manner that primarily promotes the implementation or improvement of educational services available to the public via the medical, education, public safety, social services, environmental, and/or conservation fields; and

(2) A provision that indicates that ownership of the assets automatically reverts to the District if the entity at any time fails to use the property in that manner.

The responsibility for determining the recipient of the donation, pursuant to the above guidelines shall reside in the Office of the President of the District Board, with approval by the District Board.

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Effective date: This ordinance shall be in effect immediately upon adoption.

**Sponsors:** TONI PRECKWINKLE (President)

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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11/14/2017	1	FPD Board of Commissioners	approve	Pass
11/14/2017	1	Finance Committee		
7/20/2017	1	FPD Board of Commissioners	refer	Pass

## PROPOSED ORDINANCE AMENDMENT

### Title 1 Chapter 8 Section 2: Contracts and Purchases

**BE IT ORDAINED**, by the Forest Preserve District of Cook County Board of Commissioners, that Title 1 - Administrative, Chapter 8 - District Finances, Section 2 - Contracts and Purchases of the Forest Preserve District of Cook County Code is hereby amended as Follows:

#### Sec. 1-8-2. Contracts and Purchases.

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*1. Powers and duties of Purchasing Agent:* The District Purchasing Agent shall, pursuant to the terms, exceptions, or restrictions established by this Code and the President and Board of Commissioners:

1. Purchase or contract for all supplies, materials and equipment, and contractual services required by any Office, department, institution or agency of the District subject to the provisions, restrictions and limitations of this Subsection;
2. Establish and enforce standard and non-standard specifications established in accordance with this Subsection which shall apply to all supplies, materials and equipment purchased for the use of any Office, department, institution or agency of the District;
3. Transfer to or between, and/or assign to the various offices, departments, institutions or agencies of the District and the Forest Preserves Foundation (as an approved Donee), or otherwise trade in and/or sell supplies, materials and equipment that are surplus, obsolete, abandoned, or unusable, except for such property which has been approved for donation as a charitable contribution per Section 1-8-2(O) below;
4. Have charge of such other purchasing activities as the Board of Commissioners may assign from time to time;
5. Distribute or cause to be distributed to the various Offices, departments, institutions or agencies of the District all supplies, materials and equipment purchased by the Office of the Purchasing Agent;
6. Require all vendors to submit a notarized certification or affidavit of their compliance with all requirements imposed by this Subsection on forms promulgated by the Purchasing Agent, which shall include, but shall not be limited to: an affirmation that the vendor is a registered business in good standing with the State of Illinois and, in the case of a contractor operating under an assumed name, with the County Clerk, and an affirmation with respect to Section 1-8-2(U) of this Ordinance (Child Support), Section 1-8-2(D) of this Ordinance (Taxes and Fees) and that said vendor is in compliance with the District's Ethics Act including the provisions regarding receiving and soliciting gifts and favors as well as the limitations of contributions to candidates and elected officials and an economic disclosure statement disclosing all persons or entities who have made lobbying contacts on behalf of the vendor with respect to the contract.

Except as otherwise expressly provided by law, no supplies, materials or equipment or contractual services shall be purchased or contracted for by any Elected Official, department, institution or agency of the District, or by any officer or employee thereof, but all such supplies, materials, equipment or contractual services shall be purchased or contracted for by such Purchasing Agent in accordance with this Subsection.

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*O Purchase Procedure:*

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6. *Distribution of assets:*

- a. ~~Notwithstanding any other provisions of this section, the District Board reserves the right to designate certain unusable, surplus and/or obsolete personal property, equipment or other property~~ The Purchasing Agent, in conjunction with the applicable District department(s), is authorized to approve or deny the distribution of supplies, materials and equipment that have been declared unusable, surplus, abandoned, and/or obsolete per Section 1-8-2(I) above (hereinafter referred to collectively as "assets" for distribution for purposes of this Subsection 6) as charitable donations. Assets may be designated for distribution as charitable donations as specifically authorized by State of Illinois statute(s), or if:
  - (1) A determination has been made that the assets are not needed by any department or division of the District;
  - (2) The assets are of a type that would provide a beneficial service in ~~either the medical, or education fields to a another entity~~ education, public safety, social services, environmental, and/or conservation fields; and
  - (3) The recipient of the assets is a legitimate nonprofit organization, or a local or foreign governmental entity.
- b. The assets shall be transferred by an appropriate instrument of transfer, which shall include:
  - (1) A provision that requires the recipient to use the property in a manner that primarily promotes the implementation or improvement of ~~educational~~ services available to the public via the medical, education, public safety, social services, environmental, and/or conservation fields; and
  - (2) A provision that indicates that ownership of the assets automatically reverts to the District if the entity at any time fails to use the property in that manner.

~~The responsibility for determining the recipient of the donation, pursuant to the above guidelines shall reside in the Office of the President of the District Board, with approval by the District Board.~~

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