

DUPAGE TOWNSHIP, WILL COUNTY, ILLINOIS

RESOLUTION 22-12

A RESOLUTION AMENDING THE TOWNSHIP'S PURCHASING POLICY

WHEREAS, DuPage Township, Will County, State of Illinois (the "Township") is a duly organized and existing township and a unit of local government organized under the laws of the State of Illinois and is operating under the provisions of the Illinois Township Code, 60 ILCS 1/1-1 *et. seq.*, and all laws amendatory thereto; and

WHEREAS, in 2019, the Township adopted a purchasing & accounts payable policy and procedure for DuPage Township; and

WHEREAS, on May 6, 2022, Governor Pritzker signed HB 4251, creating Public Act 102-728 (the "Act"). The Act amended Section 85-30 of the Illinois Township Code and raised the threshold at which townships are required to bid from \$20,000 to \$30,000; and

WHEREAS, the Supervisor and the Township Board of Trustees have determined it to be in the best interests of the Township to amend the purchasing & accounts payable policy to raise the bid threshold as allowed by 60 ILCS 1/85-30.

NOW, THEREFORE, BE IT RESOLVED by the Supervisor and Board of Trustees of DuPage Township, Will County, Illinois, as follows:

SECTION 1. The above recitals and findings are found to be true and correct and are incorporated herein and made part hereof, as if fully set forth in their entirety.

SECTION 2. The Supervisor and Board of Trustees hereby approve and adopt the Purchasing & Accounts Payable Authorization Policy attached hereto as Exhibit A.

SECTION 3: If any section, paragraph, clause, or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Resolution.

SECTION 4: All Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Resolution shall be in full force and effect from after its passage, approval and publication as provided by law.

Amended and Passed by the DuPage Township board on Oct 18, 2022, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Trustee Braxton				
Trustee Ransom				
Trustee Savage				
Trustee Townsend				
Supervisor Marschke				
TOTAL				

Approved by the Supervisor

Gary Marschke, DuPage Township Supervisor

ATTEST:

Barbara Parker, DuPage Township Clerk

EXHIBIT A

DUPAGE TOWNSHIP PURCHASING & ACCOUNTS PAYABLE AUTHORIZATION
POLICY

DUPAGE TOWNSHIP PURCHASING POLICY

I. STATEMENT OF PURPOSE

The purpose of this Policy is to provide DuPage Township ("Township") with guidelines and directions for the acquisition of goods and services, while respecting the statutory powers and functions of the Township Supervisor and Township Assessor. The Township Board of Trustees has adopted this as Township policy by Resolution.

In general, the Township Board of Trustees is charged with the duty to examine and audit township bills before they are paid under the Illinois Township Code, 60 ILCS 1/1-1, *et seq*, with the exception of general assistance, wages, social security taxes, and except other expenses determined by the Township Board by Resolution. *See* 60 ILCS 1/80-10, 80-15. Nothing in this Policy shall affect the Township Board of Trustee's duties with respect to the audit of all Township bills and claims except that this Policy authorizes the pre-payment of certain expenses subject to subsequent review and verification at the next Township Board meeting.

All Township personnel and officials engaged in purchasing and related activities on behalf of the Township shall conduct themselves in a manner above reproach in every respect and are subject to all other, relevant ordinances, resolutions, rules, and policies of the Township in addition to all applicable State Law. Township employees and officials shall strive to ensure that public money is spent efficiently and effectively and in accordance with statues, regulations and township policies.

This Policy is divided into sections dealing with general procedures and responsibilities, authorization levels, pricing requirements, local purchasing, emergency purchases, and cooperative purchasing.

This Policy is designed to be a document for reference for all purchasing practices done prior to explicit approval by the Township Board of Trustees. If there are any further detailed questions about purchasing agreements, a Township employee may contact the Township Supervisor regarding the same. This Policy may be modified from time to time to conform to changes in any applicable legislation, technology or preferred practices.

II. GENERAL PROCEDURES & RESPONSIBILITIES

Unless otherwise provided for in this Policy, all Township expenditures shall follow the below procedure, to wit:

A. The Township Board of Trustees passes an annual Budget & Appropriations Ordinance, identifying line-item expenditure limits, for each fiscal year, which begins on April 1st through the next March 31st of each calendar year.

B. Purchases of goods and services for budgeted items to carry out Township responsibilities may be ordered Heads with permission from the Administrator, or the Supervisor as provided for in this policy.

C. Mailed invoices are received by the Township employees and are distributed to the Administrator and to the Supervisor for coding and approval. The Administrator will, in turn, send the invoices back to accounting for completion.

D. A "Board Audit Report," which is a listing of all checks to be approved, is prepared by accounting the Thursday before the regular Township Board Meeting and then prepared for a vote at the Township Board Meeting. Check Requests are due to accounting by the end of the day Thursday prior to each Township Board Meeting.

E. After the Township Board of Trustees authorizes expenditures, administration mails out the checks to vendors unless Department Heads request the checks to be returned directly to them.

III. AUTHORIZATION OF TOWNSHIP PURCHASES

All purchases for goods or services made by Township officials and employees must be made in accordance with this Policy. All purchases for goods or services shall require advance approval of the appropriate Township official or employee, or the Township Board of Trustees, within the guidelines described below.

A. All purchases of goods or services must correspond with a specific line-item in the Township's approved Budget and Appropriation Ordinance for that fiscal year. No purchase of goods or services may be made unless sufficient funds remain in the appropriate line-item for that fiscal year.

B. No agreement for the purchase of goods or services may provide for a term that extends beyond the current fiscal year in which the agreement is entered into, except as may be approved by the Township Board of Trustees and in compliance with State law.

Authorization for Township Officials

C. The Township Board of Trustees recognizes that the Township Supervisor and Township Assessor are required, by law, to perform certain functions and need a certain level of autonomy to perform those functions, subject to living within the budgetary constraints set by the Township Board of Trustees. To permit those Officers to run their respective offices and perform their duties, the above-listed Township Officers are not required to bring every purchase or contract before the Township Board of Trustees prior to committing to the contract or expenditure and subject to the terms herein. All bills and expenses that are authorized for prepayment, must be presented to the Township Board of Trustees for approval at the next Township Board meeting after payment thereof.

i. Authorization Limits. The Township Officials authorized to make certain agreements and purchases prior to approval of the Township Board of Trustees shall be subject to the following limits:

Dollar Limits	<u>Required Approval</u>
\$00.01-\$5000.99	The Township Supervisor or Township Assessor may commit to the expenditure or make a purchase if there are sufficient funds in the respective line-item of that fiscal year's budget and appropriation ordinance and the purchase is within their statutory authority. The warrants for their purchases will be presented to the Township Board of Trustees for approval at the next regular Township Board meeting.
\$5001.00 and above	The Township Board of Trustees shall be required to review and approve the proposed expenditure or contract (subject to any bidding requirements, if applicable), prior to payment or execution.

- ii. Recurring Expenses. Notwithstanding the foregoing, the Township Supervisor shall have the authority to pay the following payables ("Recurring Expenses") without prior examination of the audit or invoices by the Township Board of Trustees:
- 1) Township Employee compensation and IMRF contributions;
 - 2) Utility bills - gas, electric, phone, internet, water, sewer, trash;
 - 3) Ordinary payments on operational contracts with an annual value less than \$5,000 that have already been approved by the Township Board of Trustees; and
 - 4) Employee reimbursements and mileage expenses in a manner consistent with the Township's Travel and Expense reimbursement policy.

Authorization for Township Employees

D. No employee shall purchase goods or services on behalf of the Township without first seeking approval as required by this policy. All purchases shall require advance approval of the appropriate Department Head, Township Officer, or the Township Board of Trustees within the guidelines described below. All purchases must conform to amounts allowed and budget for within the budget and appropriation ordinance for that fiscal year. correspond with budget amounts.

E. Township Employees are required to obtain the following authorization prior to making any purchase on behalf of the Township:

Dollar Limits	Required Prior Approval
\$0.01 to 150.99	Department Head.
\$151.00 to \$5,000.99	Township Supervisor except that the Township Assessor may authorize such purchases for Township Employees working within the office of the Township Assessor and subject to the other requirements of this Policy.
\$5,001.00 and above	Township Board of Trustees review and authorization required prior to the expenditure and or purchase.

IV. PRICING REQUIREMENTS

It shall be the policy of DuPage Township to obtain the most cost-effective price available for purchases through competitive pricing.

- A. In most circumstances, the following guidelines will determine the level of review for pricing differences required prior to making any purchase:

Dollar Limits	Requirements
\$1,000.99 or less	Verbal quotes are sufficient (at least 2)
\$1,001.00 to \$10,000.99	Minimum of 2 Written Quotes strongly recommended
\$10,001.00 to \$29,999.99	Minimum of 3 Written Quotes strongly recommended
\$30,000.00 or greater	A formal RFP (Request for proposal) and/or competitive bid may be required in accordance with State Law and Township Ordinance. Only certain exceptions are allowed by law.

B. All purchases of goods and services exceeding \$30,000 that are required by law to be competitively bid shall be subject to a competitive bidding process, unless otherwise exempt from such requirements under applicable law. All formal bids, RFP's, or RFQ's are to be coordinated from the Office of the Township Clerk in consultation with Township Supervisor and Township legal counsel. The formal RFP or competitive bid process does not require a minimum number of bids.

C. Township purchases are not subject to sales tax; therefore, employees shall make efforts to inform vendors of the Townships tax exempt status and to ensure that

sales tax is not paid for purchases made with petty cash or credit cards. Employees shall provide vendors a sales tax exemption form. The sales tax exemption form may be obtained from accounting or Human Resources.

D. The following special requirements apply to the Pricing Requirements outlined above:

- i. A "Verbal Quote" may be obtained by telephone.
- ii. A "Written Quote" may be obtained in person or via mail, email, or fax.
- iii. Quotes must identify the vendor, date of communication, item, and price.
- iv. For expenditures under \$30,000, the Pricing Requirements process may be waived by the Township Board of Trustees if, in the opinion of the Township Board of Trustees, efforts to obtain quotes were exhausted or are impractical to obtain.
- v. Exceptions to the Pricing Requirements include single source vendors, repeat and repetitive purchases, requirements by state statute or local ordinance, emergency purchases, prior-approved or allowed contractual obligations, professional services, or other situations authorized by the Township Board of Trustees, existing Township policy, or otherwise by law.
- vi. Splitting a single purchase into two or more purchases to avoid the numeric limits herein is a violation of policy and of law.

V. LOCAL PURCHASING

For purchases not exceeding the threshold requiring formal, competitive bidding, the Township Supervisor and Board of Township Trustees for DuPage Township officially adopt a preference for businesses located in DuPage Township for purposes of helping to stimulate local business development and foster a stronger local economy.

VI. EMERGENCY PURCHASES

A. Illinois State law provide that in case of accident, disaster or other circumstances creating a bona fide public emergency, the Township Supervisor may authorize expenditures without complying with the bidding and pricing requirements for the purpose of meeting said emergency; but shall file promptly with the Township Board of Trustees a certificate showing such emergency and the necessity of such action, together with an itemized account of all expenditures.

B. Emergency or Special Board meetings may be called upon notice by the Township Supervisor, in accordance with State Law, for prior approval of expenditures over \$10,001 that are not in response to a public emergency but seriously impede the Township from

meeting its obligation to citizens, taxpayers, or employees.

C. Reporting to the Township Board of Trustees would be handled through the first Board Audit Report immediately following the emergency expenditure.

VII. COOPERATIVE PURCHASING

The Township may participate in cooperative purchasing agreements for the procurement of personal property, supplies and services with one or more other governmental units in accordance with an agreement between the participants pursuant to the Illinois Governmental Joint Purchasing Act 30 ILCS 525/1 et al. If the Township uses a joint purchasing cooperative for the procurement of goods and/or services, one of the governmental units shall conduct the competitive procurement process.

This Policy was amended and approved on _____ Resolution No. 22-12

Ray Marshall
10/2/22

LEAVE

DuPage Township will consider a request from eligible full-time employees to take an unpaid personal leave of absence to fulfill personal obligations. Requests must be made at least five (5) working days before the leave is to begin. Employees are eligible if they have worked for DuPage Township for at least one year. You must apply in writing for this leave of absence and submit your request to the **Township Supervisor or the Township Assessor**. Your request should include the reason for the leave, the date on which you wish the leave to begin, the date on which you will return to active employment with DuPage Township and any documentation supporting your need for leave.

Employees must exhaust all paid personal, and vacation time before they are eligible for unpaid personal leave. DuPage Township will give each request individual consideration. The decision to approve a personal leave will be based on a number of business factors such as anticipated workload needs and staffing considerations during the proposed absence. The Township has the right to deny any request. Subject to the terms, conditions, and limitations of the applicable plans, DuPage Township will provide health insurance benefits in compliance with the Family and Medical Leave Act (FMLA).

If an employee does not receive a paycheck for any reason (including, but not limited to, leave associated with FMLA or Workers' Compensation), but is still considered an active full-time employee, the employee will have to submit his/her portion of the health insurance, flexible spending account, and any other personal contributions deducted from his or her paycheck to DuPage Township on the date that paychecks are issued. Benefit accruals, such as vacation, personal time, sick time, or holiday benefits, will be suspended during a personal leave and will resume when the employee returns to active full-time employment. When unpaid personal leave ends, DuPage Township will make every reasonable effort to return the employee to the same position if it is available or to an available similar position for which the employee is qualified. However, DuPage Township cannot guarantee reinstatement in all cases.

If the employee does not report to work promptly at the end of unpaid personal leave, DuPage Township will assume that the employee has resigned.