

ORDINANCE NO. 2013-08-072

**AN ORDINANCE AMENDING TO CREATE AN EMERGENCY
EXCEPTION TO THE ORDINANCE CONCERNING THE PURCHASE OF EQUIPMENT
AND/OR SUPPLY IN EXCESS OF TEN THOUSAND DOLLARS**

WHEREAS, the City of Urbana ("Urbana") is an Illinois Municipal Corporation pursuant to the Illinois Constitution of 1970 and the Statutes of the State of Illinois;

WHEREAS, there currently exists within the Urbana Municipal Code ("Code") an ordinance which governs the purchase of equipment and/or supply in excess of ten thousand dollars (\$10,000.00);

WHEREAS, Section 2-115 of the Code provides:

All contracts for the purchase of supplies or equipment requiring an expenditure of a sum in excess of ten thousand dollars (\$10,000.00) shall be advertised for bids and let to the lowest responsible bidder, the city council, however, reserving the right to reject all bids;

WHEREAS, the aforesaid Section contains no exception which would permit the City to purchase equipment and/or a supply in excess of ten thousand dollars (\$10,000.00) in order to address, remediate or resolve an emergency situation or condition which arises unexpectedly;

WHEREAS, the City Council of the City of Urbana ("Council") deems it to be in the public interest to allow the purchase of equipment and/or a supply in order to address, remediate or resolve an emergency situation or condition without the delay of advertising for bidders which sell such equipment and/or supply; and

WHEREAS, the Council seeks to create a limited exemption to address the aforesaid public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The language currently contained in Section 2-115 of the Urbana Municipal Code shall be stricken and in its place the following language shall be and hereby is inserted as Section 2-115:

(a) Except as otherwise provided in paragraph (b) of this Section, all contracts for the purchase of supplies or equipment requiring an expenditure of a sum in excess of ten thousand dollars (\$10,000.00) shall be advertised for bids and let to the lowest responsible bidder, the city council, however, reserving the right to reject all bids.

(b) Notwithstanding anything to the contrary contained in paragraph (a) of this section, the Mayor

or his or her designee may authorize a purchase of equipment or supplies in excess of ten thousand dollars (\$10,000.00) to address or resolve an emergency which affects or which is expected to affect human life, health, safety, or welfare. The Mayor or his or her designee shall declare the emergency in writing setting forth the nature of the emergency and which identifies or describes the equipment and/or supply sought to be purchased. Such writing shall be directed to and retained by the Finance Department and the Mayor or his or her designee shall inform the City Council at its next regularly scheduled meeting of the purchase and the emergency situation or condition sought to be addressed or resolved thereby.

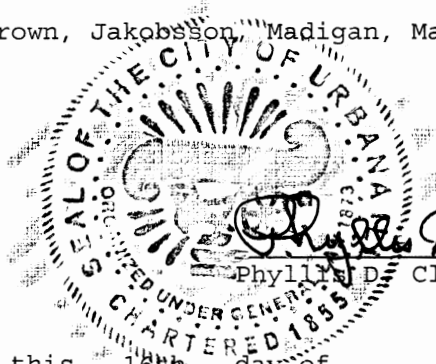
Section 2. The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute on behalf of the City of Urbana, Illinois and deliver to the City Clerk of the City of Urbana, Illinois, the latter being and the same being hereby authorized to attest to said execution of this Ordinance.

PASSED by the City Council this 12th* day of August, 2013.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 18th day of August, 2013.

Laurel Hunt Prussing
Laurel Hunt Prussing, Mayor

*Special Council Meeting