

PAMPHLET

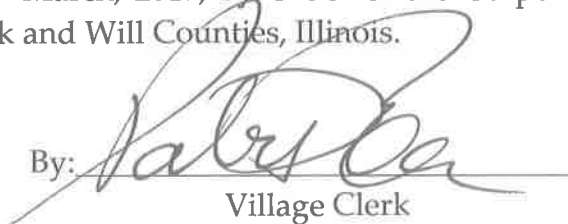
FRONT OF PAMPHLET

ORDINANCE NUMBER 2017-O-012

**AN ORDINANCE ADOPTING A PURCHASING POLICY
FOR THE VILLAGE OF TINLEY PARK**

Published in pamphlet form this 7th day of March, 2017, by Order of the Corporate Authorities of the Village of Tinley Park, Cook and Will Counties, Illinois.

By:

A handwritten signature in black ink, appearing to read "Sally", written over a horizontal line.

Village Clerk

STATE OF ILLINOIS)
COUNTY OF COOK) SS.
COUNTY OF WILL)

CLERK'S CERTIFICATE

I, **PATRICK E. REA**, the duly elected, qualified, and acting Village Clerk of the Village of Tinley Park, Cook and Will Counties, Illinois, do hereby certify that attached hereto is a true and correct copy of the Ordinance now on file in my office, entitled:

ORDINANCE NUMBER 2017-O-012

**AN ORDINANCE ADOPTING A PURCHASING POLICY
FOR THE VILLAGE OF TINLEY PARK**

which was passed by the Board of Trustees of the Village of Tinley Park at a regular meeting held on the 7th day of March, 2017, at which meeting a quorum was present, and approved by the President of Tinley Park on the 7th day of March, 2017.

I further certify that the vote on the question of the passage of the said Ordinance by the Board of Trustees of the Village of Tinley Park was taken by the Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Village of Tinley Park, and that the result of the vote was as follows, to wit:

AYES: Maher, Grady, Pannitto, Vandenberg, Younker
NAYS: None
ABSENT: Suggs

I do further certify that the original Ordinance, of which the attached is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Tinley Park, this 7th day of March, 2017.

By: 
Village Clerk

ORDINANCE NUMBER 2017-O-012

**AN ORDINANCE ADOPTING A PURCHASING POLICY
FOR THE VILLAGE OF TINLEY PARK**

WHEREAS, the Village of Tinley Park is a home rule municipality.

WHEREAS, the Village of Tinley Park finds it prudent to periodically review its policies and procedures; and

WHEREAS, the Village of Tinley Park previously adopted a Purchasing Policy by ordinance 79-O-048 on December 11, 1979 and as referenced in Section 36.03 of the Tinley Park Municipal Code; and

WHEREAS, that Purchasing Policy was amended by ordinance 81-O-024 on September 11, 1981; and

WHEREAS, there have been legislative changes affecting purchasing since the Purchasing Policy was adopted and amended; and

WHEREAS, there have been changes in what are considered best practices since the Purchasing Policy was adopted and amended; and

WHEREAS, since adopting that Purchasing Policy, the Village has implemented an Enterprise Resource Planning suite of computerized software programs that has supplanted and superseded forms and procedures referenced in that Policy; and

WHEREAS, the former Purchasing Policy is now determined to be outdated and obsolete.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Tinley Park, Cook and Will Counties, Illinois, the following:

SECTION ONE

The formerly adopted Purchasing Policy is hereby rescinded in its entirety.

SECTION TWO

The Purchasing Policy hereby adopted is included as **Exhibit A** to this Ordinance.

SECTION THREE

A copy of this Purchasing Policy shall be included and incorporated into the Village's Fiscal Policy Manual, as amended from time to time.

SECTION FOUR

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of any such conflict.

SECTION 5

That the Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form and this Ordinance shall be in full force and effect immediately upon its adoption, approval, and publication as required by law.

ADOPTED this 7th day of March, 2017.

AYES: Maher, Grady, Pannitto, Vandenberg, Younker

NAYS: None

ABSENT: Suggs

APPROVED this 7th day of March, 2017.



Village President

ATTEST:



Village Clerk

ORDINANCE NUMBER 2017-O-012

**AN ORDINANCE ADOPTING A PURCHASING POLICY
FOR THE VILLAGE OF TINLEY PARK**

EXHIBIT A



The Village of Tinley Park – Purchasing Policy Manual

Table of Contents

1.0	Introduction
1.1	Objectives
1.2	Policy conflicts
2.0	Authority to Purchase
3.0	General Policy
3.1	Blanket Purchase Orders
3.2	Exceptions
3.3	Reimbursement
3.4	Local Business Purchases
3.5	Cooperative Purchases
3.6	Franchise Agreements
4.0	Conflict of Interest
4.1	Abuse of Purchasing Power
4.2	Employee and Elected-Official Owned Businesses
5.0	Payment Policy
6.0	Payment Vouchering Process
6.1	Potential Vendor Meetings
7.0	Policy Review and Revision
7.1	Local Vendor Purchasing Policy
7.2	Responsible Bidder for Village Public Works Projects

1.0 Introduction

The Village of Tinley Park Purchasing Manual is intended to serve as a **guideline** for an effective and efficient means of purchasing materials, equipment and services while adhering to legal requirements. Adherence to this policy will allow for the expedient procurement of items and services. This manual is generally intended to cover purchases and contracts in amounts less than \$20,000. Generally, contracts for construction of public improvements with a value in excess of \$20,000 are let be competitive bid. Other contracts for goods or services with a value in excess of \$20,000 may be subject to a competitive bidding process, which may consist of traditional competitive bidding, a Request for Proposals (RFP) or a Request for Qualifications (RFQ), as determined appropriate by the Village. Any or all of these bidding methods may be waived by the Village Board when the Board determines to do so. The determination of whether to competitively bid a contract, and/or whether to do so through an RFP or RFQ, or some other method, if at all, shall be made by the Village Board. Contracts in excess of \$20,000 may be entered into through cooperative purchasing programs without competitive bidding. From time to time, the Village shall review all contracts with outside vendors to ensure the Village is receiving the best value for the services being provided.

1.1 Objectives

The objectives for this manual are as follows:

- To provide a standardized system of purchasing for use by all Village departments:
- To ensure that materials, equipment, and services are purchased from the lowest responsible vendor:
- To ensure that environmental considerations are factored into purchasing decisions, consistent with such traditional factors as product safety, price, performance and availability:
- To procure products containing recovered materials, and environmentally preferable and energy-efficient products such as those identified as Energy Star, low volt, clean fuel, and utilizing energy-efficient lighting when appropriate:
- To provide adequate control and documentation of Village expenditures and financial commitments:
- To obtain quality goods required by Village departments and to ensure that these goods are available at the place and time needed: and
- To maintain compliance with applicable laws and ethical standards of conduct concerning public procurement.

1.2 Conflict

This Manual is not intended to replace or supersede the Village's Responsible Bidder Ordinance or its Local Vendor Purchasing Policy, which remain in effect and which may impact purchases made pursuant to this Manual.

2.0 Authority to Purchase

The Village Manager, per the Village Code, is the purchasing agent for the Village and is authorized to make all purchases and other expenditures authorized by the annual budget then in effect; provided that all purchases and other expenditures over **twenty thousand (\$20,000)** first shall be authorized by the Village Board. The Village Manager is authorized to engage the services of engineers, attorneys or other professional consultants for any matter that will create an obligation for such services not exceeding **twenty thousand (\$20,000)** without prior approval of the Village Board. Professional services shall be evaluated on the basis of skills, merit and not solely based on cost factors alone. Examples of these types of professional services include architect and engineering services.

The Village Manager is authorized to execute contracts, work orders, and other agreements (from here on out called contracts) that are specifically authorized by the Village Board. The Village Manager is also authorized to execute contracts for budgeted routine day-to-day operating activities without specific contract approval by the Village Board, in the case of purchases below \$20,000. Examples of this authority include, but are not limited to, the following:

1. Contracts for routine operating activities specifically included in the approved fiscal year budget up to the limits provided for each activity in the budget or other routine operation and maintenance activities not specifically included in the budget provided funds are on hand to pay for the resulting costs.
2. Contracts for the services of individuals possessing a high degree of professional skill which are included in the approved fiscal year budget up to the limits provided for each professional service in the budget or for other professional services not specifically included in the budget provided funds are on hand to pay for the resulting costs.
3. Contracts for design and construction engineering, when the Village Board has formally authorized bidding of a project or included a project in the approved fiscal year budget, up to the amounts for engineering in the project cost estimate which was the basis for bidding or approval of the project.
4. Contract Change Orders that meet the following conditions:
 - Change order is in an amount up to \$10,000, and where the time for performance is not extended by more than 30 days;
 - The amount of the contract is not increased by more than 50%; and
 - It is determined that extra work is required outside of the original contract where (1) the work to be performed as an extra and is essential to the fulfillment of the contract, (2) the work could not reasonably be expected to

be performed at a lesser sum if the work was authorized through an independent contract rather than as an extra, and (3) the emergency nature of the work, the availability of the contractor or materials or some other similar reason would not permit the extra work to remain uncompleted until the next regularly schedule Village Board meeting.

For the purposes of this manual, the following definitions shall apply to the various types of service/contract procurements.

- Quotes – A statement by potential supplier to provide goods or service at a specified price. Whenever possible, the Village should secure written quotes for goods or services.
- Request for Proposal (RFP) – An RFP process is when the Village is soliciting competitive pricing for products and/or services. RFP's are typically utilized when the Village requires a specific good or service for less than \$20,000.
- Request for Qualifications (RFQ) – An RFQ process is when the Village is seeking information regarding the qualifications of potential suppliers of a service. Typically in an RFQ process, the Village will attempt to negotiate a price for said service after the most qualified respondent to the RFQ has been identified.
- Formal Bid – A formal bid process is typically used for procurement of goods and/or services that are expected to exceed \$20,000 in cost. Bids shall be opened in public at the time and location stated in the bid.
- Quality Based Selection (QBS) – The Village shall adhere to the State of Illinois' Quality Based Selection (QBS) law for professional services covered by said law. Examples of these types of professional services include architect and engineering services.

The Village shall have the authority to reject the low bid, to accept any item of a quote or bid, to reject any and all quotes or bids, to accept and incorporate corrections or clarifications following bid openings and to waive irregularities and informalities in any quote or bid submitted or in the bidding process, when to do so would not, in the Village's opinion, prejudice the bidding process or create any improper advantage to any bidder.

If only one quote or bid is submitted to the Village, that fact alone shall not prevent the Village from accepting said quote or bid.

Public notice of all invitations to bid shall be published one (1) or more times in at least one (1) newspaper of general circulation with th Village, not less than seven (7) days prior to the date which all bids must be submitted to the Village. Authorized Village personnel may also solicit bids by sending copies of the newspaper notice directly to prospective bidders which ordinarily provide the type of construction, repair, maintenance, supplier and/or services being sought by the Village. The public notice of the invitation to bid shall include, at a minimum, the following:

- A general description of the materials, supplies, or work to be purchased;

- The place where bid documents may be found and reviewed;
- The place at which bids must be submitted;
- The time and place for the opening of bids;
- Deposit and bonding requirements, if any; and
- A statement that the Village reserves the right to reject any and all bids received.

3.0 General Policy

The following processes and guidelines shall be used by all employees and elected officials, except as noted in section 3.1 and 3.2. Where a PO is required, an employee should enter a purchase order request with the appropriate approval queue in the financial software. Purchases should not be made prior to receiving approval for the purchase.

Purchase \$ Threshold	PettyCash	Supervisor Signature	Eden Purchase Order	PO with Supervisor or Manager approval	PO with Supervisor & Treasurer Approval	PO with Supervisor, Treasurer, & VM Approval	Require 3 or more quotes	RFP/RFQ or Bid Process
<\$20	X							
<\$500		X	Recommended					
\$500 to \$2500			X	X				
\$2501 to \$5000			X		X		X	
>\$5000			X			X	X	
>\$20,000								X

3.1 Blanket Purchase Orders

Blanket purchase orders are used for those vendors from whom many repetitive purchases are made as supplies are required. Rather than issue a purchase order for each purchase, one purchase order is issued for a specified period (i.e. month, 6 months, or 1 year) to cover all purchases made during that period. Be sure to attach a photocopy of the purchase order to each invoice related to the blanket purchase order.

Materials and services for which blanket purchase orders are used are to be determined by the Department Head in concert with the Budget Assistant and approved by the Finance Department. If it is found that the same small items are frequently purchased under blanket purchase orders, the Department Head shall be responsible for exploring the possibility of regular purchasing and stocking of these items.

3.2 Exceptions to Purchasing Policy Processes

In the case of a bona fide emergency, a contract or agreement may be let or a purchase made to the extent to resolve said emergency without following the provisions of this Manual. Prior to making such a purchase, the Village Manager, or designee, shall obtain the verbal concurrence and within 24 hours of making any purchase, written concurrence of the Mayor and Finance Committee Chairman, that an emergency exists. Records are kept and at the next regular Village Board meeting all records of purchases, date and amount expended will be presented to the Board.

Additionally, the Village Manager shall exercise freedom in executing work orders as well as contracts for routine day-to-day operating activities without specific contract approval by the Village Board in accordance with the limits established in section 2.0 and in accordance with said purchasing policies.

3.3 Reimbursement

Any expenditures for meals, travel, conferences, must include a description of “Who, Where, and Business Purpose”, and be approved by a department manager on an approved Village travel reimbursement form. Reimbursement requests must approved prior to the employee attendance at the event for which reimbursement is being requested. An employee should not approve their own reimbursements for expenditures; but such approval should be done by their immediate supervisor/or manager. In addition, original receipts reflecting from of payment are always required for:

- Airfare;
- Registration/conference fees;
- Lodging;
- Rental car; and
- Expenses exceeding \$75.

3.4 Local Business Purchases

When purchasing from local businesses, it is recommended to rotate the purchase for specific good and/or services. However, competitive pricing and quality are equally as important.

3.5 Cooperative Purchasing

Cooperative purchasing between the Village and the State of Illinois, other local governments, local purchasing cooperatives, or arrangements with other organizations can result in significant savings on the purchase price of many items. It is the practice of the Village to enter into cooperative purchasing agreements when:

- A. Significant savings will result;
- B. Quality, availability, or service will not be sacrificed; and
- C. Ordered items will be delivered directly to the Village (unless other arrangements are approved in advance by the Village).

3.6 Franchise Agreements

From time to time, Village services provided under the terms of a franchise agreement shall become eligible for renewal and/or extension. In order to ensure that the Village of Tinley Park receives that best value for its contracted services, the Village often times will establish a process of competitive bidding, RFP or RFQ for the contracted service. However, at times, it may be in the best interest of the Village to waive the competitive bidding, RFP or RFQ process and directly negotiate the terms of a contract renewal and/or extension with an existing vendor.

It is understood that the following shall be a guideline for negotiating the terms of the Village of Tinley Park's contract/franchise agreement renewals and/or extensions:

1. On occasion, it will be necessary, or advisable, for the Village of Tinley Park to negotiate the renewal/extension terms of existing contracts/franchise agreements (cable television, Com-Ed, refuse services, ambulance services, etc.).
2. In determining if a renewal/extension of an existing contract/franchise agreement is in the best interest of the Village of Tinley Park and its residents the Village Board will consider certain criteria. The criteria shall include, but not be limited to, the following:
 - a) If the vendor is the sole service provider for the Village of Tinley Park;
 - b) If the vendor is meeting and/or exceeding the service levels described in its agreements with the Village. These service levels may include the following items:
 - Restoration of public properties and right-of-way if damage occurred due to vendor's work on said property
 - Adequate and timely delivery of vendor's services to the residents of Tinley Park
 - Ensuring that no unreasonable interruptions of vendor's services are occurring in the Village
 - Timely payment to the Village of any applicable franchise fees;
 - c) History of vendor service complaints received by the Village;
 - d) Market trends regarding the cost of current vendor services versus those of other similar service providers in the area;
 - e) Consideration of the value of an existing vendor's knowledge of Village streets, neighborhoods, traffic patterns, knowledge of community events and any other factors which may lead to increased service levels throughout the community; and
 - f) Such other criteria as the Village Board may develop from time to time with respect to any particular contract / franchise agreement.

3. Existing contracts/franchise agreements that are eligible for renewal/extension shall be reviewed by the appropriate Village committee for recommendation to the Village Board regarding whether said contract/franchise agreement shall be renewed/extended or become part of a competitive bid, RFP or RFQ process.
4. The Village Board shall determine, on a case by case basis, if it is the best interest of the Village to participate in a competitive bid, RFP or RFQ process or directly negotiate with an existing vendor for the Village's contracted services.

4.0 Conflict of Interest

No employee, either on that person's behalf or on behalf of any other person, shall have any financial or personal interest in any business or transaction with any Board, Commission, Committee or other public body of the Village unless that employee makes full public disclosure of the nature and full extent of such interest and disqualifies him or herself from participating in and acting upon the resolution of the business or transaction. No Village officers shall have any interest in any contract, procurement, work or business of the Village that is prohibited by Section 3 of the Public Officers Prohibited Activities Act (50 ILCS 105/3) and/or Section 3.1-55-10 of the Illinois Municipal Code (65 ILCS 5/3.1-55-10).

4.1 Abuse of Purchasing Power

All employees who are given the authority to purchase are required to remain within the purchasing authority granted to them and are obligated to follow the rules of this protocol. Employee personal purchases using a Village of Tinley Park account is prohibited. Dividing of like or similar orders into smaller purchase amounts in order to fall within a certain level of authorized purchasing authority is a direct violation of this protocol. Violations of this protocol are required to be reported to the Village Manager.

4.2 Employee and Elected Official Owned Businesses

To avoid the potential for or the appearance of favoritism or collusion on the competitive procurement of services, commodities, materials and equipment, an annual disclosure form shall be required (unless public disclosure requirements have already been met via section 4.0 of this policy) for any item or service that is procured by a firm, corporation, or business that is owned in whole or at least a five (5) percent ownership stake by someone employed by the Village and/or a Village elected official. The form shall indicate, at time of purchase, the employee/elected official name, products or services sold to the Village, dates of sale and the price. However, in no circumstance shall a Village officer have any interest in any contract, procurement, work or business of the Village that is prohibited by Section 3 of the Public Officers Prohibited Activities Act (50 ILCS 105/3) and/or Section 3.1-55-10 of the Illinois Municipal Code (65 ILCS 5/3.1-55-10).

5.0 **Payment Policy**

1. It is the Village's policy that any bill approved for payment shall be paid within 30 days after the date of approval. The Village will make payments under the provisions of the Local Government Prompt Pay Act.
2. Sales Tax Exemption. The Village of Tinley Park is exempt from paying all local and state sales taxes. When reviewing and approving invoices, Department Heads and/or their designees shall verify that the vendor has excluded any sales taxes from the amount due from the Village. The Finance Department will provide the necessary information regarding the Village's State Sales Tax Exemption Certificate to any vendor upon request.
3. Reimbursement to Employee for Purchases made on behalf of the Village. The Finance Department will process a reimbursement to an employee for goods and services, purchased by the employee with the employee's money on behalf of the Village, when the Department Head submits the paid receipt with his or her approval.
4. Village Credit Card – The Village maintains a credit card, which may be utilized for legitimate Village related purchases. The use of the credit card shall be made available when other procurement methods (purchase orders, etc) are deemed to be impossible or impractical to utilize.

6.0 **Payment Vouchering Process**

Once goods are received, please verify receipt of all items ordered against the original amounts ordered. Attach packing slip to invoice when received and submit to Finance, Accounts Payable for payment. Similarly for services performed, submit invoice with allocation to Account Payable for payment. All invoices should be initialed by party approving the purchase and allocated to the appropriate general ledger account where such purchases have been budgeted.

No payments/reimbursements can be issued without an invoice and documentation of purchase.

For all invoices, Accounts Payable will enter the invoice for payment, and route to an accounts payable approval queue. All invoices are reviewed by an Accountant in the Finance Department and approved electronically within financial software for payment. Invoices greater than \$5,000 also require electronic approval by either the Treasurer/and/or the Village Manager.

6.1 **Potential Vendor Meetings**

Periodically, the Village shall either host or participate in events that allow for vendors to receive information regarding potential quotes, RFP/RFQ and/or bids that the Village anticipates will be issued over the next twelve (12) months. Information presented to the vendors shall include a discussion of applicable Village processes/procedures related to purchasing and also instructions on where vendors can locate specific quotes, RFP/RFQ and/or bid information. The Village shall

attempt to coordinate any potential vendor meetings with the Tinley Park Chamber of Commerce as to maximize the effectiveness of said meetings.

7.0 Policy Review and Revision

This Manual may be reviewed from time to time and revised as determined necessary by the Village Board. Interpretations of the guidelines established in this manual shall be referred to the Village Manager for his/her interpretation and final decisions regarding policy implementation.

7.1 Local Vendor Purchasing Policy

The Village of Tinley Park believes it is important to provide local vendors with opportunities to provide goods and services to the Village of Tinley Park. This belief is based upon the fact that the active uses of commercial properties in Tinley Park benefits the community through stabilization of property tax, the creation of local sales tax and the provision of employment opportunities for citizens of the community and surrounding region. In an effort to promote the aforementioned benefits, the Village of Tinley Park wishes to provide local vendors with preferential treatment when competing for contracts with the Village. A local vendor is defined as a business that has an actual business location within the Village of Tinley Park and is licensed by the Village. The Village will not award a contract to a local vendor when the difference between the local vendors bid and the otherwise lowest responsive and responsible bid exceeds the applicable percentage indicated as follows. As such, when considering contracts, the Village of Tinley Park reserves the right to forego the lowest responsive and responsible bid exceeds the applicable percentage indicated as follows:

<u>Contract Value</u>	<u>Range (up to a maximum of)</u>
\$0 to \$250,000	5%
\$250,000 to \$500,000	4%
\$500,000 to \$750,000	3%
\$750,000 to \$1,000,000	2%
\$1,000,000 to \$2,000,000	1%

Under no circumstances will any contract be awarded to a local vendor when the local vendor's bid exceeds the lowest responsive and responsible bid by \$25,000 or more.

This policy shall **ONLY** apply if formal notice of the aforementioned criteria is provided as part of the bid specifications. In addition, it should be noted that the Village of Tinley Park shall not be obligated to forego the low bidder in favor of the local vendor under any circumstances. However, this policy simply provides the Village with the option of doing so when applicable. Furthermore, this policy shall not apply in any situation where any portion of the contract amount is being paid with funds other than Village monies. Specifically, this policy shall not apply in any situation where the Village has received a grant or otherwise received a source of funds other than its own funds.

7.2 Responsible Bidder for Village Public Works Projects

That in order to be considered a “responsible bidder” on Village Public Works Projects, a bidder must comply with the following criteria, and submit acceptable evidence of such compliance, in addition to any other requirements as determined from time to time by the Village for the specific type of work to be performed:

1. Compliance with all applicable laws and Village Codes and Ordinances prerequisite to doing business in Illinois and in the Village;
2. Compliance with:
 - A. Submittal of Federal Employer Tax Identification Number or Social Security Number (for individual), and
 - B. Provisions of Section 2000e of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Federal Executive Order No. 11375 (known as the Equal Employment Opportunity Provisions);
3. Furnishing certificates of insurance indicating at least the following coverages at minimum limits established by the Village: general liability, workers’ compensation, completed operations, automobile, hazardous occupation, product liability, and professional liability;
4. Compliance with all provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades covered by the Act;
5. Participation in apprenticeship and training programs approved by and registered with the United States Department of Labor’s Bureau of Apprenticeship and Training;
6. Compliance with the applicable provisions of the Illinois Human Rights Act and the rules of the Illinois Human Rights Commission, including the adoption of a written sexual harassment policy;
7. Furnishing of required performance and payment bonds;
8. Furnishing certification of no delinquency in the payment of any tax administered by the Illinois Department of Revenue;
9. Furnishing certification that the bidder is not barred from bidding or contracting as a result of a violation of either Section 33E or 33E-4 of Chapter 720, Article 5 of the Illinois Compiled Statutes; and
10. Furnishing evidence that the bidder has not only the financial responsibility but also

the ability to respond to the needs of the Village by the discharge of the contractor's obligations in accordance with what is expected or demanded under the terms of the contract.

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EXHIBIT B

Village of Tinley Park - Purchasing Policy Summary of Changes

UPDATED SECTIONS

Section	Current Policy (1970s)	Proposed Policy
Manager's Spending Authority (Section 2.0)	\$5,000	\$20,000
Issuance of Purchase Order (Section 3.0)	\$50	\$500
Multiple Quotes Recommended (Section 3.0)	\$300	\$2,500
Sealed Bids (Section 3.0)	\$1,500	\$20,000 (state law)

NEW SECTIONS

Section	Section Number
Cooperative Purchasing	3.4
Franchise Agreements	3.5
Employee and Elected Official Owned Business	4.2
Use of Village Credit Card	5.0
Establishment of Potential Vendor Meetings	6.1
Inclusion of Local Vendor Purchasing Policy	7.1
Inclusion of Responsible Bidder for Public Works Projects	7.2

Attachment "B"

PAMPHLET

BACK OF PAMPHLET

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