

## SECTION III BUSINESS

### 1.00 CONFLICTING INTEREST (EMPLOYEES)

- .01 - The Park District's success and reputation are dependent upon and entrusted to the honesty, integrity and ethical standards of its employees. Each action taken by an employee in the course of Park District business should be motivated solely by the Park District's best interest and not influenced by his/her personal self-interest.
- .02 - It is contrary to Park District policy to permit the existence of circumstances which would produce, or may reasonably appear to produce, a conflict between the personal interest of an employee and the interest of the Park District.

### 2.00 GIFTS, FAVORS AND ENTERTAINMENT

- .01 - Each employee of the Park District will conduct his/her business affairs with the public on the basis of the Park District's best interest.
- .02 - Gifts of \$25.00 or more accepted by employees from dealers, vendors and others with whom the Park District does business must be reported to the Executive Director of Parks and Recreation.
- .03 - Entertainment, an accepted custom in the business world, when conducted within proper limits, can enhance a business relationship. Supervisory employees are allowed to accept only that kind of business entertainment which they are in turn permitted to extend to others under appropriate circumstances. If any doubt exists concerning a particular situation, it should be discussed with the Executive Director of Parks and Recreation.
- .04 - Elected or appointed officials and employees of the Park District must also comply with the requirements of the Park District's Ethics Ordinance which was adopted by the Board of Trustees of the Park District on May 12, 2004 (see Appendix Ordinance Number 274). Except as otherwise provided in the Ethics Ordinance, no elected or appointed official or employee of the Park District shall solicit or accept any gift from any prohibited source. The provisions of the Ethics Ordinance also apply to spouses of and immediate family living with the official or employee. Questions regarding the Ethics Ordinance provisions should be directed to the Park District's attorney, who has been designated as the Park District's Ethics Advisor.

### 3.00 PURCHASING/SALES (BIDS/QUOTATIONS/REQUESTS FOR PROPOSALS)

- .01 Purchases and sales of the District are governed by Section 8-1(c) of the Park District Code (70 ILCS 1205/8-1(c)). It is the policy of the Park Board to, in addition to the statutory requirements, use the most responsible business practices in its purchases and sales. The staff, as required by Board directive, shall seek bids, or quotations if bids are not specifically required, from the widest possible array of contractors, suppliers and material men. This practice will produce the most competitive offers and terms available from the widest number of interested firms or individuals. In addition, the District will utilize a system of solicitation lists of the names, addresses and phone numbers of the firms or individuals who have expressed an interest in being notified as to particular types of contracts, equipment, supplies or materials which the District seeks to purchase. The staff will add to each list of those expressing an interest, any firm or individual doing business which the staff determines should be added to such list. The staff may remove a firm or individual from a list for cause, with Board approval, or the firm or individual may request its removal. The firms or individuals on any such lists will be solicited directly by the staff to bid or quote on appropriate purchases or sales, in addition to the requirements of advertising or other public notification mandated. At least annually the District shall

advertise in a newspaper of general circulation its system of lists so that any interested person or firm can ask to be added to the appropriate listing. The inclusion of a firm or individual on a solicitation list shall not constitute any prequalification for bidding, or release in any fashion the firm or individual from meeting any and all requirements set out in a particular contract, bid, quotation or proposal. This system of solicitation lists is solely for purposes of supplementing the advertisement or notification requirements otherwise used, in order to avoid even the appearance of favoritism or lack of fair competition in the District's purchases or sales.

.02 All expenditures needing Park Board consideration and/or approval must be authorized by the Executive Director of Parks and Recreation to be placed on the regular agenda for the Park Board.

.03 Any commitment for sale of Park property (land sales included), i.e., natural resources (timber, gravel, sand, earth), surplus equipment, animals, plants, etc., shall comply with the appropriate Administrative Procedure before the Executive Director of Parks and Recreation will grant authorization.

.04 All commitments for expenditures of Park District monies shall be made according to the following conditions:

A) Expenditures in excess of \$30,000

Except as provided in Section 8-1 of the Park District Code (70 ILCS 1205/8-1), all expenditures in excess of \$30,000 or more shall be made to the lowest responsible bidder after Park Board approval in the manner prescribed by State law and Park Board Rules and Regulations. Advertisements for Sealed Bids or Requests for Proposals will be properly handled through the public media. Sealed Bids, based on authorized specifications, or Requests for Proposals shall be received at a Public Bid Opening and include all costs for labor and materials, and if applicable, all costs for bid bond, performance bond, labor & material bond, and insurance. If applicable, contractors/vendors shall provide such certifications or documentation required by law or Park District procurement policy. All bids and proposals shall be solicited, tabulated and submitted to the Park Board for action by the Planning Division or the Purchasing Department.

B) Expenditures in excess of \$20,000 through \$30,000

All expenditures in excess of \$20,000 through \$30,000 shall be made after Park Board approval upon review of three (3) written quotations. Quotations shall include all costs for labor and materials, and if applicable, all costs for insurance. If applicable, a quotation from a contractor/vendor shall include such certifications or documentation required by law or Park District procurement policy. All written quotations shall be tabulated and submitted to the Park Board for action by the Planning Division or the Purchasing Department.

C) Expenditures in excess of \$7,500 through \$20,000

All expenditures in excess of \$5,000 through \$20,000 shall be made only at the direction of the Executive Director of Parks and Recreation or the Executive Director's designee upon review of two (2) written quotations. Quotations shall include all costs for labor and materials, and if applicable, all costs for insurance. If applicable, a quotation from a contractor/vendor shall include such certifications or documentation required by law or Park District procurement policy. Quotations shall be submitted to the Executive Director by the Planning Division or the Purchasing Department. Division Superintendents or Deputy Director shall be responsible for monitoring purchases and ensuring that the transactions are included in the approved budget.

D) Expenditures in excess of \$2,500 through \$7,500

All expenditures in excess of \$2,500 through \$5,000 can be made only at the discretion of the Executive Director of Parks and Recreation, Division Superintendents, or Deputy Director. If applicable, a contractor/vendor shall include such certifications or documentation required by law or Park District procurement policy. Division Superintendent or Deputy Director shall be responsible for monitoring

purchases and ensuring that the transactions are included in the approved budget.

E) Expenditures of \$2,500 or less

Expenditures of \$2,500 or less, for approved budget line items, can be made under the supervision of the Executive Director of Parks and Recreation, Division Superintendents, Deputy Director, and Supervisor level employees. Said employee shall be responsible for monitoring purchases and ensuring that the transactions are included in the approved budget.

F) Expenditures not included in the approved budget

Expenditures in any amount not included in the approved budget, can be made only at the direction of the Park Board.

G) Emergency Expenditures in excess of \$30,000

As provided in Section 8-1(c) of the Park District Code (70 ILCS 1205/8-1(c)), emergency expenditures in excess of \$30,000 are exempt from bidding and can only be made with the written approval of the Executive Director of Parks and Recreation and approved by three-fourths (3/4) majority of the members of the Park Board.

H) Emergency Expenditures in excess of \$7,500 through \$30,000

The Purchasing Department should be contacted as soon as staff believes an emergency purchasing situation may exist that does not allow for adherence to the applicable quote and/or collection of vendor certifications or documentation otherwise required by policy. Emergency situations may include public health or safety emergencies, cases where immediate expenditure is necessary for repairs to District property to protect against further loss or damage, or to prevent or minimize serious disruption of vital District services.

- i) Emergency purchasing in excess of \$20,000 and through \$30,000 shall be submitted to the Board of Trustees for their approval at a regularly scheduled Board meeting. If the circumstances of the emergency are such that a purchase must be made prior to the next Board meeting, Staff shall use best efforts to contact Board members to obtain a consensus for the purchase.
- ii) Emergency purchasing in excess of \$7,500 and through \$20,000 can be made at the discretion of the Executive Director of Parks and Recreation, or the Executive Director's designee.

I) Purchases Exempt from Bidding

As provided in Section 8-1(c) of the Park District Code (70 ILCS 1205/8-1(c)), contracts which, by their nature, are not adapted to award by competitive bidding, are not subject to competitive bidding, such as

- i) contracts for services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part,
- ii) contracts for printing of finance committee reports and departmental reports,
- iii) contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness,
- iv) contracts for utility services such as water, light, heat, telephone or telegraph,
- v) contracts for fuel (such as diesel, gasoline, oil, aviation, or propane), lubricants, or other petroleum products,
- vi) Contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, or services,
- vii) Contracts for duplicating machines and supplies,
- viii) Contracts for goods or services procured from another governmental agency,
- ix) Purchases of equipment previously owned by some entity other than the district itself, and

x) Contracts for the purchase of magazines, books, periodicals, pamphlets, and reports.

J) Purchases for Resale

Expenditures of \$30,000 or less for items which will be resold by the District may be made at Superintendent or Deputy Director discretion-Those purchases which by their nature are not adapted for award by competitive bidding are exempt from bidding or quotation. If applicable, a contractor/vendor shall include such certifications or documentation required by law or Park District procurement policy.

K) Change Orders

- i) Change orders shall be approved as per the authorization limited in 3.04.
- ii) When the Executive Director has given the initial authorization for the expenditure (i.e. when the amount is \$20,000 or less), the Executive Director may also authorize change orders that increase the total contract to an amount which is over the Executive Director's \$20,000 authorized limit, with the following provisions:
  - a. State of Illinois and Peoria Park District purchasing regulations and policies are observed relative to not "stringing" bids.
  - b. The Executive Director shall inform the Board of Trustees of this additional authorization at the next regularly scheduled Board meeting.
- iii) For projects initially approved by the Board of Trustees, change orders in excess of \$20,000 changing the scope of the work shall be submitted to the Board of Trustees for their approval at a regularly scheduled Board meeting, or via telephone poll if time is of the essence due to construction requirements.
- iv) A change order request that would increase the contract price 50% or more over the original contract price shall be handled in accordance with the Public Works Contract Change Order Act (50 ILCS 525/1 et.seq., effective 6-1-2004).

L) Purchases Using Federal Funds

Purchases supported in full or in part by United States federal funds must comply with the more stringent of a) the Peoria Park District's policies and procedures or b) federal procurement laws and regulations, including, without limitation, standards of conduct concerning conflicts of interest (2 CFR §200.318 (c)).

4.00 EQUAL OPPORTUNITY

.01 - User Agreements

The Peoria Park District requires that all groups and organizations that use its facilities agree to a non-clause. Therefore, incorporated in all existing or future agreement with other organizations is the following provision:

- (A) The applicant agrees that during the use of parks and recreational facilities, (Name of the Organization), will not exclude anyone from the benefits of, or otherwise subject anyone to discrimination because of the person's race, color, religion, sex, sexual orientation, pregnancy, national origin, citizenship status, age, marital status, disability, military status or unfavorable discharge from the military, protected veteran status, ancestry, or on the basis of any characteristic protected by law as outlined in the Park District's Equal Employment Opportunity Policy.