

**WHEATON PARK DISTRICT
RESOLUTION NO. 2023-10**

**A RESOLUTION RATIFYING AND APPROVING THE EMERGENCY EXPENDITURE OF FUNDS
WITHOUT COMPETITIVE BIDDING FOR COMMUNITY CENTER SPA MECHANICAL EQUIPMENT
REPLACEMENT**

WHEREAS, the Wheaton Park District (“Park District”) owns and operates a recreation center located at 1777 S. Blanchard St., Wheaton, IL, commonly referred to as the Community Center; and

WHEREAS, the mechanical systems for the spas located in the Community Center’s locker rooms have exceeded their useful life and are in need of replacement; and

WHEREAS, the Park District attempted to bid out the work, both individually and as part of a larger renovation of Parks Plus Fitness Center, but the bids were ultimately rejected in an effort to secure better pricing; and

WHEREAS, the Park District obtained a permit from the Illinois Department of Public Health (“IDPH”) to facilitate the planned improvements; and

WHEREAS, the IDPH permit is set to expire on December 22, 2023 and communications with IDPH have indicated that IDPH is not inclined to grant an extension; and

WHEREAS, due to the expiration of the IDPH permit and the ongoing need to replace the existing spa mechanical equipment to ensure they continue to operate in a safe and efficient manner, there is insufficient time to follow the traditional bid process without jeopardizing the IDPH permit and the ongoing operation of the Community Center spas; and

WHEREAS, the Illinois Park District Code (70 ILCS 1205/8-1(c)) authorizes the Park District to contract for an emergency expenditure without competitive bidding upon the approval of ¾ of the members of the Park District’s Board of Park Commissioners (“Park Board”); and

WHEREAS, Park District staff solicited quotes for the purchase and installation of the necessary mechanicals for the Community Center Spa repair work, and the Park District obtained a satisfactory price quote from Aquajoy Spa and Pool in the amount of \$40,114.30.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Park Commissioners of the Wheaton Park District, DuPage County, Illinois as follows:

Section 1. The Park Board finds that all of the recitals contained in the preamble to this Resolution are true and correct and does hereby incorporate them in this Resolution by this reference as though fully set forth herein.

Section 2. The Park Board finds and declares that the timely purchase and installation of all necessary spa mechanical equipment to ensure the uninterrupted operation of the Park District's Community Center spas requires an emergency expenditure of funds excusing the competitive bidding requirements set forth in Section 8-1(c) of the Park District Code (70 ILCS 1205/8-1(c)).

Section 3. The Park Board hereby ratifies, authorizes, and approves the issuance of a purchase order to, and/or the negotiation and execution of a contract with, Aquajoy Spa and Pool for the purchase and installation of all necessary spa mechanical equipment in the total not to exceed amount of \$40,14.30.

Section 4. This Resolution shall be in full force and effect from and after its adoption as provided by law.

Adopted this 29th day of November, 2023, by roll call vote of not less than ¾ of the members of the Park Board:

AYES: *Burgett, Frey, Mee, Pedraza, Vises & Kelly*

NAYS: *—*

ABSENT: *—*

ABSTAIN: *—*

Jul Kelly

President, Board of Park Commissioners

ATTEST:
[Signature]

Secretary, Board of Park Commissioners

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)

SECRETARY'S CERTIFICATE

I, the undersigned, do hereby certify that I am the Secretary of the Board of Park Commissioners of the Wheaton Park District, DuPage County, Illinois, and as such official, I am keeper of the records, ordinances, resolutions, files and seal of said Park District; and,

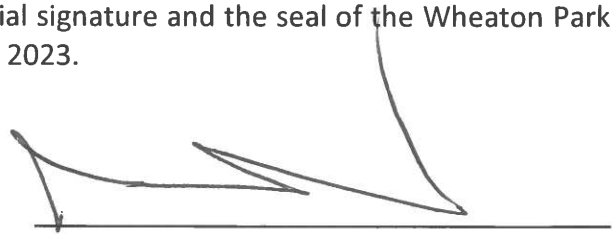
I HEREBY CERTIFY that the foregoing instrument is a true and correct copy of:

**A RESOLUTION RATIFYING AND APPROVING THE EMERGENCY EXPENDITURE OF FUNDS
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adopted at a duly called Regular Meeting of the Board of Park Commissioners of the Wheaton Park District, held in the City of Wheaton City Council Chambers, 303 W. Wesley St., Wheaton, IL, in said District at 5:00 p.m. on the 29th day November, 2023.

I FURTHER CERTIFY that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Park District Code of the State of Illinois, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the Wheaton Park District in said District this 29th day of November, 2023.



Secretary
Board of Park Commissioners
Wheaton Park District