

**ROLLING MEADOWS LIBRARY
POLICY MANUAL**

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Board Professional Development

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Amended **June 7, 2011**

Thoughtful and informed governance of a public library obligates each Board member to be familiar with the legal, technological, and budgetary issues now facing public libraries.

Although staff is trained to deal with questions specific to public library administration, Board members, as ultimate decision makers for the institution, will benefit from the opportunity to expand their knowledge of increasingly complex library issues. The Board recognizes that it can benefit greatly from professional development opportunities offered by organizations such as the American Library Association **and** the Public Library Association. The guidelines below will help the Board Development Committee allocate available professional development funds and provide adequate funding for future budget requests.

1. An amount not to exceed 1.25% of the Library's annual operating budget should be allocated for Board / Staff professional development.
2. As a general rule, 60% of professional development funds should be allocated to staff and 40% to the Board.
3. The purposes for which professional development funds are to be used for the Board are ranked in order of importance as follows:

Priority 1: development of skill sets necessary for core Board responsibilities (ex: a financial management seminar for the Treasurer or a seminar on the Open Meetings Act for the President or Secretary)

Priority 2: meetings that deepen the Board Members' understanding of and connection to the library profession as a whole (ex: attending Public Library Association meetings or the annual meeting of the American Library Association)

Priority 3: development of skill sets not currently present or fully developed on the Board (ex: a seminar on legislative lobbying, marketing, or public relations)

4. The Development Committee will apply the following guidelines to Board requests for professional development funds: A) the Development Committee will set deadlines for such requests so that they can be made part of the normal budget preparation cycle; B) a portion of the funds will be set aside for use when requests for unbudgeted items come to the Committee; C) requests which are anticipated to be under \$500 will be reviewed by the Chair of the Development Committee or his/her designee; D) as the Development Committee's designee, the Library Director will review all requests for funds which are anticipated to be greater than or equal to \$500. In reviewing such requests when more than one Board Member has applied for limited funds, the Director will apply the following selection criteria:

Board Professional Development

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1) preference will be given to the Board Member that has the longest time since last attending an educational event involving significant expense and/or travel; 2) if necessary, the next preference will be given to the Board Member that has attended the educational event applied for the least number of times; 3) if necessary, the final selection will then be determined by lot.

If an educational trip is cancelled by the attendee, the Director shall repost the availability of those funds before assigning them to another member of the Board or staff.

It is the policy of the Library to provide **for brochure distribution** near the Reference Desk **and in Youth Services** to distribute information of interest to patrons regarding area not-for-profit organizations, not-for-profit events, and information regarding matters of public health and safety. For the purpose of this policy, an event or organization is considered to be within the Library's "area" if it is within approximately 10 miles of Rolling Meadows.

Brochures or announcements concerning matters of public health and safety **will** be distributed. Examples of such a brochures or announcements include, but are not limited to, items concerning a missing child or pet, warnings from the Center For Disease Control, and alerts from the Department Of Homeland Security.

Brochures or announcements concerning not-for-profit organizations and not-for-profit events **may** be distributed. Examples of such a brochures or announcements include those concerning, but not limited to, area historical societies, senior centers, garden clubs, boy scouts and girl scouts, area bicycle associations, and area food depositories.

Individuals or organizations wishing to have items posted must submit them in advance to the Executive Director or the Executive Director's designee for approval. Unauthorized items will **not be distributed**. The Library will periodically rotate items to keep the **distributable items** current and to accommodate the greatest number of items in the limited space available.

It is the policy of the Library to provide bulletin board space to post information concerning matters of public health and safety and events of interest to Library patrons offered by area organizations. First priority for bulletin board space will be given to matters of public health and safety and to events from not-for-profit organizations.

An announcement concerning a matter of public health and safety will be posted on the appropriate bulletin board. An example of such an announcement includes, but is not limited to, an item concerning a missing child or pet, a warning from the Center For Disease Control, or an alert from the Department Of Homeland Security.

An announcement from a not-for-profit organization will be posted on the appropriate bulletin board if it:

___ is for an event (as opposed to a general, permanent posting),

___ is to be held in our area (within approximately 10 miles of Rolling Meadows).

An announcement from a for-profit organization will be posted on the appropriate bulletin board if it:

___ supports, in the Library's sole discretion, the Library's collection and programming.
(examples of such for-profit items include, but are not limited to: career planning seminars & résumé writing seminars).

Individuals or organizations wishing to have items posted must submit them in advance to the Executive Director or the Executive Director's designee for approval. Unauthorized items will be removed from bulletin boards. The Library will periodically rotate items to keep bulletin boards current and to accommodate the greatest number of items in the limited space available.

Canvassing, Peddling and Soliciting

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Canvassing, as defined by City Ordinance (Chapter 74), is prohibited in the Library building. Canvassing outside of the Library but on Library property requires the Executive Director's prior approval. Such canvassing will be approved if it is conducted at a reasonable distance from the front entrance of the Library and so long as it does not disrupt Library operations, impede patrons from entering or leaving the Library, or create unsafe traffic patterns on the Library's sidewalks or parking lots.

This policy does not apply to activities coordinated between the Library and the Friends of the Rolling Meadows Library or the Library and the City Of Rolling Meadows. In all such cases, however, prior approval must be obtained from the Executive Director.

Peddling & Soliciting

For-profit peddling and soliciting, as defined by City Ordinance (Chapter 74), by organizations or individuals is strictly prohibited on all Library property.

Not-for-profit peddling and soliciting of funds may only be conducted in the Staff Lounge of the Library after obtaining the approval of the Executive Director. In considering approval, the Executive Director will take reasonable steps to confirm the not-for-profit status of the individual or organization and ensure that the time, place, manner, and duration of the peddling or soliciting will not disrupt Library operations or the use of the Staff Lounge. Examples include, but are not limited to, Girl Scout Cookie Order Forms and Rotary Club Food Drive sign-up sheets.

This policy does not apply to programs or activities coordinated between the Library and the Friends of the Rolling Meadows Library, the Library and the City Of Rolling Meadows, or to speakers, authors, or performers appearing at the Library as part of a Library-sponsored program. In all such cases, however, prior approval must be obtained from the Executive Director.

Collection Development

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This is a placeholder for the collection development document, which is very large and is kept separately in its own binder in all departments.

Library display cases are available as an enhancement to the Library's community information and referral function by exhibiting displays of the ideas, objects, and resources of Rolling Meadows not-for-profit organizations and residents. Use of Library display cases is subject to the following rules:

1. Library displays and those sponsored by the Library will have the highest priority for scheduling purposes.
2. Exhibitors must be Rolling Meadows Library cardholders or organizations located in Rolling Meadows.
3. Library display cases will not be made available for personal or commercial use and prices will not be displayed.
4. "Display cases" for the purpose of this policy is limited to the two lockable wall cases on the Main Level of the Library on either side of the elevator. All other areas in the Library are reserved for Library-initiated displays and postings and are explicitly not available for use by the public, not-for-profit organizations, or individuals.
5. Use of Library display cases is subject to all other Library policies - including, but not limited to, Library policies dealing with canvassing, peddling, and soliciting.
6. The display of materials on Library property does not constitute an endorsement by the Library of the beliefs or viewpoints expressed in those materials. A disclaimer to this effect may be used by the Library in any form and at any time and place it deems necessary.
7. The exhibitor will not publicize a nonprofit display in any manner that suggests Library sponsorship or affiliation.
8. The Library regulates the time, place, and manner of all displays and assures access which is both subject and content neutral.
9. Displays which significantly interfere with library operations, such as those that produce excessive noise, a significant safety hazard, or a significant security risk, will not be permitted.
10. The Library will not censor or remove a display because some members of the community disagree with its content. Not-for-profit groups and individuals with an opposing viewpoint may schedule their own display.
11. Coordination of Library displays will be done by the Director of Special Services.
12. While the Library retains the right to preview all display materials before they are installed, for practical reasons the usual process may involve review by the Director of Special Services during or after installation.
13. The determination that material is not acceptable for exhibit in Library display cases will be made by the Executive Director. Appeal of the Executive Director's decision may be made in writing to the Library Board of Trustees. The decision of the Library Board of Trustees shall be final.

14. If a display is not in compliance with Library rules, seven days will be allowed to remedy compliance issues. During this time, the Library may choose to cover any non-complying display materials from view and provide a sign indicating that installation is "in progress". If the display has not been corrected within the seven day period after notice of noncompliance, the display may be removed by Library staff and returned to the exhibitor. Repeated violations may be grounds for denial of future requests by the exhibitor to display items at the Library.
15. When the Library is used as a local, state or federal polling place, any materials on display in the library which do not comply with election laws may be removed by the Library at the request of election officials.
16. One lockable wall case on the Main Floor will be reserved for booking thirteen months in advance of the display. The remaining lockable case will be held for "closer in time" scheduling.
17. Exhibits are normally scheduled for a one-month showing; however, this may change depending on display case availability. An exhibitor may present a display one time per year, using a rolling twelve-month calendar. An exhibitor may submit new scheduling requests after the last day of the month for that exhibitor's current display. Applications for scheduling of display cases will be available at the Welcome Desk and will be forwarded by Library Staff for review by the Director of Special Services.
18. The exhibitor agrees to assume full responsibility for the loss of or damage to the premises, equipment, or furnishings of the Rolling Meadows Library caused by the exhibitor or its members.
19. The Rolling Meadows Library does not insure displays at the Library. All reasonable precautions will be taken to protect display materials in the display cases. Exhibitors are encouraged to provide their own insurance for valuable materials. By using Library display cases, the exhibitor agrees to hold the Rolling Meadows Library, its Board, staff, and volunteers harmless from all loss or damage arising from the exhibit.

FUNCTION: In the event of the delay in receipt of the Library's tax revenues, the General Reserve Fund will allow the Library to continue to operate for four to six months at current budget levels or for a longer period at reduced levels.

COMPOSITION: The General Reserve Fund consists of three distinct funds. The General Operating Fund, the Local Library Working Cash Fund, and the Library General Reserve Working Cash Fund.

FUND BALANCE TARGETS: The minimum General Reserve Fund target is four months operating expenditures at current budget levels. The desired General Reserve Fund target is six months operating expenditures at current budget levels.

Current 2011 levels are calculated as follows:

Fiscal 2011 Annual Operating Budget \$3,572,100 minus contributions to Working Cash Funds (\$20,000), Capital Reserve Funds (\$50,000), and extraordinary capital expenditures such as large-scale building renovation projects (\$0): \$ 3,502,100

Average Monthly Operating Budget:	\$ 291,842
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Minimum Four Months Target:	\$ 1,167,368
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Desired Six Months Target:	\$ 1,751,052
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All users of the Internet are expected to use this library resource in a responsible and courteous manner and to follow all Internet-related rules, regulations, and procedures established for its use including, but not limited to, those of the Library.

- The computer lab is reserved for Rolling Meadows cardholders; walk-up terminals are available to all library patrons.
- Patrons may not download any files to the hard drives, change any settings, or otherwise alter the integrity of the Library's computer and/or computer network.
- Patrons are responsible for any damage to library equipment.
- Patrons who contact any fee based services are responsible for any charges they may incur.
- Patrons must comply with all local, state, and federal laws, including, but not limited to, those concerning copyright, fraud, gambling, privacy, obscenity and harassment.
- Patrons must not transmit threatening, harassing, or abusive language or images.
- The Library is not responsible for the loss or corruption of data, or any damage that might result from such a loss, which may occur from use of the Library's computers.
- Patrons may not disconnect any part of a library computer in order to utilize their own equipment.

Violations may result in loss of computer access and/or removal from the library. Unlawful activities will be dealt with in an appropriate manner.

The Library reserves the right to terminate an Internet session at any time.

In keeping with the library's collection development policy, all computers use software that filters obscene and pornographic material; however, no software can completely block all objectionable material and parents/legal guardians are encouraged to guide their children in exploring the Internet while sharing with them the family's personal views about acceptable use of the Internet.

INVESTMENT OF PUBLIC FUNDS

PURPOSE. The purpose of this policy statement is to outline the responsibilities, general objectives, and specific guidelines for management of public funds by the Rolling Meadows Library.

RESPONSIBILITIES. All investment policies and procedures of the Rolling Meadows Library will be in accordance with Illinois law. The authority of the Library Board of Library Trustees to control and invest public funds is defined in the Illinois Public Funds Investment Act, and the investments permitted are described therein. Administration and execution of these policies are the responsibility of the Treasurer, and, by designation, the Library Director acting under the authority of the Library Board of Library Trustees. Investments, fund balances, and the status of such accounts will be reported at each regularly scheduled meeting of the Library Board.

OBJECTIVES. In selecting financial institutions and investment instruments to be used, the following general objectives should be considered:

- Safety
- Maintenance of sufficient liquidity to meet current obligations
- Return on investment
- Simplicity of management

GUIDELINES. The following guidelines should be used to meet the general investment objectives:

A) Safety

1. Investments will be made only in securities guaranteed by the U.S. government, or in FDIC or FSLIC insured institutions. Deposit accounts in banks or savings and loan institutions will not exceed the amount insured by FDIC or FSLIC coverage.
2. Authorized investments include and will primarily consist of: Certificates of Deposit, Treasury Bills and other securities guaranteed by the U.S. Government, participation in the State of Illinois Public Treasurer's Investment Pool, and any other investments allowed under State law that satisfy the investment objectives of the library.

B) Maintenance of sufficient liquidity to meet current obligations in general, investments should be managed to meet liquidity needs for the current month plus two months (based on forecasted needs).

C) Return on investment. Within the constraints on Illinois law and this investment policy, every effort should be made to maximize return on investments made. All available funds will be placed in investments or kept in interest bearing deposit accounts at all times.

D) Simplicity of management. The time required by library administrative staff to manage investments shall be kept to a minimum.

Library Capitalization Policy

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Amended November 2, 2010

The Library will depreciate all purchases for individual capitalizable items equal to or exceeding \$5,000 in value. All book and audio visual purchases will be depreciated regardless of purchase cost.

When the weather is bad, the most important issue is whether we can safely get enough Staff in to keep the public desks open. Staff not working at public desks should check with their supervisors to see if they can rearrange their weekly work schedules. Again, supervisors need to make the final decision on this, but if Staff isn't needed at public desks and they want to swap a day later in the week, it may be a good idea to allow this.

Things that DO NOT determine our Library's closing include:

1. **School Closings.** Schools close, in large part, because of bus routes and a concern that children not wait in severe weather for the bus. The closure of schools makes it more important that we stay open since there may be a lot of kids and parents with nowhere to go but the Library. Part of the public support we receive is due to the fact that we are available when other agencies are closed.
2. **Closure of Other Libraries.** Each library considers the number of local staff members it has, how easy it is for patrons to walk to the library, and whether a large percentage of its patrons are local (some larger libraries serving a regional clientele may find it less important to stay open). We are lucky in that a large percentage of our staff is local and many of our patrons come very short distances to get to the library. This allows us to operate when others must shut down. As long as everyone can get in and out safely, we will be open.
3. **Closure of Area Businesses or Malls.** Again, the commute time of employees of these businesses is important in their decision. For malls that rely on customers to drive from many miles away, the decision to close can make business sense but does not determine whether or not the library should close.

Reservations And Priority Of Use

The Library's meeting rooms may be reserved by Rolling Meadows Library card holders for not-for-profit use only. Because the Library's meeting rooms are limited in number and the demand for their use is high, priority for their use will be given in the following order:

1. Rolling Meadows Library meetings and programs.
2. Friends Of The Rolling Meadows Library meetings and programs.
3. Rolling Meadows Library card holders age 18 or older and not-for-profit organizations located in Rolling Meadows with a Rolling Meadows Library cardholder age 18 or older to make the reservation and serve as the responsible party for the meeting.
4. Not-for-profit organizations located outside Rolling Meadows with a Rolling Meadows Library cardholder age 18 or older to make the reservation and serve as the responsible party for the meeting.

Groups will be booked in order of priority and then by the date the application and check are submitted. Meeting room applications and checks should be submitted at least 3 weeks prior to the meeting. No room will be reserved until both the application and check have been received. Meeting room reservations for September 1 – August 31 will begin to be accepted the previous July 15th. No individual or organization will be allowed to reserve a meeting room more than once per month without prior approval by the Executive Director.

Cancellation Of Meetings

The Library shall be notified as soon as possible if a cancellation becomes necessary. Any fees paid will be refunded only if the cancellation is made at least 24 hours in advance of the meeting. Failure to provide such notice may result in the denial or cancellation of future reservations and the forfeiture of fees already paid.

The Library reserves the right to cancel or relocate meetings if necessary. If possible, the Library will provide notice of meeting room cancellations or relocations at least 30 days before the meeting.

General Rules Regarding Meeting Room Use

1. **Not-For-Profit Use** - Use of Library meeting rooms is subject to all other Library policies - including, but not limited to, Library policies dealing

- with canvassing, peddling, and soliciting. Sales and fundraising are not allowed on Library property or at meetings not sponsored by the Library.
2. **Endorsement By Library** - Use of Library meeting rooms does not constitute an endorsement by the Library of the beliefs or viewpoints expressed at such meetings. A disclaimer to this effect may be used by the Library in any form and at any time and place it deems necessary.
 3. **Publicity** - No organization or individual will publicize a meeting in any manner that suggests Library sponsorship or affiliation without prior written approval by the Library. The Library's telephone number will not appear on any promotional material concerning a meeting.
 4. **Time, Place, And Manner Restrictions** - The Library regulates the time, place, and manner of all meetings and assures access to Library meeting rooms which is both subject and content neutral. The Library will not deny use of a meeting room because some members of the community disagree with the views of the participants of the meeting.
 5. **Interference With Library Operations** - Meetings which significantly interfere with library operations, such as those that produce excessive noise, a significant safety hazard, or a significant security risk, will not be permitted.
 6. **Free Access, No Admission Fees** - Library personnel must have free access to meeting rooms at all times and all meetings must be open to the general public. Groups may not block off windows or lock meeting room doors. Fees may not be charged for admission.
 7. **Meeting Times** - All meetings will be held during regular Library hours. Meetings will not start sooner than 30 minutes after the Library opens and must end no later than 30 minutes prior to the Library's closing.
 8. **Adult Supervision** - Groups composed of members under the age of 18 must have one adult sponsor in attendance at the meeting for each 25 persons.
 9. **Damage** - Damage to the Library or to Library equipment may result in a charge to the responsible party listed on the Meeting Room Application for replacement costs or repairs. If a meeting room or the kitchenette is not kept reasonably clean, a cleaning fee may be assessed.
 10. **Storage** - The Library does not provide storage facilities to individuals or groups using the meeting rooms.
 11. **Animals** - Animals are not allowed in the meeting rooms with the exception of service animals.
 12. **Smoking** - Smoking is not allowed in any part of the Library.
 13. **Babysitting** - Babysitting service for children of persons attending meetings is not provided by the Rolling Meadows Library. Be aware that unattended children under seven years of age may not be sent to other

areas of the library during meetings (please see the Library's Unattended Child Policy).

14. **Food & Drink** - The kitchenette must be reserved when any refreshments are served. Only light refreshments such as coffee, tea, rolls, cookies, and cake are allowed. The kitchenette must be left clean. All equipment and supplies shall be provided by the user. A refrigerator, microwave oven, and coffee maker are available for use. Food and/or drink are not permitted outside the meeting rooms. Except for special Library functions, rooms may not be used for luncheons, dinners, banquets, etc. Carry-outs may not be ordered for delivery to the Library. Alcoholic beverages are prohibited.
15. **Piano** – A grand piano is available for use by organizations using the Community Room. The Library requires an additional \$100 deposit at least 21 days prior to the meeting. The deposit is refunded at the conclusion of the meeting if there is no damage to the piano. The piano is kept in reasonably good tune by having a piano technician tune it several times each year. However, if an individual or organization requests a special tuning, the Library will attempt to have it tuned in time for the meeting and will charge the individual or organization making the request.

Movie Presentation

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The Library presents public showings of movies free of charge throughout the year.

The purpose of such programming is to raise patrons' awareness of the variety of materials available at the Library and to create enthusiasm for self-directed learning.

Library staff will choose movies rated G, PG, and PG-13 for these public showings.

The Rolling Meadows Library welcomes you and encourages all residents and visitors to enjoy our Library. It is the hope of the Board of Trustees and Staff that the Library proves to be a warm, inviting, and pleasant place to visit. To ensure that our patrons can use the Library without unnecessary distractions, we ask that visitors behave in a manner that respects the rights of others. The following guidelines will help us to create an atmosphere conducive to learning and enjoying all that our Library has to offer.

Behavior that significantly disrupts or is likely to significantly disrupt operations, or other patrons' use of the library, or which poses a significant risk to the safety of patrons or staff will not be allowed. Examples of such behavior include, but are not limited to:

1. Smoking;
2. Use of cell phones or other electronic equipment in a way that disrupts other patrons' ability to use the Library;
3. Soliciting funds, peddling, or canvassing (see specific policies for time, place and manner restrictions applicable to each);
4. Use of loud, vulgar, abusive, or threatening language;
5. Misuse of Library equipment, furniture, materials, rooms or any Library property;
6. Lack of appropriate clothing such as shirt or shoes, (roller blades and cleated sports shoes are prohibited for reasons of safety, sanitation, and maintenance of the library);
7. Bodily hygiene, offensive odors, and strong scents which substantially interfere with patrons' use of the Library;
8. Use of alcohol, drugs, or other illegal or prohibited substances on Library property;
9. Trespassing in "staff only" areas or refusal to vacate an area when asked to do so by staff;
10. Disruptive behavior outside the Library but on Library property including, but not limited to, reckless driving in the Library parking lot.

Public Conduct

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Violations of the Library's public conduct policy may result in removal of the patron from the Library, denial of Library privileges, or, if appropriate, civil or criminal prosecution.

Drinks in covered containers are welcome in the Library; however, eating is not permitted.

A. Procedures

The procedures of the Library regarding purchasing of goods and services, letting of contracts, soliciting bids for those goods and services shall be as follows:

- (1) ***Purchases that do not exceed \$4,000 in value.*** The Executive Director shall have authority to make purchases not to exceed \$4,000 in value without prior approval by the Library Board.
- (2) ***Purchases greater than \$4,000 but under \$10,000 in value.*** The Executive Director shall bring purchase requests greater than \$4,000 but under \$10,000 in value to the Library Board for consideration prior to committing the Library to such purchases. Such purchases do not include contractual obligations approved as part of the Library budget process for items such as cleaning services and maintenance of heating & air conditioning. Nor does it include book and non-book material purchases, electronic resource subscriptions, and standing orders.
- (3) ***Over \$10,000 in value.*** Contracts for public works construction projects and purchases of goods or services for more than \$10,000 in value, except those for professional services, shall be made on the basis of awarding of contracts to the lowest responsible bidder after advertising for bids has taken place. By a two-thirds vote of the Library Board, this requirement of bidding may be waived.
- (4) ***Notice requirements for purchases over \$10,000 in value.*** Notice inviting bids shall be published on the Library's web page and at least once in a newspaper generally circulated within the city at least ten days prior to the date set for receiving such proposals. Provided, however, that where the goods to be purchased are of a specialized nature, the notice may be published in a publication pertaining to those particular goods. Such notice shall include a general description of the articles to be purchased or the services to be performed, shall state where bid blanks and specifications may be secured, including the cost, if any, of the specifications, the amount of bid deposit required and the time and location for opening bids. The notice shall be placed in a prominent place in the Library.
- (5) ***Prevailing wages.*** In calling for bids of Library public works projects, the notice shall provide that the general prevailing rate of wages shall be paid for each craft or type of worker needed to perform such work, as provided by statute. The prevailing wage rate for Library projects shall be the schedule adopted as an ordinance by the Rolling Meadows City detailing the prevailing wage in June of each year, unless provided otherwise by state law.

B. Change orders

The Executive Director may approve through a written change order increases in public works construction contract amounts due to unforeseen environmental or manmade circumstances, not to exceed in total five percent of the awarded contract amount or \$4,000 without prior Library Board approval. The Executive Director shall provide a report to the Library Board at its next regularly scheduled meeting, summarizing the dollar impact and reasoning for the change order. However, no single change order shall exceed \$4,000, except where a delay in approving such change order would result in a financial penalty or would create a serious emergency for the Library that would endanger the health or safety of its patrons and staff. In such event, the provisions of the Library policy dealing with "Emergency purchases", infra, shall be used. The Executive Director shall report his or her actions in making such approvals at the next regularly scheduled Library Board Meeting.

C. Bidders' list and pre-qualification

The Executive Director or his/her designee shall solicit sealed bids from all responsible prospective suppliers who have requested their names to be added to a "bidders' list," which the Library shall maintain, by sending them a copy of such newspaper notice or such other notice as will acquaint them with the proposed purchase or sale. In any case, invitations sent to the vendors on the bidders' list shall be limited to commodities or services typically provided by them.

D. Bid opening procedure

- (1) Bids shall be submitted sealed to the Executive Director or his/her designee and shall be identified as bids for the specific proposal or project submitted.
- (2) Bids shall be opened in public at the time and location stated in the notice inviting bids.
- (3) A tabulation of all bids received shall be made by the Executive Director or his/her designee and presented to the Library Board with a recommendation on award or rejection of the bids.

E. Award of bid

The Library Board shall award the bid to the lowest responsible bidder. In determining "lowest responsible bidder," in addition to price, the Library Board shall consider the following:

- (1) The ability, capacity and skill of the bidder to perform the contract or provide the service required.

- (2) Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.
- (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.
- (4) The quality of performance of previous contracts or services.
- (5) The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.
- (6) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
- (7) The quality, availability and adaptability of the supplies, or contractual services to the particular use required.
- (8) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.
- (9) The number and scope of conditions attached to the bid.

F. Rejection of bids

The Library Board shall have the authority to reject any bids, parts of bids, or all bids for one or more supplies or contractual services included in the proposed contract, when the public interest will be served thereby.

G. Bid deposits

Unsuccessful bidders shall be entitled to the return of bid deposits immediately after action is taken on the bids by the Library Board or sooner if authorized by the Executive Director. The Library may hold the bid deposit of a bidder chosen as the alternate successful bidder until the successful bidder has signed the contract, but no longer than 30 days after the award of the bid. A successful bidder shall forfeit any bid deposit upon failure on his or her part to enter into a contract with the Library within ten days after receiving written notice from the Executive Director or his/her designee of the award of the bid.

H. Tie bids

If any bids are received for the same total amount or unit price, quality, service and all other pertinent facts being equal, the contract may be awarded by drawing lots in a public place.

I. Independent contractors agreement

All contracts by independent contractors shall either contain therein approximately the following terms and conditions or shall, as a result of their enactment, have such terms and conditions made a part thereof as if they were contained therein:

"The independent contractor hereby agrees:

- (A) To comply with all laws, regulations and rules promulgated by any federal, state, county, municipal and/or other governmental unit or regulatory body now in effect, or which may be in effect during the performance of the work to which reference is made above. Included within the scope of the laws, regulations and rules referred to in this paragraph, but in no wise to operate as a limitation, are all forms of traffic regulations, public utility and Intrastate and Interstate Commerce Commission regulations, Worker's Compensation Laws, the Social Security Act of the federal government and any of its titles, FEPC or FEOC statutory provisions and rules and regulations.
- (B) To protect, indemnify, hold and save harmless and defend the Library against any and all claims, costs, causes of action and expenses, including but not limited to attorney's fees incurred by reason of a lawsuit or claim for damages arising in favor of any person, including the claims of the employees, officers and agents of independent contractors or subcontractors on account of personal injuries or death, or damages to property occurring, growing out of, incident to, or resulting directly or indirectly from the performance by the independent contractor, its subcontractor, officers, employees or agents hereunder, whether such loss, damage, injury or liability is contributed to by the negligence of the Library.
- (C) To keep in force, to the satisfaction of the Library, at all times during the performance of the work referred to above, public liability insurance and automobile liability insurance with bodily injury limits of not less than established by the Library's specifications, and property damage insurance with limits of not less than established by the Library's specifications. The independent contractor shall furnish proof of such insurance coverage and may be required to cause the Library, its officers, agents, and employees to be named as an additional insured prior to execution of any contract. The Library may, in specific bid documents, require higher levels of insurance coverage.
- (D) To furnish any affidavit or certificate, in connection with the work covered by this agreement as provided by law.
- (E) To indemnify the Library for any loss it may sustain by theft or other cause from the acts of negligence of the employees, officers or agents of the independent contractor or of its subcontractors."

J. Labor and material bond required for public works contract

In making contracts for public works of any kind to be performed for the Library, the contractor for such work shall furnish, supply and deliver a bond with good and sufficient sureties to the Library in the amount determined by the Library Board. Such bond shall be conditioned for the completion of the contract, for the payment of material used in such work and for all labor performed in such work, whether by subcontractor or otherwise. Each bond is deemed to contain the following provisions whether such provisions are inserted in such bond or not:

"The principal and sureties on this bond agree that all the undertakings, covenants, terms, conditions and agreements of the principal and the Library will be performed and fulfilled and to pay all persons, firms and corporations having contracts with the principal or with sub-contractors, all just claims due them under the provisions of such contracts for labor performed or materials finished in the performance of the contract on account of which this bond is given, when such claims are not satisfied out of the contract price of the contract on account of which this bond is given."

The bond required by this section may be acquired from the company, agent or broker of the contractor's choice, subject to the right of reasonable approval or disapproval by the Executive Director or his/her designee.

K. Performance bond required

In making contracts for public works of any kind to be performed in the Library, the contractor for such work shall furnish, supply and deliver a performance bond in the full amount of the contract to the Executive Director. Such bond may be required to further stipulate such provisions as will guarantee the faithful performance that the general prevailing rate of wages will be paid to all laborers, workers and mechanics employed by or on behalf of the Library engaged in the construction of library public works, as provided by statute.

L. Execution of contract

The Executive Director or his/her designee may execute any contract on behalf of the Library.

M. Library public works improvements contract without bid

Any contract for a Library public works or improvement may be entered into by the Library without advertising for bids as follows:

- (1) If authorized by a vote of two-thirds of all the Library Board Members then holding office; or
- (2) In the following manner, if authorized by a vote of two-thirds of all the Library Board Members then holding office: the Executive Director or his/her designee shall superintend and cause to be carried out the construction of the work or other Library improvement and shall employ exclusively for the performance of all manual labor thereon, laborers and artisans whom the Library shall pay by the day or hour; and all material of the value of \$10,000 and upward used in the construction of the work or other Library improvement, shall be purchased by contract let to the lowest responsible bidder in the manner to be prescribed by Library Policies and Bylaws.
- (3) Nothing contained in this section shall apply to any contract by the Library with the federal government or any agency thereof.

N. Sale of personal property

Whenever the Library owns any personal property, which in the opinion of three-fourths of the Library Board then holding office, is no longer necessary or useful to, or for the best interests of the Library, such a majority of the Library Board then holding office, at any regular meeting or at any special meeting called for that purpose:

- (1) May authorize the sale of that personal property in such manner as they may designate, with or without advertising the sale;
- (2) May authorize the Executive Director or his/her designee to convert that personal property into some other form that is useful to the Library by using the material in the personal property; or
- (3) May authorize the Executive Director or his/her designee to convey or turn in any specified article of personal property as part payment on a new purchase of any similar article.
- (4) However, no article shall be turned in as part of the purchase price on any purchase except upon receipt of competitive bids, in such manner as may be prescribed by Library Policies, after notice to all bidders that the article will be turned over as part of the purchase price.

O. Records

The Executive Director or his/her designee shall keep a record of all bids submitted to the Library and such records shall be open to public inspection.

P. Emergency purchases

Where, in the opinion of the Executive Director, a serious emergency exists at the Library will endanger the health or safety of its patrons or staff, the Executive Director may make emergency purchases that exceed \$10,000 in value. Prior to making such a purchase, the Executive Director shall attempt to notify the members of the Library Board regarding the pending purchase. The Executive Director may not undertake such a contract or purchase if a majority of the members of the Library Board whom he or she is able to contact indicate that they would not confirm and ratify the action of the Executive Director in making this purchase under emergency circumstances. The Executive Director shall report his or her actions in making such an emergency purchase at the next regular scheduled Library Board Meeting and provide full details as to the purchase and the circumstances under which the purchase was made.

Q. Joint purchase agreements

The Library may enter into joint purchasing agreements for the purchase of supplies, personal property and services with other governmental units, as provided by statute, when authorized by the Library Board, without individually undertaking the competitive bidding requirement set forth within this article, provided that the mechanism for the intergovernmental purchase provides for an equal or better opportunity for providers of goods and services to competitively bid for the furnishing of such goods or services to the governmental bodies.

Children Under Age 7

Children under age 7 must be accompanied by a parent, guardian, or other responsible person age 12 or older. The person who is responsible for a child under age 7 must be present in the same department as the child.

If staff becomes aware of a child under age 7 who is alone in the Library and who is unable to contact the child's parent, guardian, or other responsible person age 12 or older for transportation home, the child will be detained and turned over to the police for his/her own protection.

If a child is detained for his/her own protection, a minimum of two staff members will wait with the child until he/she is safely in the custody of the police. The Library will not transport children to and from the Library unless such transportation is part of a Library program approved in advance by the Executive Director.

Children Age 7 Through 11

Children age 7 through 11 are allowed in the Library alone; however, they must be able to assist staff in contacting the child's parent, guardian, or other responsible person age 12 or older for transportation home from the Library if necessary.

If staff becomes aware of a child age 7 but not yet 12 who is alone in the Library and who is unable to contact a parent, guardian, or other responsible person age 12 or older for transportation home, the child may be detained and turned over to the police for his/her own protection. In determining whether the child is to be detained and turned over to the police for his/her own protection, staff will consider factors such as: the time of day, current weather conditions, the route and distance the child must travel to get home, etc.

If a child is detained for his/her own protection, a minimum of two staff members will wait with the child until he/she is safely in the custody of the police. The Library will not transport children to and from the Library unless such transportation is part of a Library program approved in advance by the Executive Director.

Children Age 12 Or Older

Children age 12 and older are welcome at the Library without additional supervision.