

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER
23-24

AN ORDINANCE APPROVING PURCHASE OF AIRBURNER FIREBOX

DAVE KIMSEY, Village President
DAN HOLDEN, Village Clerk

KRISTEN CHIARO
MEREDITH FERGUSON
JOHN FLETCHER
BRETT GERGER
TIM NICE
CARL TRY
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on July 25, 2023

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62701

ORDINANCE NO. 23-24

AN ORDINANCE APPROVING PURCHASE OF AIRBURNER FIREBOX

WHEREAS, the Village of Chatham (“Village”) is an Illinois Municipal Corporation existing and operating under the Illinois Municipal Code and the laws of the State of Illinois; and

WHEREAS, on June 29, 2023, a destructive storm system caused significant damage to property within the Village;

WHEREAS, this destructive storm contained very strong winds which caused a significant number of trees to fall;

WHEREAS, as a result of the damage caused by the destructive storm, both the Village of Chatham and the State of Illinois declared a State of Emergency; and

WHEREAS, the Village collected and stacked the fallen trees and storm debris on several lots within the Village; and

WHEREAS, the Village sought assistance in disposing of the fallen trees and storm debris, but has been unable to locate assistance from Sangamon County or the State of Illinois;

WHEREAS, because of the amount of the debris and the size of the debris piles on the lots, the Village needs to dispose of the fallen trees and storm debris expeditiously;

WHEREAS, the Village sought information and quotes for an AirBurner FireBox S223 with ash rake that can safely dispose of the significant amount of fallen trees and storm debris in a manner that has a low impact on the environment and the property and residents in the Village;

WHEREAS, the Village received the quote from Air Burners, Inc. for a 2023 AirBurner Model S223 with ash rake, custom rollers, and in-person training as described in the information attached hereto as **Exhibit A**; and,

WHEREAS, Air Burner, Inc. has a U.S. General Services Administration (“GSA”) Multiple Award Schedule (“MAS”) Contract (No. 47QMCA20D000C), and the AirBurner

Model S223 (MAS/3331SBSA) is a disaster purchasing item that may be purchased by local governments at a fixed cost and delivered within 95 days;

WHEREAS, the quote attached is equal to or less than the MAS Contract pricing and can be delivered sooner than the MAS Contract timeline;

WHEREAS, due to the immediate need for the 2023 AirBurner Model S223 to dispose of the fallen trees and storm debris, the Board of Trustees of the Village intends to waive the bidding and purchasing requirements set forth in the Village Code of Ordinances and the Illinois Municipal Code; and

WHEREAS, the Board of Trustees of the Village believe it is in the best interest of the Village to accept the quote from Air Burners, Inc. as attached hereto.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Resolution as if fully set forth in this Section 1.

Section 2. Acceptance of Quote. The Village hereby approves quote from Air Burners, Inc. in the amount of \$206,755.00 as further described in the attached **Exhibit A** for use by the Village and expressly waives any additional bidding or purchasing requirements in the Village Code of Ordinances or in the Illinois Municipal Code. Any and all quotes obtained and not explicitly approved by this Ordinance are hereby rejected. The Village authorizes the Village Manager and/or Village President, or designee of either, to execute any documents necessary to complete the purchase contemplated therein.

Section 3. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall

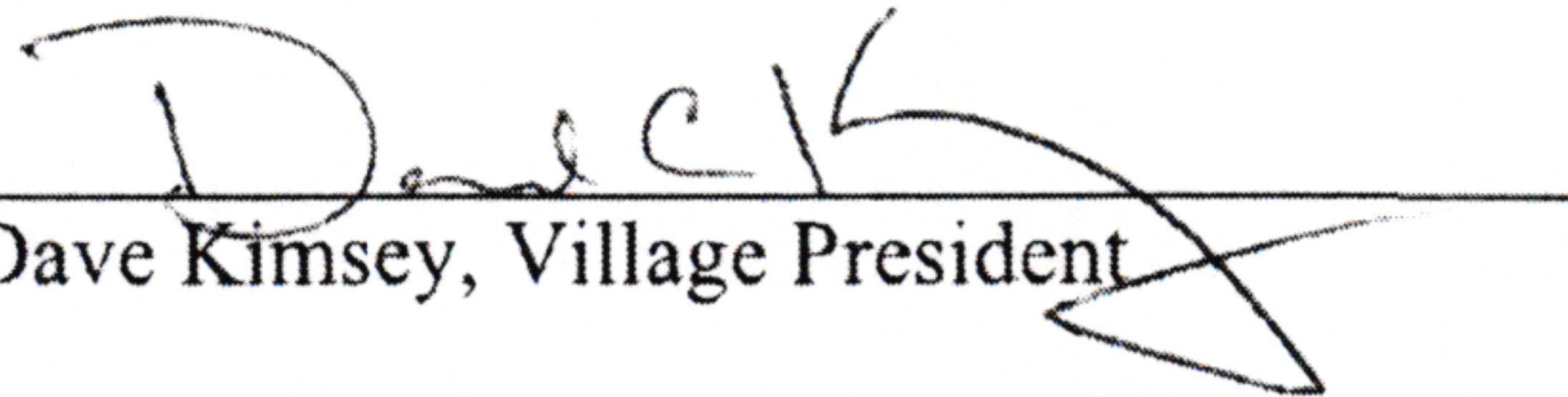
not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

Section 4. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

	AYE	NAY	ABSTAIN	ABSENT
KRISTEN CHIARO	✓			
MEREDITH FERGUSON				✓
JOHN FLETCHER	✓			
BRETT GERGER	✓			
TIM NICE	✓			
CARL TRY	✓			
DAVE KIMSEY				
TOTAL	5	-	-	1

APPROVED by the President of the Village of Chatham, Illinois this 25th day of July, 2023.


 Dave Kimsey, Village President

Attest:

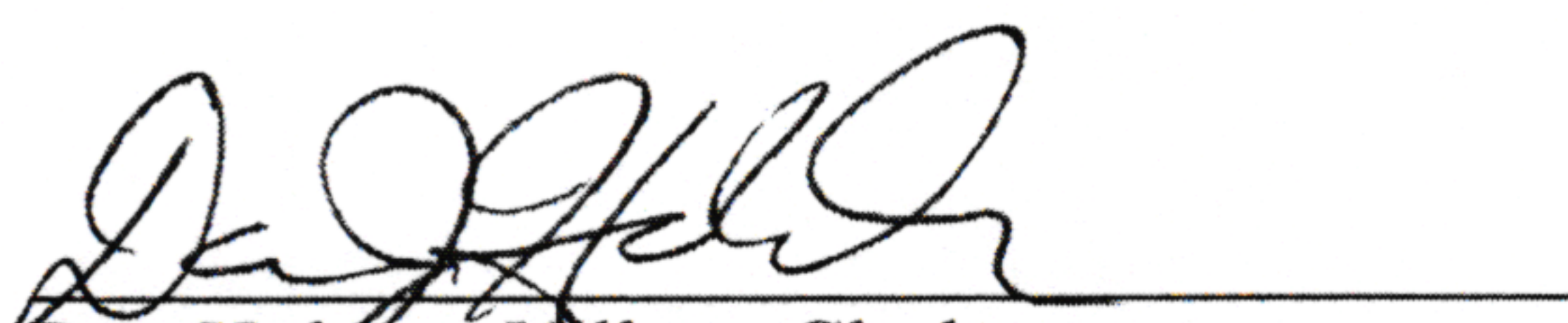

 Dan Holden, Village Clerk

EXHIBIT A
AIR BURNER, INC. QUOTE



Proforma Invoice

AIR BURNERS, INC.
 4390 SW Cargo Way
 Palm City, FL 34990 USA
 Phone 772-220-7303
www.AirBurners.com

DATE 24-Jul-2023

Our Reference # S2372411
Email: mschmitt@airburners.com
Mobile Phone: 772-631-8140

Bill To:
 Village of Chatham
 117 East Mulberry Street
 Chatham, IL, 62629

Ship To:
 Village of Chatham
 117 East Mulberry Street
 Chatham, IL, 62629

Phone 217-483-2451 Patrick McCarthy
Email pmccarthy@chathamIL.gov

FOB POINT		SHIP DATE ARO	SHIP VIA	PAYMENT TERMS	
Palm City, FL		2-4 Weeks	Truck	See Note 1	
ITEM	QUANTITY	DESCRIPTION	P/N	UNIT PRICE \$	AMOUNT \$
1	1	2023 Air Burner Model S223 Refractory Lined Fire Box with Four-cylinder Turbo Diesel Engine approx. 74 HP, HATZ Model 4H50TIC (Does not require DEF) or equivalent engine; Emissions certified US EPA Tier 4 FINAL	S223	\$ 184,590.00	\$ 184,590.00
2	2	Pair of Custom Rollers	5000-2646	\$ 700.00	\$ 1,400.00
3	1	S223 Ash Rake	5000-1905	\$ 8,950.00	\$ 8,950.00
4	1	In-person Training	Training	\$ 6,580.00	\$ 6,580.00
5	LOT	Estimated Shipping Charges (See Note 2)	Service	\$ 5,235.00	\$ 5,235.00
TOTAL DUE				\$	206,755.00

NOTES:

- Note 1** Payment Terms: PO with a 50% deposit, Government terms, 30 days net.
- Note 2** The S223 will be shipped as standard load on a Common Carrier Truck. Unloading cost, if any, at destination is not included in Line Item 5 and is to the account of Buyer. Actual shipping charges will be calculated two weeks prior to shipment.
- Note 3** The optional ash rake implement with universal quick disconnect face-plate for Skidsteer, Bobcat, etc. will travel inside the FireBox.
- Note 4** The prices stated in this Quotation are valid for 60 days.
- Note 5** The published specifications for the S223 applies. Please, see www.airburners.com
- Note 6** We offer optional two-day Operator Training and Certification on site. The firm fixed cost is \$5,910 for locations east of the Mississippi and \$6,580 for locations west of the Mississippi.

We thank you for the opportunity to be of service!

Michael Schmitt
 Director of Sales

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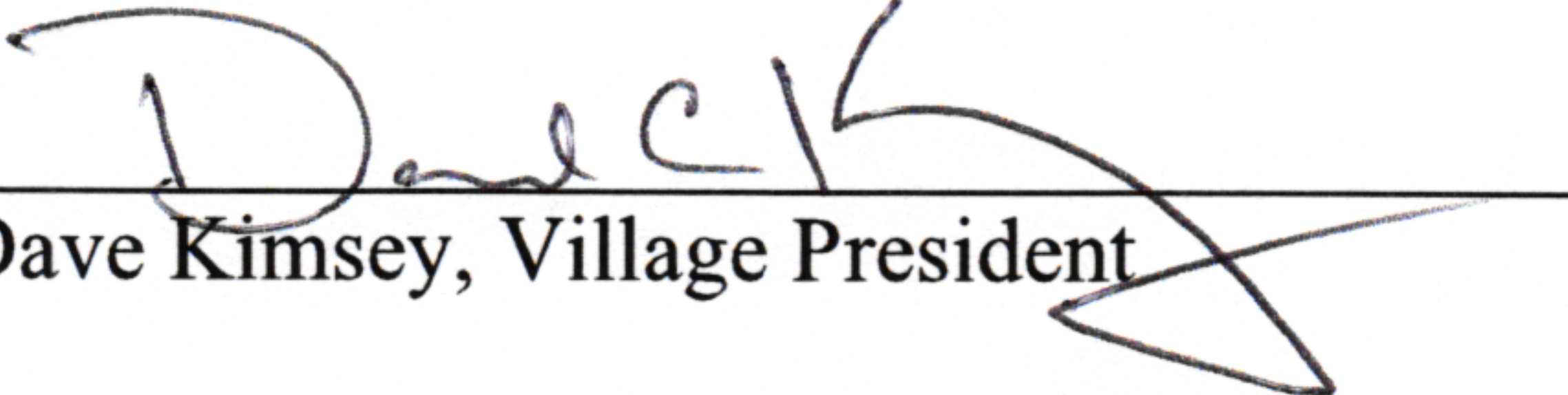
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JOHN FLETCHER	✓			
BRETT GERGER	✓			
TIM NICE	✓			
CARL TRY	✓			
DAVE KIMSEY				
TOTAL	5	-	-	1

APPROVED by the President of the Village of Chatham, Illinois this ___ day of July, 2023.


 Dave Kimsey, Village President

Attest:


 Dan Holden, Village Clerk

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AIR BURNER, INC. QUOTE



Proforma Invoice

DATE 24-Jul-2023

AIR BURNERS, INC.
 4390 SW Cargo Way
 Palm City, FL 34990 USA
 Phone 772-220-7303
www.AirBurners.com

Our Reference # S2372411
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 Mobile Phone: 772-631-8140

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 117 East Mulberry Street
 Chatham, IL, 62629

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Phone 217-483-2451 Patrick McCarthy
 Email pmccarthy@chathamIL.gov

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