

Position Statement of the Village of Orland Park

Dale, Inc. Appeal of Suspension pursuant to Village of Orland Park Code Section 1-16-15

History:

On February 19, 2026, the Village of Orland Park (“Village”) received bids in response to ITB 26-018, entitled “Asphalt Pavement Patching.” Dale, Inc. of New Lenox, IL was determined to be the low bidder. The Village then undertook its normal process to collect the required certifications and other information to confirm Dale, Inc.’s eligibility to be awarded the contract. One aspect of the required documentation is compliance with the Village’s Responsible Bidder Ordinance, found in the Village of Orland Park Village Code, Title 1, Chapter 16, Section 1-16-7 (“Construction Bidding and Contracts”).

During this pre-award process, the Village received a communication from another vendor expressing concern that Dale, Inc. did not meet the Village’s contracting requirements. That prompted Assistant Director of Public Works Brian Fei to examine the compliance paperwork submitted by Dale, Inc. and to monitor additional submissions.

On March 24, 2026 Dale, Inc. submitted a document which purported to be a letter from LiUNA certifying compliance with the apprenticeship program participation requirements set forth in Village Code Section 1-16-7. The document appeared on its face to have issues which cast doubt as to its legitimacy. First, the date was not aligned with the rest of the letter. The date appearing on the letter was March 15, 2026, which was a Sunday, and not a regular day for the conduct of business. In addition, the letter did not contain information about program participation in the year 2025—the most recent data was dated 2024, which appeared stale, especially since the Village had seen letters from LiUNA submitted for numerous other projects and bids *with* updated information. These factors led the Village to contact LiUNA directly to confirm that the Letter was accurate. (*See, Affidavit of Brian Fei*). LiUNA, however, confirmed that the letter was not accurate and had not been issued by their office. They confirmed that the irregularities in the letter were indicative of the fact that it was not accurate; they further informed the Village that the signatory of the letter had previously left LiUNA and was no longer employed there. In addition to verifying that the letter was inaccurate, LiUNA confirmed that Dale, Inc.’s account had not been timely at the time of the purported issuance of the letter but that it was by the time of speaking back in current status.

Based on this information, the Village determined that Dale, Inc. had engaged in misrepresentation and the submission of falsified documentation in connection with its response to ITB 26-018. Under Village Code Section 1-16-15, the Village Manager has the authority to suspend a vendor from submitting for Village projects for up to three (3) years. The Village gave notice to Dale, Inc. of its three-year suspension on April 17, 2026. Dale, Inc. timely filed a notice of appeal.

The determination for the Board of Trustees is to “deny the appeal, grant the appeal, or grant such other relief as the Village Board determines is appropriate.” (Village Code, 1-16-15 (C)). The Board expressly has the power to decrease or increase the length of the suspension. (*Id.*).

The appeal received from Dale, Inc., does not deny that the letter was falsified. (*See, Dale, Inc. 's Appeal, dated April 21, 2026*). They claim to have represented to the Village that they “were having trouble obtaining the paperwork that they needed from the Union.” This is irrelevant. If Dale, Inc. was not in good standing with the Apprenticeship Fund of LiUNA, they could have brought the account current while delaying the paperwork; or informed the Village that they could not comply with the Responsible Bidder Ordinance and lost out on the instant project. Instead, they chose to intentionally falsify a certification document that was not true. This conduct reflects a lack of business integrity and violates ethical standards related to contracting, and justifies the suspension imposed by the Village. Indeed, the appeal itself takes no responsibility for the circumstances of the case, and does not offer any explanation as to what happened and why, but merely recites that Dale, Inc. does not want to be suspended. The suspension was fully justified, and the Board of Trustees should consider using its authority to extend the suspension given the lack of forthrightness displayed by Dale, Inc. throughout this process.