

Revised 3/23/10

CITY OF AURORA, ILLINOIS  
ORDINANCE NO. 010-10  
DATE OF PASSAGE March 23, 2010

AN ORDINANCE AMENDING CHAPTER 2 ARTICLE V, DIVISION 2, SECTION 2-331 ENTITLED "DEFINITIONS" OF THE CITY OF AURORA CODE OF ORDINANCES

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, the City Council has determined that it is appropriate to amend the definitions section of the City of Aurora bidding statute in order to make clear it's expectations for responsible bidders for contracts involving the City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

**Section One:** That Chapter 2, Article V, Division 2, Section 2-331, entitled "Definitions" of the Aurora Code of Ordinances be and is hereby amended as follows:

**Sec. 2-331. Definitions.**

In this division and in the city's bidding documents for all contracts except public works project contracts, "lowest responsible bidder" means the lowest bidder whose offer best responds in quality, fitness and capacity to the requirements of the proposed work or usage. "Lowest responsible bidder" means highest responsible bidder in those instances where the highest rather than the lowest price is desired.

"Responsible bidder" for public works project contracts means a bidder who meets all of the job specifications and who submits evidence of compliance with the following applicable criteria:

- (1) All applicable laws prerequisite to doing business in Illinois;
- (2) Evidence of compliance with:
  - (a) Federal Employer Tax Identification Number or Social Security Number (for individuals);
  - (b) Equal Opportunity Employer provisions of Section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No. 11246 as amended by Executive Order No. 11375;
- (3) Certificates of insurance indicating the following coverages: general liability, worker's compensation, completed operations, automobile, hazardous occupation and product liability;
- (4) Compliance with all provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades covered in the Act;
- (5) The bidder for all such contracts in excess of \$25,000 must participate in active apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training;
- (6) All bidders are required to turn in certified payroll records as specified in Illinois Public Act 94-0515, and follow all provisions of the Employee Classification Act, 820 ILCS 185/1 et seq.;
- (7) All bidders must demonstrate a good faith effort toward providing equal employment opportunities for residents to work as craftspersons, consistent with the racial, ethnic, and gender demographics of the labor force available in the city;
- (8) All bidders must provide evidence of relevant experience that indicates the necessary capacity to perform the project and must provide adequate reference(s) verifying the quality of work performed.

**Section Two:** That this ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

**Section Three:** That all ordinances or parts of ordinances thereof in conflict herewith are hereby repealed to the extent of any such conflict.

**Section Four:** That any Section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining Sections or provisions which shall remain in full force and effect thereafter.

PASSED by the City Council of the City of Aurora, Illinois, on 03-23-10.

AYES 11 NAYES 1

APPROVED AND SIGNED by the Mayor of the City of Aurora, Illinois, on 03-23-10.

*Thomas Weiser*

Mayor

ATTEST:

*Cheryl M. Donhoff*  
City Clerk

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