

RESOLUTION NO. 482-

A RESOLUTION DEFINING RESPONSIBLE BIDDER

WHEREAS, in many instances and circumstances the Village will let contracts to the lowest, responsive, responsible bidder; and

WHEREAS, the Village has not heretofore defined the term "responsible bidder";

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Channahon in the exercise of its home rule, statutory and Constitutional powers, as follows:

SECTION 1. That the term "responsible bidder" for construction and public works contracts means a bidder who meets, at a minimum, all of the following applicable criteria, and submits evidence of such compliance:

- (1) All applicable laws pre-requisite to doing business in Illinois,
- (2) Evidence of compliance with
 - (a) Federal employer tax identification number or social security number (for individuals);
 - (b) Provision 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 (known as the Equal Opportunity Employer provisions).
- (3) Certificates of insurance as may be required by the Village.
- (4) Compliance with all provisions of the Illinois Prevailing Wage Act.
- (5) For contracts in excess of \$50,000, participation in apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training.

SECTION 2. In addition to Section 1, the Village may find other criteria, such as a contractor's past performance, critical for determining whether they are a "responsible bidder".

SECTION 3. This Resolution shall not apply to contracts where its application would result in lost funding or conflict with approvals or authorizations of other authorities, such as, but not limited to the Environmental Protection Agency, State of Illinois, or the United States of America.

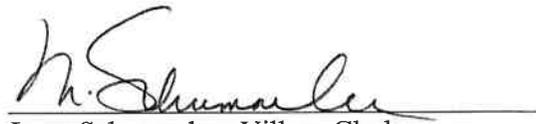
SECTION 4. Repealer. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution shall be, and the same are hereby repealed.

SECTION 5. Severability. This Resolution and every provision thereof, shall be considered severable. In the event that any court of competent jurisdiction may find and declare any word, phrase, clause, sentence, paragraph, provision or section or part of a phrase, clause, sentence, paragraph, provision or section of this Resolution is void or unconstitutional, the remaining words, phrases, clauses, sentences, paragraphs and provisions and parts of phrases, clauses, sentences, paragraphs, provisions and sections not ruled void or unconstitutional shall continue in full force and effect.

SECTION 6. Effective Date. This Resolution shall be in full force and effect after its passage, approval, and publication in pamphlet form.

PASSED this 2nd day of March, 2009 with 6 members voting aye, 0 members voting nay, the President NOT voting, with 0 members abstaining or passing and said vote being:

MILITELLO	<u>AYE</u>	NASH	<u>AYE</u>
GRECO	<u>AYE</u>	McMILLIN	<u>AYE</u>
SLOCUM	<u>AYE</u>	DAVIDSON	<u>AYE</u>


Janet Schumacher, Village Clerk

APPROVED this 2nd day of March, 2009.


JOSEPH COOK, Village President

(SEAL)

ATTEST:


Janet Schumacher, Village Clerk