

# ORDINANCE #1475

## AN ORDINANCE DEFINING RESPONSIBLE BIDDER

WHEREAS, the Mayor and City Council find that it is in the best interest to define the term "responsible" as contained in competitive bidding statutes governing the City of Crest Hill purchases of construction goods and services; and

WHEREAS, the Mayor and City Council of the City of Crest Hill desire to define who is a responsible bidder for construction contracts to be performed for and on behalf of the City of Crest Hill; and

WHEREAS, the contracting authority of the City of Crest Hill is entrusted with the power to determine whether a respective bidder is the "lowest responsible bidder"; and

WHEREAS, the City of Crest Hill solicits bids and/or proposals on many different types of construction contracts with varying factors affecting each purchasing decision, and therefore must take into account reasonable benefits to the community's welfare arising from each bid and in the exercise of its proprietary functions.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Crest Hill, Illinois that the following definition be adopted and incorporated into the City of Crest Hill Code of Ordinances.

SECTION 1. Responsible Bidder For Construction Contracts. Responsible bidder for construction contracts means a bidder who meets all of the job specifications, the following applicable criteria, and submits evidence of such compliance:

- (A) All applicable laws, and prerequisites to doing business in Illinois.
- (B) Evidence of compliance with the following:
  - (i) Federal Employer Tax Identification Number or Social Security Number (for individuals)
  - (ii) Provision of Section 2000(c) 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).
- (C) Certificates of insurance indicating the following coverage's: general liability, workers' compensation, completed operations, automobile, hazardous occupation and product liability in not less than the minimum amounts required by the City.
- (D) 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.

- (E) The bidder and all bidder's sub-contractors must participate in active apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for each of the trades of work contemplated under the awarded contract.
- (F) All contractors and sub-contractors are required to turn in certified payrolls as specified in Illinois Public Act 94-0515.

SECTION 2. Threshold Amount. This ordinance and every provision thereof shall apply to all construction contracts exceeding \$20,000 let to the lowest responsible bidder as defined herein after advertising for bids for such construction contracts.

SECTION 3. Severability. If any section, paragraph, clause or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or unenforceability of such section, paragraph, clause or provision shall not affect the remaining portions of this ordinance.


SECTION 4. Repealer. All ordinances, orders, and resolutions and parts thereof in conflict herewith be and the same are hereby repealed and this ordinance shall be in full force and effect forthwith upon its adoption and approval.

PASSED THIS 16th DAY OF April, 2009.

AYES: 9  
NAYS: 0  
ABSENT: 0

  
Christine Vershay-Hall, City Clerk

APPROVED THIS 16th DAY OF April, 2009.

  
Nick Churnovic, Mayor

ATTEST:

  
Christine Vershay-Hall, City Clerk